

House Bill 445 (AS PASSED HOUSE AND SENATE)

By: Representatives Rakestraw of the 19<sup>th</sup>, Gravley of the 67<sup>th</sup>, Alexander of the 66<sup>th</sup>, and Maxwell of the 17<sup>th</sup>

A BILL TO BE ENTITLED  
AN ACT

1 To provide for a homestead exemption from City of Hiram ad valorem taxes for municipal  
2 purposes in the amount of \$55,000.00 of the assessed value of the homestead for residents  
3 of that city who are 65 years of age or older; to provide for definitions; to specify the terms  
4 and conditions of the exemption and the procedures relating thereto; to provide for  
5 applicability; to provide for a referendum, effective dates, and automatic repeal; to repeal  
6 conflicting laws; and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 (a) As used in this Act, the term:

10 (1) "Ad valorem taxes for municipal purposes" means all ad valorem taxes for municipal  
11 purposes levied by, for, or on behalf of the City of Hiram, including, but not limited to,  
12 any ad valorem taxes to pay interest on and to retire municipal bonded indebtedness.

13 (2) "Homestead" shall have the same meaning as in Code Section 48-5-40 of the  
14 O.C.G.A., as amended.

15 (3) "Senior citizen" means a person who is 65 years of age or older on or before  
16 January 1 of the year in which application for the exemption under subsection (b) of this  
17 section is made.

18 (b) Each resident of the City of Hiram who is a senior citizen is granted an exemption on  
19 that person's homestead from City of Hiram ad valorem taxes for municipal purposes in the  
20 amount of \$55,000.00 of the assessed value of that homestead. The value of that property  
21 in excess of such exempted amount shall remain subject to taxation.

22 (c) A person shall not receive the homestead exemption granted by subsection (b) of this  
23 section unless the person or person's agent files an application with the governing authority  
24 of the City of Hiram, or the designee thereof, giving the person's age and such additional  
25 information relative to receiving such exemption as will enable the governing authority of  
26 the City of Hiram, or the designee thereof, to make a determination regarding the initial and

27 continuing eligibility of such person for such exemption. The governing authority of the City  
28 of Hiram, or the designee thereof, shall provide application forms for this purpose.

29 (d) The exemption shall be claimed and returned as provided in Code Section 48-5-50.1 of  
30 the O.C.G.A., as amended. The exemption shall be automatically renewed from year to year  
31 as long as the owner occupies the residence as a homestead. After a person has filed the  
32 proper application, as provided in subsection (c) of this section, it shall not be necessary to  
33 make application thereafter for any year and the exemption shall continue to be allowed to  
34 such person. It shall be the duty of any person granted the homestead exemption under  
35 subsection (b) of this section to notify the governing authority of the City of Hiram, or the  
36 designee thereof, in the event that person for any reason becomes ineligible for that  
37 exemption.

38 (e) The exemption granted by subsection (b) of this section shall not apply to or affect state  
39 ad valorem taxes, county ad valorem taxes for county purposes, or county or independent  
40 school district ad valorem taxes for educational purposes. The homestead exemption granted  
41 by subsection (b) of this section shall be in lieu of and not in addition to any other homestead  
42 exemption applicable to ad valorem taxes for municipal purposes.

43 (f) The exemption granted by subsection (b) of this section shall apply to all taxable years  
44 beginning on or after January 1, 2018.

## 45 SECTION 2.

46 The municipal election superintendent of the City of Hiram shall call and conduct an election  
47 as provided in this section for the purpose of submitting this Act to the electors of the City  
48 of Hiram for approval or rejection. The municipal election superintendent shall conduct that  
49 election on the Tuesday after the first Monday in November, 2017, and shall issue the call  
50 and conduct that election as provided by general law. The municipal election superintendent  
51 shall cause the date and purpose of the election to be published once a week for two weeks  
52 immediately preceding the date thereof in the official organ of Paulding County. The ballot  
53 shall have written or printed thereon the words:

54 "( ) YES Shall the Act be approved which provides a homestead exemption from City  
55 ( ) NO of Hiram ad valorem taxes for municipal purposes in the amount of  
56 \$55,000.00 of the assessed value of the homestead for residents of that city  
57 who are 65 years of age or older?"

58 All persons desiring to vote for approval of the Act shall vote "Yes," and all persons desiring  
59 to vote for rejection of the Act shall vote "No." If more than one-half of the votes cast on  
60 such question are for approval of the Act, Section 1 of this Act shall become of full force and  
61 effect on January 1, 2018. If the Act is not so approved or if the election is not conducted  
62 as provided in this section, Section 1 of this Act shall not become effective and this Act shall

63 be automatically repealed on the first day of January immediately following that election  
64 date. The expense of such election shall be borne by the City of Hiram. It shall be the  
65 municipal election superintendent's duty to certify the result thereof to the Secretary of State.

66 **SECTION 3.**

67 Except as otherwise provided in Section 2 of this Act, this Act shall become effective upon  
68 its approval by the Governor or upon its becoming law without such approval.

69 **SECTION 4.**

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