

The House Committee on Judiciary offers the following substitute to HR 178:

A RESOLUTION

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

7 BE IT RESOLVED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

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

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

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

19 (A) Employers and employees;

20 (B) Distributors and manufacturers;

21 (C) Lessors and lessees;

22 (D) Partnerships and partners;

23 (E) Franchisors and franchisees;

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

25 (G) Two or more employers.

