House Bill 871

By: Representatives Pirkle of the 169th, Bonner of the 73rd, Corbett of the 174th, Reeves of the 99th, and Cannon of the 172nd

A BILL TO BE ENTITLED

AN ACT

To amend Code Section 48-5-48 of the Official Code of Georgia Annotated, relating to homestead exemption by qualified disabled veteran, filing requirements, periodic substantiation of eligibility, persons eligible without application, and retroactive award, so as to clarify the applicability of such homestead exemption to spouses and minor children; to provide for related matters; to provide for an effective date; to provide for applicability; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Code Section 48-5-48 of the Official Code of Georgia Annotated, relating to homestead exemption by qualified disabled veteran, filing requirements, periodic substantiation of eligibility, persons eligible without application, and retroactive award, is amended by revising subsections (b), (b.1), and (d) as follows:

"(b) Any disabled veteran as defined in any paragraph of subsection (a) of this Code section who is a citizen and resident of Georgia is granted an exemption of the greater of $32,500.00 or the maximum amount which may be granted to a disabled veteran under Section 2102 of Title 38 of the United States Code, as amended, on his or her homestead

which such veteran owns and actually occupies as a residence and homestead, such exemption being from all ad valorem taxation for state, county, municipal, and school purposes. As of January 1, 2004, the maximum amount which may be granted to a disabled veteran under the above-stated federal law is $50,000.00. The value of all property in excess of the exempted amount cited above shall remain subject to taxation. The unremarried surviving spouse or minor children of any such disabled veteran as defined in this Code section shall also be entitled to an exemption of the greater of $32,500.00 or the maximum amount which may be granted to a disabled veteran under Section 2102 of Title 38 of the United States Code, as amended, on ~~the~~ a homestead so long as the unremarried surviving spouse or minor children continue actually to occupy ~~the~~ a home as a residence and homestead, such exemption being from all ad valorem taxation for state, county, municipal, and school purposes. As of January 1, 2004, the maximum amount which may be granted to the unremarried surviving spouse or minor children of any such disabled veteran under the above-stated federal law is $50,000.00. The value of all property in excess of such exemption granted to such unremarried surviving spouse or minor children shall remain subject to taxation.

(b.1) The unremarried surviving spouse or minor children of any disabled veteran shall also be entitled to an exemption of the greater of $32,500.00 or the maximum amount on a homestead, or any subsequent homestead within ~~the same county~~ this state, where such spouse or minor children continue to occupy ~~the~~ a home as a residence and homestead, such exemption being from ad valorem taxation for state, county, municipal, and school purposes."

"(d) Each disabled veteran shall file for the exemption only once in the county of his or her residence. Once filed, the exemption shall automatically be renewed from year to year, except as provided in subsection (e) of this Code section. Upon and after the disabled veteran's death, such ~~Such~~ exemption shall be extended to the unremarried surviving spouse or minor children ~~at the time of his death~~ so long as they continue to occupy ~~the~~ a

home as a residence and homestead. In the event a disabled veteran who would otherwise be entitled to the exemption dies or becomes incapacitated to the extent that he or she cannot personally file for such exemption, the spouse, the unremarried surviving spouse, or the minor children ~~at the time of the disabled veteran's death~~ may file for the exemption and such exemption may be granted as if the disabled veteran had made personal application therefor.″

SECTION 2.

This Act shall become effective upon its approval by the Governor or upon its becoming law without such approval and shall be applicable to all taxable years beginning on or after January 1, 2025.

SECTION 3.

All laws and parts of laws in conflict with this Act are repealed.