

Senate Resolution 3 - Prefile

By: Senator Hill of the 32nd

A RESOLUTION

1 Proposing an amendment to the Constitution so as to provide a short title; to provide for
 2 prioritized funding requirements regarding certain supplementary appropriations Acts; to
 3 provide for procedures, conditions, and limitations; to provide for the authority of the
 4 General Assembly with respect to the foregoing; to provide for the submission of this
 5 amendment for ratification or rejection; and for other purposes.

6 BE IT RESOLVED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 SECTION 1.

8 This amendment shall be known and may be cited as the "Taxpayer Protection Amendment
 9 of 2011."

10 SECTION 2.

11 Article III, Section IX of the Constitution is amended by adding a new Paragraph VIII to read
 12 as follows:

13 "Paragraph VIII. Use of supplementary appropriations. (a) On or after January 1, 2013,
 14 any supplementary appropriations Act enacted pursuant to this section which amends the
 15 General Appropriations Act for the current fiscal year by appropriating revenues in excess
 16 of the revenues appropriated in such General Appropriations Act shall, in the following
 17 order of priority, fund:

18 (1) Increases due to student enrollment for local school systems;

19 (2) The Revenue Shortfall Reserve to the extent necessary to ensure that the fund
 20 balance is at least 8 percent of the previous fiscal year's net revenue for any given fiscal
 21 year; and

22 (3) The reduction of state indebtedness or the provision of tax relief to the taxpayers,
 23 or both.

24 (b) The General Assembly shall be authorized to appropriate revenues in a
 25 supplementary appropriations Act which amends the General Appropriations Act for the
 26 current fiscal year by appropriating revenues in excess of the revenues appropriated in such

27 General Appropriations Act without being subject to the requirements of subparagraph (a)
 28 of this Paragraph, but only after the adoption of a joint resolution of the General Assembly
 29 by a three-fifths' vote of both houses of the General Assembly voting in a roll-call vote,
 30 stating the intent of the General Assembly to appropriate those revenues without being
 31 subject to the requirements of subparagraph (a) of this Paragraph.

32 (c) The General Assembly shall enact legislation that may be necessary to implement and
 33 enforce the provisions of this Paragraph."

34 **SECTION 3.**

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

38 "() YES Shall the Constitution of Georgia be amended so as to provide for
 39 limitations on the expenditure of excess revenues and budget surpluses by
 40 () NO providing for prioritized funding requirements?"

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