

Senate Bill 302

By: Senator Kennedy of the 18th

AS PASSED

**A BILL TO BE ENTITLED
AN ACT**

1 To provide a homestead exemption from Peach County ad valorem taxes for county purposes
2 in the amount of 10 percent of the assessed value of the homestead for residents of that
3 county; to provide for definitions; to specify the terms and conditions of the exemption and
4 the procedures relating thereto; to provide for applicability; to provide for compliance with
5 constitutional requirements; to provide for a referendum, effective dates, automatic repeal,
6 mandatory execution of election, and judicial remedies regarding failure to comply; to
7 provide for related matters; to repeal conflicting laws; and for other purposes.

8 **BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:**

9 **SECTION 1.**

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

11 (1) "Ad valorem taxes for county purposes" means all ad valorem taxes for county
12 purposes levied by, for, or on behalf of Peach County, except for any ad valorem taxes
13 to pay interest on and to retire county 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.

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(b) Each resident of Peach County is granted an exemption on such person's homestead from Peach County ad valorem taxes for county purposes in the amount of 10 percent of the assessed value of that homestead. The value of such property in excess of such exempted amount shall remain subject to taxation.

(c) A person shall not receive the homestead exemption granted by subsection (b) of this section unless such person or person's agent files an application with the tax commissioner of Peach County, giving such information relative to receiving such exemption as will enable the tax commissioner of Peach County to make a determination regarding the initial and continuing eligibility of such person for such exemption. The tax commissioner of Peach County shall provide application forms for this purpose.

(d) The exemption shall be claimed and returned as provided in Code Section 48-5-50.1 of the O.C.G.A., as amended. The exemption shall be automatically renewed from year to year so long as the person granted the homestead exemption under subsection (b) of this section occupies such residence as a homestead. After a person has filed the proper application as provided in subsection (c) of this section, it shall not be necessary to make application thereafter for any year, and the exemption shall continue to be allowed to such person. It shall be the duty of any person granted the homestead exemption under subsection (b) of this section to notify the tax commissioner of Peach County in the event that such person for any reason becomes ineligible for such exemption.

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

(f) The exemption granted by subsection (b) of this section shall apply to all taxable years beginning on or after January 1, 2026.

SECTION 2.

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

SECTION 3.

The election superintendent of Peach County shall call and conduct an election as provided in this section for the purpose of submitting this Act to the electors of Peach County for approval or rejection. The election superintendent shall conduct that election on the Tuesday after the first Monday in November of 2025 and shall issue the call and conduct that election as provided by general law. The election superintendent shall cause the date and purpose of the election to be published once a week for two weeks immediately preceding the date thereof in the official organ of Peach County. The ballot shall have written or printed thereon the words:

"() YES Shall the Act be approved which provides a homestead exemption from
() NO Peach County ad valorem taxes for county purposes in the amount of
10 percent of the assessed value of the homestead for residents of that
county?"

All persons desiring to vote for approval of the Act shall vote "Yes," and all persons desiring to vote for rejection of the Act shall vote "No." If more than one-half of the votes cast on such question are for approval of the Act, Section 1 of this Act shall become of full force and effect on January 1, 2026. If the Act is not so approved or if the election is not conducted as provided in this section, Section 1 of this Act shall not become effective, and this Act shall be automatically repealed on the 365th calendar day following the election date provided for in this section. The expense of such election shall be borne by Peach County. It shall be the election superintendent's duty to certify the result thereof to the Secretary of State. The provisions of this section shall be mandatory upon the election superintendent and are not

67 intended as directory. If the election superintendent fails or refuses to comply with this
68 section, any elector of Peach County may apply for a writ of mandamus to compel the
69 election superintendent to perform his or her duties under this section. If the court finds that
70 the election superintendent has not complied with this section, the court shall fashion
71 appropriate relief requiring the election superintendent to call and conduct such election on
72 the date required by this section or on the next date authorized for special elections provided
73 for in Code Section 21-2-540 of the O.C.G.A.

74 **SECTION 4.**

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

77 **SECTION 5.**

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