

House Bill 862 (AS PASSED HOUSE AND SENATE)

By: Representatives Knight of the 130<sup>th</sup>, Powell of the 171<sup>st</sup>, Harrell of the 106<sup>th</sup>, Hitchens of the 161<sup>st</sup>, and Houston of the 170<sup>th</sup>

A BILL TO BE ENTITLED  
AN ACT

1 To amend provisions of the Official Code of Georgia Annotated relating to disabled veterans;  
2 to amend Chapter 2 of Title 40 of the Official Code of Georgia Annotated, relating to  
3 registration and licensing of motor vehicles, so as to clarify the definition of disabled veteran;  
4 to amend Chapter 5 of Title 48 of the Official Code of Georgia Annotated, relating to ad  
5 valorem taxation of property, so as to clarify the definition of disabled veteran; to provide  
6 for related matters; to provide for an effective date; to repeal conflicting laws; and for other  
7 purposes.

8 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

9 SECTION 1.

10 Chapter 2 of Title 40 of the Official Code of Georgia Annotated, relating to registration and  
11 licensing of motor vehicles, is amended by revising subsection (a) of Code Section 40-2-69,  
12 relating to free license plates and revalidation decals for disabled veterans, as follows:

13 "(a) Any disabled veteran who is a citizen and resident of this state shall, upon application  
14 therefor, be issued a free motor vehicle license plate. As used in this Code section, the  
15 term 'disabled veteran' ~~means any veteran who was discharged under honorable conditions~~  
16 ~~and who has been adjudicated by the United States Department of Veterans Affairs as~~  
17 ~~being 100 percent totally disabled or as being less than 100 percent totally disabled but is~~  
18 ~~compensated at the 100 percent level due to individual unemployability and is entitled to~~  
19 ~~receive a statutory award from the United States Department of Veterans Affairs for:~~

- 20 (1) ~~Loss or permanent loss of use of one or both feet;~~
- 21 (2) ~~Loss or permanent loss of use of one or both hands;~~
- 22 (3) ~~Loss of sight in one or both eyes; or~~
- 23 (4) ~~Permanent impairment of vision of both eyes of the following status: central visual~~  
24 ~~acuity of 20/200 or less in the better eye, with corrective glasses, or central visual acuity~~  
25 ~~of more than 20/200 if there is a field defect in which the peripheral field has contracted~~  
26 ~~to such an extent that the widest diameter of visual field subtends an angular distance no~~

27 ~~greater than 20 degrees in the better eye shall have the same meaning as that term is~~  
 28 ~~defined in paragraph (1) of subsection (a) of Code Section 48-5-48."~~

29 **SECTION 2.**

30 Chapter 5 of Title 48 of the Official Code of Georgia Annotated, relating to ad valorem  
 31 taxation of property, is amended by revising paragraph (1) of subsection (a) of Code Section  
 32 48-5-48, relating to the homestead exemption for disabled veterans, as follows:

33 "(a) As used in this Code section, the term 'disabled veteran' means:

34 (1) Any veteran who is a citizen and a resident of this state who was discharged under  
 35 honorable conditions and who has been adjudicated by the United States Department of  
 36 Veterans Affairs as having a service related disability that renders such veteran as being  
 37 100 percent totally disabled or as being less than 100 percent totally disabled but is  
 38 compensated at the 100 percent level due to individual unemployability ~~and~~ or is entitled  
 39 to receive a statutory award from the United States Department of Veterans Affairs for:

40 (A) Loss or permanent loss of use of one or both feet;

41 (B) Loss or permanent loss of use of one or both hands;

42 (C) Loss of sight in one or both eyes; or

43 (D) Permanent impairment of vision of both eyes of the following status: central visual  
 44 acuity of 20/200 or less in the better eye, with corrective glasses, or central visual acuity  
 45 of more than 20/200 if there is a field defect in which the peripheral field has contracted  
 46 to such an extent that the widest diameter of visual field subtends on angular distance  
 47 no greater than 20 degrees in the better eye;"

48 **SECTION 3.**

49 Said chapter is further amended by revising subsection (a) of Code Section 48-5-478, relating  
 50 to the exemption from ad valorem taxation for motor vehicles owned or leased by a disabled  
 51 veteran, as follows:

52 "(a) A motor vehicle owned by or leased to a disabled veteran who is a citizen and resident  
 53 of this state and on which such disabled veteran actually places the free disabled veteran  
 54 motor vehicle license plate he or she receives pursuant to Code Section 40-2-69 is hereby  
 55 exempted from all ad valorem taxes for state, county, municipal, and school purposes. As  
 56 used in this Code section, the term 'disabled veteran' ~~means any veteran who was~~  
 57 ~~discharged under honorable conditions and who has been adjudicated by the United States~~  
 58 ~~Department of Veterans Affairs as being 100 percent totally disabled or as being less than~~  
 59 ~~100 percent totally disabled but is being compensated at the 100 percent level due to~~  
 60 ~~individual unemployability and is entitled to receive service connected benefits and any~~

61 ~~veteran who is receiving or who is entitled to receive a statutory award from the United~~  
62 ~~States Department of Veterans Affairs for:~~

63 ~~(1) Loss or permanent loss of use of one or both feet;~~

64 ~~(2) Loss or permanent loss of use of one or both hands;~~

65 ~~(3) Loss of sight in one or both eyes; or~~

66 ~~(4) Permanent impairment of vision of both eyes of the following status: central visual~~  
67 ~~acuity of 20/200 or less in the better eye, with corrective glasses, or central visual acuity~~  
68 ~~of more than 20/200 if there is a field defect in which the peripheral field has contracted~~  
69 ~~to such an extent that the widest diameter of visual field subtends an angular distance no~~  
70 ~~greater than 20 degrees in the better eye shall have the same meaning as that term is~~  
71 ~~defined in paragraph (1) of subsection (a) of Code Section 48-5-48.~~

72 **SECTION 4.**

73 This Act shall become effective upon its approval by the Governor or upon its becoming law  
74 without such approval.

75 **SECTION 5.**

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