

House Resolution 1039

By: Representatives Bryant of the 160th, Stephens of the 164th, Carter of the 159th, Jackson of the 161st, Gordon of the 162nd, and others

A RESOLUTION

1 Proposing an amendment to the Constitution so as to allow the owners of real property
 2 located in industrial areas to remove the property from the industrial area; to provide for the
 3 submission of this amendment for ratification or rejection; and for other purposes.

4 BE IT RESOLVED BY THE GENERAL ASSEMBLY OF GEORGIA:

5 **SECTION 1.**

6 Article XI, Section I, Paragraph IV of the Constitution is amended by revising subparagraph
 7 (e) as follows:

8 "(e) Any person owning property in an industrial area described in subparagraph (d) of this
 9 Paragraph may voluntarily remove the property from the industrial area by filing a
 10 certificate to that effect with the clerk of the superior court for the county in which the
 11 property is located, ~~but only if the property is located on an island.~~ Once the certificate is
 12 filed, the property described in the certificate, together with all public streets and public
 13 rights of way within the property, abutting the property, or connecting the property to
 14 property outside the industrial area, ~~will~~ shall no longer be in the industrial area and may
 15 be annexed by an adjacent city. The filing of a certificate ~~will~~ shall be irrevocable and ~~will~~
 16 bind the owners, their heirs, and their assigns. The term 'owner' includes anyone with a
 17 legal or equitable ownership in property but does not include a beneficiary of any trust or
 18 a partner in any partnership owning an interest in the property or anyone owning an
 19 easement right in the property."

20 **SECTION 2.**

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

1 " YES Shall the Constitution of Georgia be amended so as to allow the owners of
2 real property located in industrial areas to remove the property from the
3 NO industrial area?"

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

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