

House Resolution 881

By: Representatives Lindsey of the 54th, Willard of the 49th, Long of the 61st, Riley of the 50th, Wilkinson of the 52nd, and others

A RESOLUTION

1 Proposing an amendment to the Constitution of the State of Georgia so as to limit the
2 functions performed in its incorporated areas by any county with more than 90 percent of its
3 citizens residing in one or more municipal corporations and provide that any other functions
4 performed in the unincorporated area shall be funded only from special district fees,
5 assessments, and taxes; to provide for submission of this amendment for ratification or
6 rejection; and for other purposes.

7 BE IT RESOLVED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 SECTION 1.

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

11 "Paragraph III. *Limitation of functions of municipalized counties.* Any county which
12 is not a consolidated government and which has more than 90 percent of its citizens
13 residing within one or more municipal corporations shall within such municipal
14 corporations exercise only those functions which are required to be performed by counties
15 under general state law. Any functions other than those required to be performed under
16 general state law that the county performs in its unincorporated area shall be funded only
17 from special district fees, assessments, and taxes levied and collected only within a special
18 district consisting of the unincorporated area of the county. The provisions of this
19 Paragraph shall, with respect to any county to which this Paragraph applies, control over
20 the provisions of Article IX, Section II, Paragraphs I and III, relating, respectively, to home
21 rule for counties and supplementary powers of local governments."

22 SECTION 2.

23 The above proposed amendment to the Constitution shall be published and submitted as
24 provided in Article X, Section 1, Paragraph II of the Constitution. The ballot submitting the
25 above proposed amendment shall have written or printed thereon the following:

26 " YES Shall the Constitution of Georgia be amended so as to limit the functions
27 performed in its incorporated areas by any county with more than 90 percent
28 NO of its citizens residing in one or more municipal corporations and provide
29 that any other functions performed in the unincorporated area shall be
30 funded only from special district fees, assessments, and taxes?"

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