

Senate Resolution 996

By: Senators Weber of the 40th, Reed of the 35th, Thompson of the 5th, Balfour of the 9th,
Moody of the 56th and others

AS PASSED

A RESOLUTION

1 Proposing an amendment to the Constitution so as to authorize community redevelopment
2 and authorize counties, municipalities, and local boards of education to use tax funds for
3 redevelopment purposes and programs, including the payment of debt service on tax
4 allocation bonds; to provide for submission of this amendment for ratification or rejection;
5 and for other purposes.

6 BE IT RESOLVED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Article IX, Section II, Paragraph VII is amended by adding a new subparagraph and by
9 revising subparagraph (b) to read as follows:

10 "(a.1) The General Assembly may authorize any county, municipality, or housing
11 authority to undertake and carry out community redevelopment.

12 (b) The General Assembly is also authorized to grant to counties or municipalities for
13 redevelopment purposes and in connection with redevelopment programs, as such purposes
14 and programs are defined by general law, the power to issue tax allocation bonds, as
15 defined by such law, and the power to incur other obligations, without either such bonds
16 or obligations constituting debt within the meaning of Section V of this article, and the
17 power to enter into contracts for any period not exceeding 30 years with private persons,
18 firms, corporations, and business entities. Such general law may authorize the use of
19 county, municipal, and school tax funds, or any combination thereof, to fund such
20 redevelopment purposes and programs, including the payment of debt service on tax
21 allocation bonds, notwithstanding Section VI of Article VIII or any other provision of this
22 Constitution and regardless of whether any county, municipality, or local board of
23 education approved the use of such tax funds for such purposes and programs before
24 January 1, 2009. No county, municipal, or school tax funds may be used for such purposes
25 and programs without the approval by resolution of the applicable governing body of the
26 county, municipality, or local board of education. No school tax funds may be used for
27 such purposes and programs except as authorized by general law after January 1, 2009;

1 provided, however, that any school tax funds pledged for the repayment of tax allocation
 2 bonds which have been judicially validated pursuant to general law shall continue to be
 3 used for such purposes and programs. Notwithstanding the grant of these powers pursuant
 4 to general law, no county or municipality may exercise these powers unless so authorized
 5 by local law and unless such powers are exercised in conformity with those terms and
 6 conditions for such exercise as established by that local law. The provisions of any such
 7 local law shall conform to those requirements established by general law regarding such
 8 powers. No such local law, or any amendment thereto, shall become effective unless
 9 approved in a referendum by a majority of the qualified voters voting thereon in the county
 10 or municipality directly affected by that local law."

11 **SECTION 2.**

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

15 "() YES Shall the Constitution of Georgia be amended so as to authorize community
 16 redevelopment and authorize counties, municipalities, and local boards of
 17 () NO education to use tax funds for redevelopment purposes and programs?"

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