

Senate Resolution 189

By: Senator Dolezal of the 27th

ADOPTED SENATE

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, subject to local referendum, and use the proceeds to pay for a share of the cost
4 of additional educational facilities; to provide for the submission of this amendment for
5 ratification or rejection; and 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 is experiencing new growth and development conditioned upon
14 approval by a majority of the qualified voters residing within the limits of the local taxing
15 jurisdiction voting in a referendum thereon. A county or municipality that has received a
16 local board of education resolution imposing a development impact fee shall collect the fee
17 as a condition of development approval by such county or municipality. The proceeds of

18 any development impact fee imposed pursuant to this Paragraph shall be used to pay for
19 a share of the cost of additional educational facilities to serve new growth and development
20 in the same area in which such fee is imposed."

21

SECTION 2.

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

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

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