House Bill 430 (AS PASSED HOUSE AND SENATE)
By: Representatives Martin of the 49th, Jones of the 47th, and Robichaux of the 48th

A BILL TO BE ENTITLED
AN ACT

To amend an Act to increase the homestead exemption from certain City of Alpharetta ad
valorem taxes for certain residents thereof who are 65 years of age or over and for other
residents thereof who are 70 years of age or over, approved April 5, 1994 (Ga. L.1994, p. 4669), as amended, so as to eliminate the income restriction for the $10,000.00 homestead exemption for residents age 65 or older; to provide for compliance with constitutional requirements; to provide for a referendum, effective dates, and automatic repeal under certain circumstances; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

An Act to increase the homestead exemption from certain City of Alpharetta ad valorem taxes for certain residents thereof who are 65 years of age or over and for other residents thereof who are 70 years of age or over, approved April 5, 1994 (Ga. L.1994, p. 4669), as amended, is amended by revising Section 3 as follows:

"Section 3. Age 65 or Older - Additional Homestead Exemption. Each resident of the City of Alpharetta who is 65 years of age or older is granted an exemption on that person's homestead from all City of Alpharetta ad valorem taxes for $10,000.00 of the assessed value of the homestead owned and occupied by such resident. The homestead exemption granted by this Section shall be cumulative of any other homestead exemption applicable to City of Alpharetta ad valorem taxes."

SECTION 2.

In accordance with the requirements of Article VII, Section II, Paragraph II(a)(1) 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.

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SECTION 3.

The election superintendent of the City of Alpharetta shall call and conduct an election as provided in this section for the purpose of submitting this Act to the electors of the City of Alpharetta for approval or rejection. The election superintendent shall conduct that election on the Tuesday after the first Monday in November, 2019, and shall issue the call and conduct that election as provided by general law. The 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 Fulton County. The ballot shall have written or printed thereon the words:

"( ) YES Shall the Act be approved which eliminates the income restriction for the $10,000.00 homestead exemption from all City of Alpharetta ad valorem taxes for residents age 65 and older?"

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, then Section 1 of this Act shall become of full force and effect on January 1, 2020. If Section 1 of this 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 first day of January immediately following that election date. The expense of such election shall be borne by the City of Alpharetta. It shall be the superintendent's duty to certify the result thereof to the Secretary of State.

SECTION 4.

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

SECTION 5.

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