

The House Committee on Ways and Means offers the following substitute to HR 1339:

## 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 section at the end thereof, to be  
 8 designated Section 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 may 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.