

Senate Bill 547

By: Senators Fort of the 39th, Scott of the 36th, Price of the 56th, James of the 35th, Thomas of the 10th and others

AS PASSED SENATE

**A BILL TO BE ENTITLED
AN ACT**

1 To repeal an Act approved March 20, 1986 (Ga. L. 1986, p. 4432), which continued in force
2 and effect as part of the Constitution of the State of Georgia that constitutional amendment
3 duly ratified at the 1952 general election (Res. Act No. 46; Senate Resolution No. 38; Ga.
4 L. 1951, p. 874) and proclaimed by the Governor to be a part of the Constitution of the State
5 of Georgia relating to the authority of the Fulton County fiscal authorities with respect to ad
6 valorem taxation of real and personal property; to repeal that constitutional amendment duly
7 ratified at the 1952 general election (Res. Act No. 46; Senate Resolution No. 38; Ga. L. 1951,
8 p. 874) and proclaimed by the Governor to be a part of the Constitution of the State of
9 Georgia relating to the authority of the Fulton County fiscal authorities with respect to ad
10 valorem taxation of real and personal property; to provide the authority for this Act; to
11 provide for a referendum; to provide effective dates; to repeal conflicting laws; and for other
12 purposes.

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

14 **SECTION 1.**

15 That Act approved March 20, 1986 (Ga. L. 1986, p. 4432), which continued in force and
16 effect as part of the Constitution of the State of Georgia that constitutional amendment duly
17 ratified at the 1952 general election (Res. Act No. 46; Senate Resolution No. 38; Ga. L. 1951,
18 p. 874) and proclaimed by the Governor to be a part of the Constitution of the State of
19 Georgia relating to the authority of the Fulton County fiscal authorities with respect to ad
20 valorem taxation of real and personal property, is repealed in its entirety.

21 **SECTION 2.**

22 That constitutional amendment duly ratified at the 1952 general election (Res. Act No. 46;
23 Senate Resolution No. 38; Ga. L. 1951, p. 874) and proclaimed by the Governor to be a part
24 of the Constitution of the State of Georgia relating to the authority of the Fulton County
25 fiscal authorities with respect to ad valorem taxation of real and personal property and which

1 was continued on and after July 1, 1987, as a part of the Constitution of the State of Georgia,
2 is repealed in its entirety.

3 **SECTION 3.**

4 This Act is passed pursuant to Article XI, Section I, Paragraph IV(b) of the Constitution of
5 the State of Georgia which authorizes the repeal of certain amendments to the Constitution
6 which were continued in force and effect after July 1, 1987.

7 **SECTION 4.**

8 Unless prohibited by the federal Voting Rights Act of 1965, as amended, the election
9 superintendent of Fulton County shall call and conduct an election as provided in this section
10 for the purpose of submitting this Act to the electors of Fulton County for approval or
11 rejection. The election superintendent shall conduct that election on the date of the
12 November, 2002, state-wide general election and shall issue the call and conduct that election
13 as provided by general law. The superintendent shall cause the date and purpose of the
14 election to be published once a week for two weeks immediately preceding the date thereof
15 in the official organ of Fulton County. The ballot shall have written or printed thereon the
16 words:

17 " YES Shall the local constitutional amendment be repealed which provides for the
18 authority of the Fulton County fiscal authorities with respect to ad valorem
19 NO taxation of real and personal property so that those matters may be provided
20 for by general law?"

21 All persons desiring to vote for approval of the Act shall vote "Yes," and those persons
22 desiring to vote for rejection of the Act shall vote "No." If more than one-half of the votes
23 cast on such question are for approval of the Act, Sections 1 and 2 of this Act shall become
24 of full force and effect on January 1, 2003. If Sections 1 and 2 of this Act are not so
25 approved or if the election is not conducted as provided in this section, this Act shall be
26 automatically repealed on the first day of January immediately following that election date.
27 The expense of such election shall be borne by Fulton County. It shall be the election
28 superintendent's duty to certify the result thereof to the Secretary of State.

29 **SECTION 5.**

30 Except as otherwise provided in Section 4 of this Act, this Act shall become effective upon
31 its approval by the Governor or upon its becoming law without such approval.

32 **SECTION 6.**

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