

House Resolution 220

By: Representatives Porter of the 143rd, Smyre of the 132nd, Hugley of the 133rd, Randall of the 138th, Ashe of the 56th, 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 the
 21 General Assembly from appropriating for such purposes an amount greater than the sum
 22 specified above for such purposes. The expenditure of such funds shall be subject to all
 23 the rules, regulations, and restrictions imposed on the expenditure of appropriations by
 24 provisions of the Constitution and laws of this state, unless such provisions are in conflict
 25 with the provisions of this ~~paragraph~~ subparagraph. And provided, however, that the
 26 proceeds of the tax hereby appropriated shall not be subject to budgetary reduction. In the
 27 event of invasion of this state by land, sea, or air or in case of a major catastrophe so

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

30 (2) An amount equal to the state sales and use tax collected on sales of motor fuels for
 31 the purpose of propelling motor vehicles on the public roads of this state not otherwise
 32 exempted by general law shall be appropriated for all transportation purposes, including
 33 public transit. Transportation purposes shall also include, but not be limited to, rails,
 34 airports, buses, seaports, and all accompanying infrastructure and services necessary to
 35 provide access to these transportation facilities. The expenditure of such funds shall be
 36 subject to all the rules, regulations, and restrictions imposed on the expenditure of
 37 appropriations by provisions of the Constitution and laws of this state, unless such
 38 provisions are in conflict with the provisions of this subparagraph; provided, however,
 39 that the proceeds of the tax hereby appropriated shall not be subject to budgetary
 40 reduction. In the event of invasion of this state by land, sea, or air or in case of a major
 41 catastrope so proclaimed by the Governor, said funds may be utilized for defense or
 42 relief purposes on the executive order of the Governor."

43 **SECTION 2.**

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

47 "() YES Shall the Constitution of Georgia be amended so as to provide that a portion
 48 () NO of the state sales and use tax collected on the sale or use of motor fuel shall
 49 be appropriated for all transportation purposes, including public transit?"

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

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