

House Resolution 864

By: Representatives Dudgeon of the 25th and Duncan of the 26th

A RESOLUTION

1 Proposing an amendment to the Constitution so as to provide that the General Assembly may
 2 by general law authorize local boards of education to impose, levy, and collect development
 3 impact fees and use the proceeds to pay for a share of the cost of additional educational
 4 facilities; to provide for the submission of this amendment for ratification or rejection; and
 5 for other purposes.

6 BE IT RESOLVED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 SECTION 1.

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

10 "Paragraph V. *Development impact fees for educational purposes.* The General
 11 Assembly is authorized to provide by general law that each local board of education may
 12 by resolution impose, levy, and collect development impact fees within any area of its
 13 school system which has had enrollment growth of at least 15 percent over the preceding
 14 five-year period. A county or municipality that has received a local board of education
 15 resolution imposing a development impact fee shall collect the fee as a condition of
 16 development approval by such county and municipality. The proceeds of any development
 17 impact fee imposed pursuant to this Paragraph shall be used to pay for a share of the cost
 18 of additional educational facilities to serve new growth and development in the same area
 19 in which those fees are imposed."

20 SECTION 2.

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

24 " YES Shall the Constitution of Georgia be amended so as to provide that the
25 General Assembly may by general law authorize local boards of education
26 NO to impose, levy, and collect development impact fees and use the proceeds
27 to pay for a share of the cost of additional educational facilities?"

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