

Senate Bill 77

By: Senators Hufstetler of the 52nd and Setzler of the 37th

AS PASSED

**A BILL TO BE ENTITLED
AN ACT**

1 To provide a homestead exemption from City of Cartersville independent school district ad
2 valorem taxes for educational purposes in an amount equal to the amount by which the
3 current year assessed value of a homestead exceeds the adjusted base year assessed value of
4 such homestead; to provide for definitions; to specify the terms and conditions of the
5 exemption and the procedures relating thereto; to provide for applicability and a sunset; to
6 provide for compliance with constitutional requirements; to provide for a referendum,
7 effective dates, automatic repeal, mandatory execution of election, and judicial remedies
8 regarding failure to comply; to provide for related matters; to repeal conflicting laws; and for
9 other purposes.

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

11 **SECTION 1.**

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

13 (1) "Ad valorem taxes" means all ad valorem taxes levied by, for, or on behalf of the
14 City of Cartersville independent school district in this state, except for any ad valorem
15 taxes levied to pay interest on and to retire bonded indebtedness.

16 (2) "Adjusted base year assessed value" means the sum of:

- 17 (A) The previous adjusted base year assessed value;
- 18 (B) An amount equal to the difference between the current year assessed value of the
- 19 homestead and the base year assessed value of the homestead, provided that such
- 20 amount shall not exceed the total of the previous adjusted base year assessed value of
- 21 the homestead multiplied by the inflation rate for the prior year; and
- 22 (C) The value of any substantial property change, provided that no such value added
- 23 improvements to the homestead shall be duplicated as to the same addition or
- 24 improvement.

25 (3) "Base year assessed value" means:

26 (A) With respect to an exemption under this section which is first granted to a person

27 on such person's homestead for the 2026 taxable year, the assessed value for taxable

28 year 2024, including any final determination of value on appeal pursuant to Code

29 Section 48-5-311, of the homestead; or

30 (B) In all other cases, the assessed value, including any final determination of value on

31 appeal pursuant to Code Section 48-5-311, of the homestead from the taxable year

32 immediately preceding the taxable year in which the exemption under this section is

33 first granted to the applicant.

34 (4) "Homestead" means homestead as defined and qualified in Code Section 48-5-40 of

35 the O.C.G.A., as amended, with the additional qualification that it shall include not more

36 than five contiguous acres of homestead property.

37 (5) "Inflation rate" means the annual inflationary index rate as determined for a given

38 year by the governing authority of the City of Cartersville in accordance with subsection

39 (f) of this section.

40 (6) "Previous adjusted base year assessed value" means:

41 (A) With respect to the year for which the exemption under this section is first granted

42 to a person on such person's homestead, the base year assessed value; or

(B) In all other cases, the adjusted base year assessed value of the homestead as calculated in the taxable year immediately preceding the current year, including any final determination of value on appeal pursuant to Code Section 48-5-311.

(7) "Substantial property change" means any increase or decrease in the assessed value of a homestead derived from additions or improvements to, or the removal of real property from, the homestead which occurred after the year in which the base year assessed value is determined for the homestead. The assessed value of the substantial property changes shall be established following any final determination of value on appeal pursuant to Code Section 48-5-311.

(b)(1) Subject to the limitations provided in this section, each resident of the City of Cartersville independent school district is granted an exemption on that person's homestead from ad valorem taxes in an amount equal to the amount by which the current year assessed value of that homestead, including any final determination of value on appeal pursuant to Code Section 48-5-311, exceeds its previous adjusted base year assessed value.

(2) Except as provided for in subsection (c) of this section, no exemption provided for in this subsection shall transfer to any subsequent owner of the property, and the assessed value of the property shall be as provided by law.

(c) No person shall receive the exemption granted by subsection (b) of this section unless such person or person's agent files an application with the governing authority of the City of Cartersville as will enable the governing authority to make a determination regarding the initial and continuing eligibility of such person for such exemption; provided, however, that any person who had previously applied for a homestead exemption, was allowed such homestead exemption for the 2025 tax year, and remains eligible for a homestead exemption for that same homestead property in the 2026 tax year shall be automatically allowed the exemption granted under subsection (b) of this section for that homestead without further application. The governing authority shall provide application forms for this purpose.

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

79 (e)(1) The exemption granted by subsection (b) of this section shall not apply to or affect
80 any state ad valorem taxes, county ad valorem taxes for county purposes, county school
81 district ad valorem taxes for educational purposes, or municipal ad valorem taxes for
82 municipal purposes.

83 (2) Except as otherwise provided in paragraph (3) of this subsection, the homestead
84 exemption granted by subsection (b) of this section shall be in addition to and not in lieu
85 of any other homestead exemption applicable to ad valorem taxes.

86 (3) The homestead exemption granted by subsection (b) of this section shall not be
87 applied in addition to any other base year value homestead exemption provided by law
88 with respect to the City of Cartersville independent school district. In any such event, the
89 governing authority of the City of Cartersville shall apply only the base year value
90 homestead exemption that is larger or more beneficial for the taxpayer with respect to the
91 City of Cartersville independent school district.

92 (f) For the purposes of this section, the governing authority of the City of Cartersville shall
93 promulgate a standardized method for determining annual inflationary index rates which
94 reflect the effects of inflation and deflation on the cost of living for residents of the City of
95 Cartersville independent school district for a given calendar year. Such method may utilize
96 the Consumer Price Index as reported by the Bureau of Labor Statistics of the United States

97 Department of Labor or any other similar index established by the federal government if the
98 governing authority of the City of Cartersville determines that such federal index fairly
99 reflects the effects of inflation and deflation on residents of the City of Cartersville
100 independent school district.

101 (g) The exemption granted by subsection (b) of this section shall apply to all taxable years
102 beginning on or after January 1, 2026, and ending on December 31, 2030.

103 **SECTION 2.**

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

107 **SECTION 3.**

108 The municipal election superintendent of the City of Cartersville shall call and conduct an
109 election as provided in this section for the purpose of submitting this Act to the electors of
110 the City of Cartersville independent school district for approval or rejection. The election
111 superintendent shall conduct that election on the Tuesday following the first Monday in
112 November of 2025 and shall issue the call and conduct that election as provided by general
113 law. The election superintendent shall cause the date and purpose of the election to be
114 published once a week for two weeks immediately preceding the date thereof in the official
115 organ of Bartow County. The ballot shall have written or printed thereon the words:

116 "() YES Shall the Act be approved which provides a homestead exemption from City
117 of Cartersville independent school district ad valorem taxes for educational
118 () NO purposes, with a five-year sunset, in an amount equal to the amount by
119 which the current year assessed value of a homestead exceeds the adjusted
120 base year assessed value, including any final determination of value on
121 appeal pursuant to Code Section 48-5-311 of the O.C.G.A., as amended, of
122 such homestead?"

123 All persons desiring to vote for approval of the Act shall vote "Yes," and all persons desiring
124 to vote for rejection of the Act shall vote "No." If more than one-half of the votes cast on
125 such question are for approval of the Act, Section 1 of this Act shall become of full force and
126 effect on January 1, 2026. If the Act is not so approved or if the election is not conducted
127 as provided in this section, Section 1 of this Act shall not become effective, and this Act shall
128 be automatically repealed on the 365th calendar day following the election date provided for
129 in this section. The expense of such election shall be borne by the governing authority of the
130 City of Cartersville. It shall be the election superintendent's duty to certify the result thereof
131 to the Secretary of State. The provisions of this section shall be mandatory upon the election
132 superintendent and are not intended as directory. If the election superintendent fails or
133 refuses to comply with this section, any elector of the City of Cartersville independent school
134 district may apply for a writ of mandamus to compel the election superintendent to perform
135 his or her duties under this section. If the court finds that the election superintendent has not
136 complied with this section, the court shall fashion appropriate relief requiring the election
137 superintendent to call and conduct such election on the date required by this section or on the
138 next date authorized for special elections provided for in Code Section 21-2-540 of the
139 O.C.G.A.

140 **SECTION 4.**

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

143 **SECTION 5.**

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