

House Bill 1398 (AS PASSED HOUSE AND SENATE)

By: Representatives Belton of the 112<sup>th</sup>, Lewis-Ward of the 109<sup>th</sup>, Crowe of the 110<sup>th</sup>, and Henderson of the 113<sup>th</sup>

A BILL TO BE ENTITLED  
AN ACT

1 To provide a homestead exemption from City of Covington ad valorem taxes for municipal  
2 purposes in the amount of \$10,000.00 of the assessed value of the homestead for residents  
3 of that city; to provide for definitions; to specify the terms and conditions of the exemption  
4 and the procedures relating thereto; to provide for applicability; to provide for compliance  
5 with constitutional requirements; to provide for a referendum, effective dates, and automatic  
6 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 municipal purposes" means all ad valorem taxes for municipal  
11 purposes levied by, for, or on behalf of the City of Covington, including, but not limited  
12 to, any ad valorem taxes to pay interest on and to retire municipal bonded indebtedness.

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

15 (b) Each resident of the City of Covington is granted an exemption on that person's  
16 homestead from City of Covington ad valorem taxes for municipal purposes in the amount

17 of \$10,000.00 of the assessed value of that homestead. The value of that property in excess  
18 of such exempted amount shall remain subject to taxation.

19 (c) A person shall not receive the homestead exemption granted by subsection (b) of this  
20 section unless such person or person's agent files an application with the city clerk of the City  
21 of Covington, or the designee thereof, giving such information relative to receiving such  
22 exemption as will enable the city clerk of the City of Covington, or the designee thereof, to  
23 make a determination regarding the initial and continuing eligibility of such person for such  
24 exemption. The city clerk of the City of Covington, or the designee thereof, shall provide  
25 application forms for this purpose.

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

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

41 (f) The exemption granted by subsection (b) of this section shall apply to all taxable years  
42 beginning on or after January 1, 2023.

43 **SECTION 2.**

44 In accordance with the requirements of Article VII, Section II of the Constitution of the State  
 45 of Georgia, this Act shall not become law unless it receives the requisite two-thirds' majority  
 46 vote in both the Senate and the House of Representatives.

47 **SECTION 3.**

48 The municipal election superintendent of the City of Covington shall call and conduct an  
 49 election as provided in this section for the purpose of submitting this Act to the electors of  
 50 the City of Covington for approval or rejection. The municipal election superintendent shall  
 51 conduct that election on the Tuesday immediately following the first Monday in  
 52 November, 2022 and shall issue the call and conduct that election as provided by general  
 53 law. The municipal election superintendent shall cause the date and purpose of the election  
 54 to be published once a week for two weeks immediately preceding the date thereof in the  
 55 official organ of Newton County. The ballot shall have written or printed thereon the words:

56 "( ) YES Shall the Act be approved which provides a homestead exemption from City  
 57 of Covington ad valorem taxes for municipal purposes in the amount  
 58 ( ) NO of \$10,000.00 of the assessed value of the homestead for residents of that  
 59 city?"

60 All persons desiring to vote for approval of the Act shall vote "Yes," and all persons desiring  
 61 to vote for rejection of the Act shall vote "No." If more than one-half of the votes cast on  
 62 such question are for approval of the Act, Section 1 of this Act shall become of full force and  
 63 effect on January 1, 2023. If the Act is not so approved or if the election is not conducted  
 64 as provided in this section, Section 1 of this Act shall not become effective, and this Act shall  
 65 be automatically repealed on the first day of January immediately following that election  
 66 date. The expense of such election shall be borne by the City of Covington. It shall be the  
 67 municipal election superintendent's duty to certify the result thereof to the Secretary of State.

68

**SECTION 4.**

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

71

**SECTION 5.**

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