

House Resolution 178 (COMMITTEE SUBSTITUTE)

By: Representatives Levitas of the 82nd, Coan of the 101st, Parrish of the 156th, Wilkinson of the 52nd, Lunsford of the 110th, and others

A RESOLUTION

Proposing an amendment to the Constitution so as to authorize the General Assembly to provide for contracts that limit competitive activities between or among employers and employees, distributors and manufacturers, lessors and lessees, partnerships and partners, franchisors and franchisees, sellers and purchasers of a business or commercial enterprise, or two or more employers; to provide for the submission of this amendment for ratification or rejection; and for other purposes.

BE IT RESOLVED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Article III, Section VI, Paragraph V of the Constitution is amended by revising subparagraph (c) as follows:

"(c)(1) The General Assembly shall not have the power to authorize any contract or agreement which may have the effect of or which is intended to have the effect of ~~defeating or lessening competition, or~~ encouraging a monopoly, which ~~are~~ is hereby declared to be unlawful and void. Except as otherwise provided in subparagraph (c)(2) of this paragraph, the General Assembly shall not have the power to authorize any contract or agreement which may have the effect of or which is intended to have the effect of defeating or lessening competition, which is hereby declared to be unlawful and void.

(2) The General Assembly shall have the power to authorize and provide by general law for judicial enforcement of contracts or agreements restricting or regulating competitive activities between or among:

(A) Employers and employees;

(B) Distributors and manufacturers;

(C) Lessors and lessees;

(D) Partnerships and partners;

(E) Franchisors and franchisees;

(F) Sellers and purchasers of a business or commercial enterprise; or

