

1 SB74
2 126162-1
3 By Senator Marsh
4 RFD: Finance and Taxation General Fund
5 First Read: 01-MAR-11

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8 SYNOPSIS: Under existing law, the principal residence
9 of a totally disabled person or a person 65 years
10 of age or older having a taxable income of \$7,500
11 or less is exempt from ad valorem taxation.

12 This bill would increase the income limit
13 for the tax exemption to \$15,000.

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15 A BILL
16 TO BE ENTITLED
17 AN ACT

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19 To amend Section 40-9-21, Code of Alabama 1975,
20 relating to the homestead exemption for the disabled and the
21 elderly, to increase the income limit for the ad valorem tax
22 exemption.

23 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

24 Section 1. Section 40-9-21, Code of Alabama 1975, is
25 amended to read as follows:

26 "§40-9-21.

1 "In addition to the persons and property exempt from
2 ad valorem taxation as prescribed in Section 40-9-1, the
3 following shall also be exempt from ad valorem taxation: the
4 principal residence and 160 acres adjacent thereto of any
5 person who is totally disabled or who is 65 years of age or
6 older having a net annual taxable income of ~~\$7,500~~ fifteen
7 thousand dollars (\$15,000) or less, as shown on such person's
8 and spouse's latest United States income tax return. In the
9 event that such person and spouse are not required to file a
10 United States income tax return, then an affidavit indicating
11 that the net taxable income of such person and spouse for the
12 preceding taxable year was ~~\$7,500~~ fifteen thousand dollars
13 (\$15,000) or less shall be sufficient proof. Proof of age
14 shall be furnished when the exemption provided herein is
15 claimed. Proof of total disability may be, but shall not be
16 limited to, the written certification of such total disability
17 by any two physicians licensed to practice in this state. In
18 order to qualify for exemption under this section, such
19 principal residence must be a single-family residence owned
20 and occupied by a person qualifying under this section."

21 Section 2. This act shall become operative for all
22 tax years beginning on and after October 1, 2011, following
23 its passage and approval by the Governor, or its otherwise
24 becoming law.