

Senate Resolution 1040

By: Senators Pearson of the 51st, Schaefer of the 50th, Balfour of the 9th, Williams of the 19th and Johnson of the 1st

A RESOLUTION

1 Proposing an amendment to the Constitution so as to authorize the General Assembly to
 2 provide for additional methods for the payment of just and adequate compensation with
 3 respect to the taking of private property which results from unreasonably burdensome
 4 governmental actions; to provide for the submission of this amendment for ratification or
 5 rejection; and for other purposes.

6 BE IT RESOLVED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 SECTION 1.

8 Article I, Section III, Paragraph I of the Constitution is amended by adding a new
 9 subparagraph at the end thereof to be designated subparagraph (f) to read as follows:

10 "(f) Notwithstanding any other provision of the Constitution, the General Assembly may
 11 provide by general law for additional methods for the payment of just and adequate
 12 compensation with respect to the taking of private property which results from
 13 unreasonably burdensome governmental actions. Such general law may require any
 14 governmental entity or person which is authorized to exercise the right or power of
 15 condemnation to pay such compensation. Such general law may define the scope of
 16 actions which shall constitute a taking for purposes of this subparagraph."

17 SECTION 2.

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

21 "() YES Shall the Constitution of Georgia be amended so as to authorize the General
 22 Assembly to provide for additional methods for the payment of just and
 23 () NO adequate compensation with respect to the taking of private property which
 24 results from unreasonably burdensome governmental actions?"

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

26 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.