

Senate Resolution 652

By: Senators Chapman of the 3rd, Heath of the 31st, Hill of the 32nd, Reed of the 35th,
Staton of the 18th and others

A RESOLUTION

1 Proposing an amendment to the Constitution so as to limit the power to take private property
2 through eminent domain so that it shall not be used for economic development, including an
3 increase in tax revenue, tax base, employment, or general economic health, or for
4 redevelopment; to provide for related matters; to provide for submission of this amendment
5 for ratification or rejection; and for other purposes.

6 BE IT RESOLVED BY THE GENERAL ASSEMBLY OF GEORGIA:

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SECTION 1.

9 Article I, Section III, Paragraph I of the Constitution is amended by striking subparagraph
10 (b) and inserting in its place a new subparagraph (b) to read as follows:

11 "(b) When private property is taken or damaged by the state or the counties or
12 municipalities of the state for public road or street purposes, or for public transportation
13 purposes, or for any other public ~~purposes~~ uses as determined by the General Assembly,
14 just and adequate compensation therefor need not be paid until the same has been finally
15 fixed and determined as provided by law; but such just and adequate compensation shall
16 then be paid in preference to all other obligations except bonded indebtedness. In no event
17 shall the public benefits of economic development, including but not limited to an increase
18 in tax revenue, tax base, employment, or general economic health, constitute a public use
19 determined by the General Assembly pursuant to this Paragraph."

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SECTION 2.

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

23 "Paragraph V. *Eminent domain*. The governing authority of each county and of each
24 municipality may exercise the power of eminent domain for any public ~~purpose~~ use
25 authorized under Article I, Section III, Paragraph I of this Constitution."

