

House Resolution 1339

By: Representatives O'Neal of the 146th, Royal of the 171st, and Porter of the 143rd

A RESOLUTION

1 Proposing an amendment to the Constitution so as to authorize the General Assembly to
 2 provide by general law for the creation and comprehensive regulation of infrastructure
 3 development districts; to provide for the submission of this amendment for ratification or
 4 rejection; and for other purposes.

5 BE IT RESOLVED BY THE GENERAL ASSEMBLY OF GEORGIA:

6 SECTION 1.

7 Article IX of the Constitution is amended by adding a new article at the end thereof, to be
 8 designated Article VIII, to read as follows:

9 "SECTION VIII.

10 INFRASTRUCTURE DEVELOPMENT DISTRICTS

11 Paragraph I. *Creation.* The General Assembly may by general law provide for the
 12 creation of and comprehensive regulation of infrastructure development districts.

13 Paragraph II. *Purposes.* The purpose of an infrastructure development district shall be
 14 the creation, provision, and expansion of such infrastructure services and facilities as may
 15 be provided for by general law.

16 Paragraph III. *Administration.* (a) Any general law providing for the creation of
 17 infrastructure development districts shall provide for the establishment of an administrative
 18 or governing body for the infrastructure development district and the appointment or
 19 election, terms, and qualifications of the members of such body.

20 (b) The administrative or governing body of each infrastructure development district may
 21 be authorized to levy, impose, and collect such taxes, fees, and assessments within the
 22 district, or portion or portions of such district, under such conditions as shall be specified
 23 by general law.

24 Paragraph IV. *Debt.* The administrative or governing body of an infrastructure
 25 development district may incur debt, as authorized by general law, without regard to any

1 of the provisions of Section V of this article, which debt shall be backed by the full faith,
 2 credit, and taxing power of the infrastructure development district but shall not be an
 3 obligation of the State of Georgia or any other unit of government of the State of Georgia.

4 Paragraph V. ***Cooperation with local governments.*** The provisions of this section shall
 5 in no way limit the authority of any county or municipality to provide services or facilities
 6 within any infrastructure development district; and any county or municipality shall retain
 7 full and complete authority and control over any of its facilities located within an
 8 infrastructure development district. Said control shall include but not be limited to the
 9 modification of, access to, and degree and type of services provided through or by facilities
 10 of the municipality or county. Nothing contained in this section shall be construed to limit
 11 or preempt the application of any governmental laws, ordinances, resolutions, or
 12 regulations to any infrastructure development district or the services or facilities provided
 13 therein. No administrative or governing body of an infrastructure development district
 14 shall have or exercise the power of eminent domain, nor shall the state or any local
 15 government delegate such power to or exercise such power through any administrative or
 16 governing body of an infrastructure development district.

17 Paragraph VI. ***Regulation by general law.*** The General Assembly by general law shall
 18 provide for the powers, duties, and authority of infrastructure development districts and
 19 may regulate, restrict, and limit the creation of infrastructure development districts and the
 20 exercise of the powers of administrative or governing bodies of infrastructure development
 21 districts."

22 SECTION 2.

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

26 "() YES Shall the Constitution of Georgia be amended so as to authorize the General
 27 Assembly to provide by general law for the creation and comprehensive
 28 () NO regulation of infrastructure development districts for the purpose of building
 29 community projects consistent with local government comprehensive
 30 plans?"

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