

House Resolution 281

By: Representative Clark of the 98<sup>th</sup>

## A RESOLUTION

1 Proposing an amendment to the Constitution of the State of Georgia so as to authorize the  
2 General Assembly to provide by law for the legalization and regulation of marijuana; to  
3 permit persons 21 years of age or older to purchase marijuana for personal use; to provide  
4 for the dedication of fees and taxes from the production, sale, or personal use of such  
5 marijuana; to provide a procedure to vacate previous convictions; to provide for submission  
6 of this amendment for ratification or rejection; and for other purposes.

7 BE IT RESOLVED BY THE GENERAL ASSEMBLY OF GEORGIA:

### 8 SECTION 1.

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

11 "Paragraph VIII. **Regulation of marijuana.** (a) The General Assembly shall provide by  
12 general law for the legalization and regulation of the production, sale, and personal use by  
13 individuals 21 years of age or older of marijuana and for any matters relating to the  
14 purposes or provisions of this paragraph.

15 (b) Notwithstanding Article III, Section IX, Paragraph VI, the General Assembly shall  
16 dedicate all fees and taxes derived from such production, sale, or personal use by  
17 individuals 21 years of age or older of marijuana to substance abuse recovery and

18 prevention, mental illness treatment, and for use by law enforcement agencies in combating  
19 and responding to cases of illegal drug use and addictions.

20 (c) The General Assembly shall establish procedures so that any person who has been  
21 arrested for, charged with, adjudicated or convicted by trial or plea of, or sentenced for, the  
22 possession, manufacturing, delivering, distributing, dispensing, administering, purchasing,  
23 selling, or possessing with intent to distribute marijuana which would not have been a  
24 crime if committed on or after January 1, 2023, shall have his or her record expunged or  
25 otherwise vacated regarding such arrest, charge, adjudication, or conviction."

## 26 SECTION 2.

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

30 "( ) YES Shall the Constitution of Georgia be amended so as to authorize the General  
31 Assembly to provide by general law for the legalization and regulation of the  
32 ( ) NO production, sale, and personal use by individuals 21 years of age or older of  
33 marijuana; to authorize the General Assembly to dedicate fees and taxes  
34 derived from such production, sale, or personal use; and to provide for the  
35 expungement of certain arrests, charges, adjudications, and convictions  
36 regarding marijuana?"

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