

House Resolution 3

By: Representative Franklin of the 43rd

A RESOLUTION

1 Proposing an amendment to the Constitution so as to provide that no restrictions shall be
2 placed by any government or governmental entity on the use of property within this state; to
3 provide that land use and zoning laws, ordinances, and resolutions shall be prohibited; to
4 provide for related matters; to provide for the submission of this amendment for ratification
5 or rejection; and for other purposes.

6 BE IT RESOLVED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 SECTION 1.

8 Article IX, Section II, Paragraph IV of the Constitution is amended by revising the paragraph
9 to read as follows:

10 "Paragraph IV. *Planning and zoning.* ~~The governing authority of each county and of~~
11 ~~each municipality may~~ Neither the state nor any political subdivision or governmental
12 entity of this state shall adopt land use plans and may or exercise the power of zoning over
13 private property in this state. ~~This authorization shall not prohibit the~~ The General
14 Assembly shall be prohibited from enacting general any laws regarding the use of private
15 property or the zoning of private property and from establishing procedures for or
16 authorizing the exercise of such power. All laws, ordinances, resolutions, and other
17 enactments establishing land use plans or zoning for private property in this state on
18 January 1, 2013, shall be void and of no force or effect."

19 SECTION 2.

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

23 "() YES Shall the Constitution of Georgia be amended so as to recognize the right of
24 private property ownership by guaranteeing that property owners will have
25 () NO the full use of their property without governmental restraints?"

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