

The Senate State and Local Governmental Operations Committee offered the following substitute to SR 309:

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 to read as follows:

8 **"SECTION VIII.**

9 **INFRASTRUCTURE DEVELOPMENT DISTRICTS**

10 Paragraph I. **Creation.** The General Assembly may by general law provide for the
 11 creation of and comprehensive regulation of infrastructure development districts; provided,
 12 however, that an infrastructure development district may only be created when approved
 13 by a county governing authority when the entire district is proposed to be in the
 14 unincorporated area of a county, a municipal governing authority when the entire district
 15 is proposed to be wholly within the municipality, or both a county governing authority and
 16 a municipal governing authority when the district is proposed to be partially in the
 17 unincorporated area of a county and partially in a municipality.

18 Paragraph II. **Purposes.** The purpose of an infrastructure development district shall be
 19 the creation, provision, and expansion of such infrastructure services and facilities as may
 20 be provided for by general law.

21 Paragraph III. **Administration.** (a) Any general law providing for the creation of
 22 infrastructure development districts shall provide for the establishment of an administrative
 23 or governing body for the infrastructure development district and the appointment or
 24 election, terms, and qualifications of the members of such body.

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

5 Paragraph IV. *Debt.* The administrative or governing body of an infrastructure
 6 development district may incur debt, as authorized by general law, without regard to any
 7 of the provisions of Section V of this article, which debt may be backed by the full faith,
 8 credit, and taxing power of the infrastructure development district but shall not be an
 9 obligation of the State of Georgia or any unit of government of the State of Georgia.

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

23 Paragraph VI. *Regulation by general law.* The General Assembly by general law shall
 24 provide for the powers, duties, and authority of infrastructure development districts and
 25 may regulate, restrict, and limit the creation of infrastructure development districts and the
 26 exercise of the powers of administrative or governing bodies of infrastructure development
 27 districts in any appropriate manner, including, but not limited to, limiting the application
 28 of such general law by population."

29 SECTION 2.

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

33 "() YES Shall the Constitution of Georgia be amended so as to authorize the General
 34 Assembly to provide by general law for the creation and comprehensive
 35 () NO regulation of infrastructure development districts for the provision of
 36 infrastructure as authorized by local governments?"

- 1 All persons desiring to vote in favor of ratifying the proposed amendment shall vote "Yes."
- 2 All persons desiring to vote against ratifying the proposed amendment shall vote "No." If
- 3 such amendment shall be ratified as provided in said Paragraph of the Constitution, it shall
- 4 become a part of the Constitution of this state.