

## House Resolution 1273

By: Representatives Porter of the 143<sup>rd</sup>, Smyre of the 132<sup>nd</sup>, Hugley of the 133<sup>rd</sup>, Randall of the 138<sup>th</sup>, Ashe of the 56<sup>th</sup>, and others

## A RESOLUTION

1 Proposing an amendment to the Constitution so as to provide that 25 percent of the funds  
 2 derived from the state sales and use tax on motor fuels shall be appropriated for and grant  
 3 made for any or all transportation purposes, including public transit; to authorize the General  
 4 Assembly to allocate and specify and direct the use of such funds by general law; to provide  
 5 for submission of this amendment for ratification or rejection; and for other purposes.

6 BE IT RESOLVED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Article III, Section IX, Paragraph VI of the Constitution is amended by revising  
 9 subparagraph (b) as follows:

10 "(b)(1) An amount equal to all money derived from motor fuel taxes received by the state  
 11 in each of the immediately preceding fiscal years, less the amount of refunds, rebates, and  
 12 collection costs authorized by law, is hereby appropriated for the fiscal year beginning  
 13 July 1, of each year following, for all activities incident to providing and maintaining an  
 14 adequate system of public roads and bridges in this state, as authorized by laws enacted  
 15 by the General Assembly of Georgia, and for grants to counties by law authorizing road  
 16 construction and maintenance as provided by law authorizing such grants. Said sum is  
 17 hereby appropriated for, and shall be available for, the aforesaid purposes regardless of  
 18 whether the General Assembly enacts a general appropriations Act; and said sum need  
 19 not be specifically stated in any general appropriations Act passed by the General  
 20 Assembly in order to be available for such purposes. However, this shall not preclude  
 21 the General Assembly from appropriating for such purposes an amount greater than the  
 22 sum specified above for such purposes. The expenditure of such funds shall be subject  
 23 to all the rules, regulations, and restrictions imposed on the expenditure of appropriations  
 24 by provisions of the Constitution and laws of this state, unless such provisions are in  
 25 conflict with the provisions of this ~~paragraph~~ subparagraph. And provided, however, that  
 26 the proceeds of the tax hereby appropriated shall not be subject to budgetary reduction.  
 27 In the event of invasion of this state by land, sea, or air or in case of a major catastrophe

1 so proclaimed by the Governor, said funds may be utilized for defense or relief purposes  
2 on the executive order of the Governor.

3 (2) An amount equal to the state sales and use tax collected on sales of motor fuels for  
4 the purpose of propelling motor vehicles on the public roads of this state not otherwise  
5 exempted by general law shall be appropriated for all transportation purposes, including  
6 public transit. Transportation purposes shall also include, but not be limited to, rails,  
7 airports, buses, seaports, and all accompanying infrastructure and services necessary to  
8 provide access to these transportation facilities. The expenditure of such funds shall be  
9 subject to all the rules, regulations, and restrictions imposed on the expenditure of  
10 appropriations by provisions of the Constitution and laws of this state, unless such  
11 provisions are in conflict with the provisions of this subparagraph; provided, however,  
12 that the proceeds of the tax hereby appropriated shall not be subject to budgetary  
13 reduction. In the event of invasion of this state by land, sea, or air or in case of a major  
14 catastrophé so proclaimed by the Governor, said funds may be utilized for defense or  
15 relief purposes on the executive order of the Governor."

## 16 SECTION 2.

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

20 "( ) YES Shall the Constitution of Georgia be amended so as to provide that an  
21 amount equal to 25 percent of the state sales and use tax collected on motor  
22 ( ) NO fuel shall be appropriated for all transportation purposes, including public  
23 transit?"

24 All persons desiring to vote in favor of ratifying the proposed amendment shall vote "Yes."  
25 All persons desiring to vote against ratifying the proposed amendment shall vote "No." If  
26 such amendment shall be ratified as provided in said Paragraph of the Constitution, it shall  
27 become a part of the Constitution of this state.