

House Bill 1563 (AS PASSED HOUSE AND SENATE)

By: Representative Camp of the 135th

A BILL TO BE ENTITLED
AN ACT

1 To amend an Act providing a homestead exemption from Pike County ad valorem taxes for
2 county purposes for certain residents of that county who are 65 years of age or over,
3 approved May 13, 2002 (Ga. L. 2002, p. 5736), so as to increase the amount of the
4 homestead exemption for residents of Pike County who are senior citizens; to provide for
5 increased amounts of homestead exemptions for certain residents who have resided in the
6 county for a certain amount of time; to provide for compliance with constitutional
7 requirements; to provide for a referendum, effective dates, automatic repeal, mandatory
8 execution of election, and judicial remedies regarding failure to comply; to provide for
9 applicability; to provide for related matters; to repeal conflicting laws; and for other
10 purposes.

11 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

12 **SECTION 1.**

13 An Act providing a homestead exemption from Pike County ad valorem taxes for county
14 purposes for certain residents of that county who are 65 years of age or over, approved
15 May 13, 2002 (Ga. L. 2002, p. 5736), is amended by revising subsection (a) of Section 2 as
16 follows:

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42 provided by general law. The election superintendent shall cause the date and purpose of the
 43 election to be published once a week for two weeks immediately preceding the date thereof
 44 in the official organ of Pike County. The ballot shall have written or printed thereon the
 45 words:

46 " YES Shall the Act be approved which increases the homestead exemption for
 47 senior citizens to \$15,000.00 for all senior citizens, \$20,000.00 for senior
 48 NO citizens 70 years of age or older who have resided in the county for five to
 49 nine years, \$30,000.00 for all senior citizens 75 years of age or older who
 50 have resided in the county for ten to 19 years, and \$50,000.00 for all senior
 51 citizens 80 years of age or older who have resided in the county for 20 or
 52 more years?"

53 All persons desiring to vote for approval of the Act shall vote "Yes," and all persons desiring
 54 to vote for rejection of the Act shall vote "No." If more than one-half of the votes cast on
 55 such question are for approval of the Act, Section 1 of this Act shall become of full force and
 56 effect on January 1, 2027. If the Act is not so approved or if the election is not conducted
 57 as provided in this section, Section 1 of this Act shall not become effective, and this Act shall
 58 be automatically repealed on the 365th calendar day following the election date provided for
 59 in this section. The expense of such election shall be borne by Pike County. It shall be the
 60 election superintendent's duty to certify the result thereof to the Secretary of State. The
 61 provisions of this section shall be mandatory upon the election superintendent and are not
 62 intended as directory. If the election superintendent fails or refuses to comply with this
 63 section, any elector of Pike County may apply for a writ of mandamus to compel the election
 64 superintendent to perform his or her duties under this section. If the court finds that the
 65 election superintendent has not complied with this section, the court shall fashion appropriate
 66 relief requiring the election superintendent to call and conduct such election on the date
 67 required by this section or on the next date authorized for special elections provided for in
 68 Code Section 21-2-540 of the O.C.G.A.

69 **SECTION 4.**

70 Except as otherwise provided in Section 3 of this Act, this Act shall become effective upon
71 its approval by the Governor or upon its becoming law without such approval.

72 **SECTION 5.**

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