

The Senate Economic Development Committee offered the following substitute to SR 682:

A RESOLUTION

Proposing an amendment to the Constitution so as to authorize the General Assembly to provide by general law for the creation and comprehensive regulation of residential community improvement districts; 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 of the Constitution is amended by adding a new article at the end thereof, to be designated Section VIII, to read as follows:

"SECTION VIII.

RESIDENTIAL COMMUNITY IMPROVEMENT DISTRICTS

Paragraph I. ***Creation.*** The General Assembly may by general law provide for the creation of and comprehensive regulation of residential community improvement districts.

Paragraph II. ***Purposes.*** The purpose of a residential community improvement district shall be the creation, provision, and expansion of such infrastructure services and facilities as may be provided for by general law.

Paragraph III. ***Administration.*** (a) Any general law providing for the creation of residential community improvement districts shall provide for the establishment of an administrative or governing body for the residential community improvement district and the appointment or election, terms, and qualifications of the members of such body.

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

Paragraph IV. ***Debt.*** The administrative or governing body of a residential community improvement 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 may be backed by the full faith,
 2 credit, and taxing power of the residential community improvement district but shall not
 3 be an obligation of the State of Georgia or any other unit of government of the State of
 4 Georgia.

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

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

23 SECTION 2.

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

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

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