

House Resolution 740

By: Representative West of the 101st

A RESOLUTION

1 Proposing an amendment to the Constitution so as to provide that the General Assembly may
 2 by general law approved by two-thirds of the members thereof provide for sentences which
 3 are required to be served in their entirety for persons convicted of attempted rape, voluntary
 4 manslaughter, felony involuntary manslaughter, aggravated battery, homicide by vehicle in
 5 the first degree involving either driving under the influence or a habitual violator, hijacking
 6 a motor vehicle, criminal attempt to commit murder, aggravated assault, enticing a child for
 7 indecent purposes, cruelty to children, child molestation, feticide, incest, statutory rape,
 8 hijacking a bus or rail vehicle, robbery, or aggravated stalking, and, when so provided by
 9 such Act, the State Board of Pardons and Paroles shall not have the authority to consider
 10 such persons for pardon, parole, or commutation during that portion of the sentence; to
 11 provide exceptions; to provide for the submission of this amendment for ratification or
 12 rejection; and for other purposes.

13 BE IT RESOLVED BY THE GENERAL ASSEMBLY OF GEORGIA:

14 SECTION 1.

15 Article IV, Section II, Paragraph II of the Constitution is amended by adding at the end of
 16 subparagraph (b) the following:

17 "(5) Except as provided in subparagraph (e) of this Paragraph, the General Assembly
 18 may by general law approved by two-thirds of the members elected to each branch of the
 19 General Assembly in a roll-call vote provide for sentences which are required to be
 20 served in their entirety for persons convicted of attempted rape, voluntary manslaughter,
 21 felony involuntary manslaughter, aggravated battery, homicide by vehicle in the first
 22 degree involving either driving under the influence or a habitual violator, hijacking a
 23 motor vehicle, criminal attempt to commit murder, aggravated assault, enticing a child
 24 for indecent purposes, cruelty to children, child molestation, feticide, incest, statutory
 25 rape, hijacking a bus or rail vehicle, robbery, or aggravated stalking, and, when so
 26 provided by such Act, the State Board of Pardons and Paroles shall not have the authority

1 to consider such persons for pardon, parole, or commutation during that portion of the
2 sentence."

3 **SECTION 2.**

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

7 "() YES Shall the Constitution be amended so as to provide that the General
8 Assembly may by general law approved by two-thirds of the members
9 () NO thereof provide for sentences which are required to be served in their
entirety for persons convicted of attempted rape, voluntary manslaughter,
felony involuntary manslaughter, aggravated battery, homicide by vehicle
in the first degree involving either driving under the influence or a habitual
violator, hijacking a motor vehicle, criminal attempt to commit murder,
aggravated assault, enticing a child for indecent purposes, cruelty to
children, child molestation, feticide, incest, statutory rape, hijacking a bus
or rail vehicle, robbery, or aggravated stalking, and, when so provided by
such Act, the State Board of Pardons and Paroles shall not have the
authority to consider such persons for pardon, parole, or commutation
during that portion of the sentence?"

10 All persons desiring to vote in favor of ratifying the proposed amendment shall vote "Yes."
11 All persons desiring to vote against ratifying the proposed amendment shall vote "No." If
12 such amendment shall be ratified as provided in said Paragraph of the Constitution, it shall
13 become a part of the Constitution of this state.