

LOST

Senators Chapman of the 3rd, Pearson of the 51st, Stephens of the 27th, Kemp of the 46th, Wiles of the 37th and others offered the following amendment:

1 *Amend HR 1306 by striking lines 1 through 6 of page 1 and inserting in its place:*

2 Proposing an amendment to the Constitution of Georgia so as to provide that private
3 property may be taken through eminent domain only for public use; to provide for

4 *By striking line 10 of page 1 through line 20 of page 2 and inserting in its place:*

5 Article I, Section III, Paragraph I of the Constitution is amended by striking subparagraph
6 (b) and inserting in its place the following:

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

SECTION 2.

20
21 Article IX, Section II, Paragraph VII of the Constitution is amended by striking subparagraph
22 (a) and inserting in its place a new subparagraph (a) to read as follows:

23 "(a) The General Assembly may authorize any county, municipality, or housing authority
24 to undertake and carry out community redevelopment, which ~~may~~ shall not include the ~~sale~~
25 or other disposition acquisition of property acquired by eminent domain ~~to private~~
26 ~~enterprise for private uses."~~

27 *By striking lines 26 through 29 of page 2 and inserting in its place:*

1 eminent domain only for public use, such as the possession, occupation, and
2 () NO enjoyment of land by the public at large, and not for economic
3 development?"