

Senate Resolution 859

By: Senators Rogers of the 21st, Carter of the 13th, Chance of the 16th, Heath of the 31st, Williams of the 19th and others

**ADOPTED SENATE**

**A RESOLUTION**

1 Proposing an amendment to the Constitution so as to repeal the levy of state ad valorem taxes  
2 except in the case of an emergency; to provide for applicability; to provide for the  
3 submission of this amendment for ratification or rejection; and for other purposes.

4 **BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:**

5 **SECTION 1.**

6 Article VII, Section I, Paragraph II of the Constitution is amended by revising subparagraph  
7 (a) as follows:

8 "(a)(1) The state shall not impose an annual levy of state ad valorem taxes on tangible  
9 property for all purposes; any purpose except for defending the state in an emergency;  
10 shall not exceed one-fourth mill on each dollar of the assessed value of the property.

11 (2) Solely, for purposes of any general law in effect on January 1, 2008, which  
12 distributes intangible tax revenues to the state based upon a proportion that the state  
13 millage rate and millage rates of local tax jurisdictions bear to the total millage rate levied  
14 for all purposes, the state millage rate shall equal one-fourth mill on each dollar of  
15 assessed value.

16 (3) The prohibition of this subparagraph shall not affect state:

17 (A) Assessment and collection of ad valorem taxes on public utilities, railroad  
18 companies, and airlines on behalf of local governments; or

19 (B) Administrative functions with respect to local ad valorem taxation pursuant to  
20 any general law.

21 (4) The state shall continue to assure that all taxation is uniform upon the same class  
22 of subjects across all taxing jurisdictions of this state."

23 **SECTION 2.**

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

- 1    " YES  Shall the Constitution of Georgia be amended so as to repeal state ad  
2     NO  valorem taxes except for emergencies?"
- 3  All persons desiring to vote in favor of ratifying the proposed amendment shall vote "Yes."  
4  All persons desiring to vote against ratifying the proposed amendment shall vote "No."  If  
5  such amendment shall be ratified as provided in said Paragraph of the Constitution, it shall  
6  become a part of the Constitution of this state.