

Senate Resolution 237

By: Senator Polak of the 42nd

A RESOLUTION

Proposing an amendment to the Constitution so as to authorize the creation of community improvement districts for the purpose of providing police services; to authorize the levy of taxes, fees, and assessments within a community improvement district on apartment dwellings of more than five units; to provide for the submission of this amendment for ratification or rejection; and for other purposes.

BE IT RESOLVED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Article IX, Section VII of the Constitution is amended by striking Paragraph II and inserting in its place a new Paragraph II to read as follows:

"Paragraph II. **Purposes.** The purpose of a community improvement district shall be the provision of any one or more of the following governmental services and facilities:

(1) Street and road construction and maintenance, including curbs, sidewalks, street lights, and devices to control the flow of traffic on streets and roads.

(2) Parks and recreational areas and facilities.

(3) Storm water and sewage collection and disposal systems.

(4) Development, storage, treatment, purification, and distribution of water.

(5) Public transportation.

(6) Terminal and dock facilities and parking facilities.

(7) Police services.

~~(7)~~(8) Such other services and facilities as may be provided for by general law."

SECTION 2.

Said section is further amended by striking subparagraph (c) of Paragraph III and inserting in its place a new subparagraph (c) to read as follows:

"(c) The administrative body of each community improvement district may be authorized to levy taxes, fees, and assessments within the community improvement district only on real property used nonresidentially, except as otherwise provided in this subparagraph

specifically excluding all property used for residential, agricultural, or forestry purposes and specifically excluding tangible personal property and intangible property. Such taxes, fees, and assessments may be levied on residential property consisting of apartment dwellings of more than five units. Any tax, fee, or assessment so levied shall not exceed 2 ½ percent of the assessed value of the real property or such lower limit as may be established by law. The law creating or providing for the creation of a community improvement district shall provide that taxes, fees, and assessments levied by the administrative body of the community improvement district shall be equitably apportioned among the properties subject to such taxes, fees, and assessments according to the need for governmental services and facilities created by the degree of density of development of each such property. The law creating or providing for the creation of a community improvement district shall provide that the proceeds of taxes, fees, and assessments levied by the administrative body of the community improvement district shall be used only for the purpose of providing governmental services and facilities which are specially required by the degree of density of development within the community improvement district and not for the purpose of providing those governmental services and facilities provided to the county or municipality as a whole. Any tax, fee, or assessment so levied shall be collected by the county or municipality for which the community improvement district is created in the same manner as taxes, fees, and assessments levied by such county or municipality. The proceeds of taxes, fees, and assessments so levied, less such fee to cover the costs of collection as may be specified by law, shall be transmitted by the collecting county or municipality to the administrative body of the community improvement district and shall be expended by the administrative body of the community improvement district only for the purposes authorized by this Section."

SECTION 3.

The above proposed amendment to the Constitution shall be published and submitted as provided in Article X, Section I, Paragraph II of the Constitution. The ballot submitting the above proposed amendment shall have written or printed thereon the following:

"() YES Shall the Constitution be amended so as to authorize the creation of community improvement districts for the purpose of providing police services and to authorize the levy of taxes, fees, and assessments within a community improvement district on apartment dwellings of more than five units?"

All persons desiring to vote in favor of ratifying the proposed amendment shall vote "Yes."

All persons desiring to vote against ratifying the proposed amendment shall vote "No." If

- 1 such amendment shall be ratified as provided in said Paragraph of the Constitution, it shall
- 2 become a part of the Constitution of this state.