

The House Committee on Intragovernmental Coordination - Local Legislation offers the following substitute to SB 486:

A BILL TO BE ENTITLED  
AN ACT

1 To provide a homestead exemption from City of Atlanta independent school district ad  
2 valorem taxes for educational purposes in the amount of \$100,000.00 of the assessed value  
3 of the homestead for residents of that school district who are 65 years of age or older; to  
4 provide for definitions; to specify the terms and conditions of the exemption and the  
5 procedures relating thereto; to provide for applicability; to provide for a referendum,  
6 effective dates, and automatic repeal; to repeal 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 educational purposes" means all ad valorem taxes for  
11 educational purposes levied by, for, or on behalf of the City of Atlanta independent  
12 school district, including, but not limited to, any ad valorem taxes to pay interest on and  
13 to retire independent school district bonded indebtedness.

14 (2) "Homestead" means homestead as defined and qualified in Code Section 48-5-40 of  
15 the O.C.G.A., as amended.

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

19 (b)(1) Except as provided in paragraph (2) of this subsection, each resident of the City  
20 of Atlanta independent school district who is a senior citizen is granted an exemption on  
21 that person's homestead from all City of Atlanta independent school district ad valorem  
22 taxes for educational purposes in the amount of \$100,000.00 of the assessed value of that  
23 homestead. The value of that property in excess of such exempted amount shall remain  
24 subject to taxation.

25 (2) The maximum amount of homestead exemptions granted under this Act shall not  
26 exceed \$10 million in the aggregate annually. Upon the closing of the books for the

27 filing of homestead exemptions for each taxable year, the governing authority of the City  
28 of Atlanta or its designee shall calculate the aggregate amount of homestead exemptions  
29 claimed under this Act for such taxable year. If such total is equal to or less than \$10  
30 million in the aggregate for that taxable year, then each senior citizen claiming a  
31 homestead exemption under this Act shall receive the full value of such exemption. If  
32 the total exceeds \$10 million in the aggregate for that taxable year, the governing  
33 authority or its designee shall calculate the amount by which the total exceeds \$10 million  
34 and shall reduce the amount of homestead exemptions claimed by such senior citizens in  
35 an amount equal to such difference so that the total amount of homestead exemptions  
36 being claimed under this Act for such taxable year shall equal \$10 million. Such  
37 reduction shall be applied on proportionate basis.

38 (c) A person shall not receive the homestead exemption granted by subsection (b) of this  
39 section unless such person or person's agent files an application with the governing authority  
40 of the City of Atlanta or its designee, giving the person's age and such additional information  
41 relative to receiving such exemption as will enable the governing authority of the City of  
42 Atlanta or its designee to make a determination regarding the initial and continuing eligibility  
43 of such person for such exemption. The governing authority of the City of Atlanta or its  
44 designee shall provide application forms for this purpose.

45 (d) The exemption shall be claimed and returned as provided in Code Section 48-5-50.1 of  
46 the O.C.G.A., as amended. The exemption shall be automatically renewed from year to year  
47 as long as the person granted the homestead exemption under subsection (b) of this section  
48 occupies the residence as a homestead. After a person has filed the proper application as  
49 provided in subsection (c) of this section, it shall not be necessary to make application  
50 thereafter for any year, and the exemption shall continue to be allowed to such person. It  
51 shall be the duty of any person granted the homestead exemption under subsection (b) of this  
52 section to notify the governing authority of the City of Atlanta or its designee in the event  
53 such person for any reason becomes ineligible for that exemption.

54 (e) The exemption granted by subsection (b) of this section shall not apply to or affect any  
55 state ad valorem taxes, municipal ad valorem taxes for municipal purposes, county ad  
56 valorem taxes for county purposes, or county school district ad valorem taxes for educational  
57 purposes. The homestead exemption granted by subsection (b) of this section shall be in lieu  
58 of any other homestead exemption applicable to City of Atlanta independent school district  
59 ad valorem taxes for educational purposes.

60 (f) The exemption granted by subsection (b) of this section shall apply to all taxable years  
61 beginning on or after January 1, 2019.

62 **SECTION 2.**

63 The election superintendent of the City of Atlanta shall call and conduct an election as  
 64 provided in this section for the purpose of submitting this Act to the electors of the City of  
 65 Atlanta independent school district for approval or rejection. The election superintendent  
 66 shall conduct that election on the Tuesday after the first Monday in November, 2018, and  
 67 shall issue the call and conduct that election as provided by general law. The election  
 68 superintendent shall cause the date and purpose of the election to be published once a week  
 69 for two weeks immediately preceding the date thereof in the official organ of the City of  
 70 Atlanta. The ballot shall have written or printed thereon the words:

71 "( ) YES Shall the Act be approved which provides a homestead exemption from City  
 72 ( ) NO of Atlanta independent school district ad valorem taxes for educational  
 73 purposes in the amount of \$100,000.00 of the assessed value of the  
 74 homestead for residents of that school district who are 65 years of age or  
 75 older?"

76 All persons desiring to vote for approval of the Act shall vote "Yes," and all persons desiring  
 77 to vote for rejection of the Act shall vote "No." If more than one-half of the votes cast on  
 78 such question are for approval of the Act, Section 1 of this Act shall become of full force and  
 79 effect on January 1, 2019. If the Act is not so approved or if the election is not conducted  
 80 as provided in this section, Section 1 of this Act shall not become effective, and this Act shall  
 81 be automatically repealed on the first day of January immediately following that election  
 82 date. The expense of such election shall be borne by the City of Atlanta. It shall be the  
 83 election superintendent's duty to certify the result thereof to the Secretary of State.

84 **SECTION 3.**

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

87 **SECTION 4.**

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