

The House Committee on Ways and Means offers the following substitute to HB 766:

A BILL TO BE ENTITLED
AN ACT

1 To amend Article 2 of Chapter 5 of Title 48 of the Official Code of Georgia Annotated,
2 relating to property tax exemptions and deferral, so as to revise a definition to include any
3 spouse; to clarify the definition of disabled veteran; to provide for a referendum, effective
4 dates, and automatic repeal; to repeal conflicting laws; and for other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

6 **SECTION 1.**

7 Article 2 of Chapter 5 of Title 48 of the Official Code of Georgia Annotated, relating to
8 property tax exemptions and deferral, is amended in Code Section 48-5-40, relating to
9 definitions, by revising subparagraph (E) of paragraph (3) as follows:

10 "(E) Where a ~~husband or wife~~ married person occupies a dwelling and the title of the
11 homestead is in the name of ~~the wife~~ his or her spouse;"

12 **SECTION 2.**

13 Said article is further amended in Code Section 48-5-48, relating to the homestead exemption
14 for disabled veterans, by revising paragraph (1) of subsection (a) as follows:

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

16 (1) Any veteran who was discharged under honorable conditions and who has been
17 adjudicated by the United States Department of Veterans Affairs as being 100 percent
18 totally disabled or as being less than 100 percent totally disabled but is compensated at
19 the 100 percent level due to individual unemployability ~~and~~ or is entitled to receive a
20 statutory award from the United States Department of Veterans Affairs for:

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

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

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

24 (D) Permanent impairment of vision of both eyes of the following status: central visual
25 acuity of 20/200 or less in the better eye, with corrective glasses, or central visual acuity

26 of more than 20/200 if there is a field defect in which the peripheral field has contracted
 27 to such an extent that the widest diameter of visual field subtends on angular distance
 28 no greater than 20 degrees in the better eye;"

29 **SECTION 3.**

30 The Secretary of State shall call and conduct an election as provided in this section for the
 31 purpose of submitting Section 1 of this Act to the electors of the entire state for approval or
 32 rejection. The Secretary of State shall conduct that election on the date of the November,
 33 2016, state-wide general election and shall issue the call and conduct that election as
 34 provided by general law. The Secretary of State shall cause the date and purpose of the
 35 election to be published once a week for two weeks immediately preceding the date thereof
 36 in the official organ of each county in the state. The ballot shall have written or printed
 37 thereon the words:

38 "() YES Shall the Act be approved which provides that a homestead exemption
 39 applies for a dwelling occupied by a married couple regardless of which
 40 () NO spouse holds the title of the homestead in his or her name?"

41 All persons desiring to vote for approval of the Act shall vote "Yes," and all persons desiring
 42 to vote for rejection of the Act shall vote "No." If more than one-half of the votes cast on
 43 such question are for approval of the Act, Section 1 of this Act shall become of full force and
 44 effect on January 1, 2017. If Section 1 of this Act is not so approved or if the election is not
 45 conducted as provided in this section, Section 1 of this Act shall not become effective and
 46 Section 1 of this Act shall be automatically repealed on the first day of January immediately
 47 following that election date. It shall be the duty of each county election superintendent to
 48 certify the results thereof to the Secretary of State.

49 **SECTION 4.**

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

52 **SECTION 5.**

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