

House Resolution 256

By: Representatives Carpenter of the 4th, Smith of the 134th, Houston of the 170th, Blackmon of the 146th, Hatchett of the 150th, and others

A RESOLUTION

1 Proposing an amendment to the Constitution so as to authorize the General Assembly to
 2 provide by law for limitations on jury awards in civil cases; to provide for the submission of
 3 this amendment for ratification or rejection; and for other purposes.

4 BE IT RESOLVED BY THE GENERAL ASSEMBLY OF GEORGIA:

5 SECTION 1.

6 Article I, Section I of the Constitution is amended by revising Paragraph XI as follows:

7 "Paragraph XI. *Right to trial by jury; number of jurors; selection and compensation of*
 8 *jurors.* (a) The right to trial by jury shall remain inviolate, except that the court shall
 9 render judgment without the verdict of a jury in all civil cases where no issuable defense
 10 is filed and where a jury is not demanded in writing by either party and except further that
 11 the General Assembly may provide by law for limitations on the amount of awards
 12 allowable by a jury. In criminal cases, the defendant shall have a public and speedy trial
 13 by an impartial jury; and the jury shall be the judges of the law and the facts.

14 (b) A trial jury shall consist of 12 persons; but the General Assembly may prescribe any
 15 number, not less than six, to constitute a trial jury in courts of limited jurisdiction and in
 16 superior courts in misdemeanor cases.

17 (c) The General Assembly shall provide by law for the selection and compensation of
 18 persons to serve as grand jurors and trial jurors."

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 allow for limitations

24 () NO on the amount of jury awards in civil cases?"

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