

Senate Resolution 5

By: Senators Shafer of the 48th, Pearson of the 51st, Rogers of the 21st, Heath of the 31st, Hill of the 32nd and others

A RESOLUTION

1 Proposing an amendment to the Constitution so as to restrict amendments that increase
 2 appropriations made by the General Appropriations Act; to provide for a short title; to
 3 provide for the submission of this amendment for ratification or rejection; and for other
 4 purposes.

5 BE IT RESOLVED BY THE GENERAL ASSEMBLY OF GEORGIA:

6 SECTION 1.

7 This resolution shall be known and may be cited as the "Taxpayers' Dividend Act."

8 SECTION 2.

9 Article III, Section IX, Paragraph IV of the Constitution is amended by adding at the end a
 10 new subparagraph to read as follows:

11 "(e) A General Appropriations Act passed during a regular session of the General
 12 Assembly may not be amended following adjournment sine die of that session if such
 13 amendment would increase the amount appropriated in such Act unless that amendment:

14 (1) Increases the appropriations solely to fund increases in student enrollment for local
 15 school systems; or

16 (2) Is approved by two-thirds of the members of each house.

17 Funds otherwise available for appropriation through an amendment to a General
 18 Appropriations Act but not appropriated pursuant to subparagraph (1) or (2) of this
 19 subparagraph shall be appropriated by the General Assembly during the immediately
 20 succeeding regular legislative session following passage of that Act only for purposes of
 21 providing for a refund of state taxes, reducing existing state debt, increasing the reserve
 22 fund, or any combination of such purposes. Appropriations for those purposes shall not be
 23 subject to the limitations of subparagraph (1) or (2) of this subparagraph."

SECTION 3.

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

5 "() YES Shall the Constitution of Georgia be amended so as to incorporate the

6 () NO Taxpayers' Dividend Act prohibiting increased state spending by
7 amendments to an enacted General Appropriations Act except to fund
8 increased enrollment in local school systems and requiring that any
9 unappropriated funds be used for the purposes of refunding taxes, reducing
10 debt, or increasing reserves unless agreed to by a vote of two-thirds of each
11 house of the General Assembly?"

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

13 All persons desiring to vote against ratifying the proposed amendment shall vote "No." If
14 such amendment shall be ratified as provided in said Paragraph of the Constitution, it shall
15 become a part of the Constitution of this state.