

**LOCAL CONSTITUTIONAL AMENDMENTS:
CONUNDRUMS CONTINUED AND CURIOSITIES
CURTAILED**

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April, 2008

FOREWORD

The Georgia Constitutions of 1877, 1945, and 1976 permitted the adoption of local constitutional amendments. The 1945 and 1976 Constitutions continued in full force and effect all previously adopted local constitutional amendments. The 1983 Constitution did not follow suit. Instead, Article XI, Section, I, Paragraph IV prohibited the adoption of any new local constitutional amendments, and, with certain limited exceptions, provided for the automatic repeal of each existing local constitutional amendment unless such amendment was continued specifically in force and effect as a part of the Constitution by local Act or home rule ordinance prior to July 1, 1987.

In 1984, the Office of Legislative Counsel conducted a limited review of the existing amendments for the purpose of providing an "inventory" of the local amendments as well as a brief evaluation of their present status for informational purposes only to help local jurisdictions and officials determine what action should be taken with respect to their respective local amendments. The reason for the review was to ascertain whether the local constitutional amendments should be allowed to expire or continued in force and effect as a part of the Constitution. If allowed to expire, the special provisions could never again be reenacted. If continued, Article XI, Section I, Paragraph IV provided that the amendment could thereafter be repealed but could not be amended. Thus a decision to allow expiration or continuation carried with it significant consequences.

This new revised and expanded edition represents an attempt on my part to fill in the gap of what actually happened to these local constitutional amendments. It seeks to identify all of the amendments that were part of the previous survey period and specify with particularity, at least to the extent possible, what happened to each one. Thus, except in limited circumstances of historical interest, this book only tells the story of those amendments which were active at the time of adoption of the Constitution of 1983. Any amendment which had been repealed legislatively or declared invalid judicially prior to that time has not been included. (Anyone interested in locating such an amendment may find it by utilizing the local law index, Volume 42 of the O.C.G.A. All such amendments are indexed under the Noncurrent heading for the affected local jurisdiction.) If an amendment was continued directly by a provision of the 1983 Constitution, then that provision is identified specifically. If an amendment was continued by local Act or home rule ordinance, then those continuation mechanisms are identified specifically. If an amendment was not continued, then the reader is directed to the automatic repeal provision of Article XI. In addition, I have taken the

opportunity to revise previous descriptions, add omitted entries, and delete unnecessary entries which appeared in the 1984 edition.

It is my intention that this volume not be a static publication. I will be providing electronic copies to the Georgia Municipal Association and the Association County Commissioners of Georgia for placement on their respective web sites, www.gmanet.com and www.accg.org for the convenience and accessibility of interested local officials, city attorneys, county attorneys, and school board attorneys. Please be encouraged to point out any errors that you may find so that they may be corrected in the subsequent year's edition of this book. I hope you will e-mail them to me at joe.scheuer@legis.ga.gov or submit them directly to me at the Office of Legislative Counsel, 316 State Capitol, Atlanta, Georgia 30334.

Please remain mindful that this book is solely and exclusively for informational purposes. The review remarks cannot and do not reflect a detailed or thorough understanding of the governmental operations, political atmosphere, and social needs of each locality. Consequently, nothing stated herein constitutes or should be viewed as constituting a legal opinion.

It is my sincere hope that this tome will be an informative and useful research tool for all who have occasion to travel through its pages. I gratefully acknowledge the yeoman efforts of our 1984 staff who provided such a solid point of departure. I especially acknowledge the inspired efforts of my assistant, Ms. Tracy Cochran, who carried the lion's share of the workload of data entry and volume assembly and my editor, Ms. Beth Yinger, who kept the lid on my mistakes. I extend my heartfelt thanks to them all but emphasize, of course, that any substantive errors are mine alone.

Joe Scheuer

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APPLING COUNTY

- (1) CITE: Ga. L. 1952, p. 570.

DESCRIPTION: Provides for an elected board of education of Appling County.

COMMENTS: The amendment formerly contained the school board law regarding the election, terms, and compensation of members of the board of education of Appling County.

STATUS: The amendment was continued by Ga. L. 1978, p. 3738. However, the amendment was repealed by Ga. L. 1994, p. 3601, Section 6. The 1978 Act was not repealed.

- (2) CITE: Ga. L. 1966, p. 797.

DESCRIPTION: Creates the Appling County Industrial Development Authority.

STATUS: Not continued. Repealed by Article XI, Section I, Paragraph IV.

- (3) CITE: Ga. L. 1974, p. 1708.

DESCRIPTION: Authorizes the governing authority of Appling County to tax and to expend up to \$100,000.00 per year for the development of trade, commerce, industry, and employment opportunities within the county.

COMMENTS: There is neither a general constitutional provision nor general law which would authorize taxation for these purposes. A local law so authorizing would require a determination as to whether these purposes are public services or public functions for which public funds may be expended pursuant to Article IX, Section IV, Paragraph II.

STATUS: Not continued. Repealed by Article XI, Section I, Paragraph IV.

- (4) CITE: Ga. L. 1980, p. 2111.

DESCRIPTION: Provides a \$10,000.00 homestead exemption from county ad valorem taxes to residents' homesteads.

COMMENTS: While this amendment appears to apply to taxes levied on behalf of the Appling County School District, it may not have been so interpreted.

STATUS: Article VII, Section II, Paragraph IV continues in effect as statutory law those types of exemptions from ad valorem taxation provided for by law on June 30, 1983.

BAXLEY

- (1) CITE: Ga. L. 1937-38, Ex. Sess., p. 10.

DESCRIPTION: Authorizes the city to issue refunding bonds for the purpose of retiring and refunding present and future bonded indebtedness.

STATUS: Not continued. Repealed by Article XI, Section I, Paragraph IV.

- (2) CITE: Ga. L. 1982, p. 2653.

DESCRIPTION: Authorizes the city governing authority to grant to residents each year by ordinance a homestead exemption from all city ad valorem taxes in an amount not exceeding \$15,000.00.

STATUS: Article VII, Section II, Paragraph IV continues in effect as statutory law those types of exemptions from ad valorem taxation provided for by law on June 30, 1983. It is not clear, however, that this constitutional provision would continue the discretionary power of the city governing authority to set by ordinance the amount, if any, of the exemption each year. This amendment was not specifically continued in effect.

ATKINSON COUNTY

- (1) CITE: Ga. L. 1917, p. 41; Ga. L. 1918, p. 106.

DESCRIPTION: Creates Atkinson County and describes the boundary thereof.

COMMENTS: Following the adoption of the 1877 Constitution, 16 counties were created by local constitutional amendment. Each amendment provided a metes and bounds description of the county boundary and designated the county site.

STATUS: Article IX, Section I, Paragraph II(b) grandfathers in force and effect the boundary description of each of the 159 counties, as well as the county site, that existed as of June 30, 1983, and provides further that subsequent changes may be accomplished only under the operation of a general law.

- (2) CITE: Ga. L. 1951, p. 831, as amended by Ga. L. 1955, p. 719.

DESCRIPTION: Authorizes the governing authority of Atkinson County to issue refunding bonds without a vote of the people.

COMMENTS: In view of the present authority which counties have to issue refunding bonds without the necessity of a referendum pursuant to Article IX, Section V, Paragraph III, it appears that this amendment is unnecessary.

STATUS: Not continued. Repealed by Article XI, Section I, Paragraph IV.

(3) CITE: Ga. L. 1980, p. 2292.

DESCRIPTION: Grants a \$10,000.00 homestead exemption from all county school district ad valorem taxes to those residents 62 years of age or older whose specified income does not exceed \$12,000.00.

STATUS: Article VII, Section II, Paragraph IV continues in effect as statutory law those types of exemptions from ad valorem taxation provided for by law on June 30, 1983.

PEARSON

(1) CITE: Ga. L. 1939, p. 60.

DESCRIPTION: Authorizes the city to issue bonds to refund and retire bonds which were outstanding and past due on September 1, 1939, and which became due by March 1, 1950.

COMMENTS: This amendment constitutes a one-time authority to issue refunding bonds for a specific series of bonds in default on September 1, 1939, and which became due by March 1, 1950. The authority so granted has expired and has no current applicability.

STATUS: Purportedly repealed by Ga. L. 1971, p. 2266, Section 1.01. Not continued. Repealed by Article XI, Section I, Paragraph IV.

WILLACOOCHEE

(1) CITE: Ga. L. 1937-38, Ex. Sess., p. 59.

DESCRIPTION: Authorizes the city to issue bonds to refund and retire bonds which were outstanding and past due on January 1, 1939, and which became due by July 1, 1941.

COMMENTS: This amendment constitutes a one-time authority to issue refunding bonds for a specific series of bonds in default on January 1, 1939, and which became due by July 1, 1941. The authority so granted has expired and has no current applicability.

STATUS: Not continued. Repealed by Article XI, Section I, Paragraph IV.

BACON COUNTY

- (1) CITE: Ga. L. 1914, p. 23; Ga. L. 1916, p. 17.

DESCRIPTION: Creates Bacon County and describes the boundary thereof.

COMMENT: Following the adoption of the 1877 Constitution, 16 counties were created by local constitutional amendment. Each amendment provided a metes and bounds description of the county boundary and designated the county site.

STATUS: Article IX, Section I, Paragraph II(b) grandfathers in force and effect the boundary description of each of the 159 counties, as well as the county site, that existed as of June 30, 1983, and provides further that subsequent changes may be accomplished only under the operation of a general law.

- (2) CITE: Ga. L. 1916, p. 17.

DESCRIPTION: Authorizes the county to create local offices and local courts other than those provided in the Constitution and to create debt for public improvements.

STATUS: Not continued. Repealed by Article XI, Section I, Paragraph IV.

- (3) CITE: Ga. L. 1939, p. 14.

DESCRIPTION: Authorizes the county to issue bonds to refund and retire bonds which were outstanding and past due on January 1, 1939, and became due by July 1, 1939.

COMMENTS: This amendment constitutes a one-time authority to issue refunding bonds for a specific series of bonds in default on January 1, 1939, and which became due by July 1, 1939. The authority so granted has expired and has no current applicability.

STATUS: Not continued. Repealed by Article XI, Section I, Paragraph IV.

- (4) CITE: Ga. L. 1953, Jan.-Feb. Sess., p. 409.

DESCRIPTION: Authorizes the county to levy a tax not to exceed one mill for promoting and encouraging the location of new industry in the county.

COMMENTS: There is neither a general constitutional provision nor general law which would authorize taxation for these purposes. A local law so authorizing would require a determination as to whether these purposes are public services or public functions for which public funds may be expended pursuant to Article IX, Section IV, Paragraph II.

STATUS: Continued, Ga. L. 1987, p. 3813.

(5) CITE: Ga. L. 1962, p. 849.

DESCRIPTION: Creates the Bacon County Industrial Building Authority.

STATUS: Continued, Ga. L. 1987, p. 3815.

ALMA

(1) CITE: Ga. L. 1953, Jan.-Feb. Sess., p. 566.

DESCRIPTION: Authorizes the city to levy a tax not to exceed one mill for promoting and encouraging location of new industry in city.

COMMENTS: There is neither a general constitutional provision nor general law which would authorize taxation for these purposes. A local law so authorizing would require a determination as to whether these purposes are public services or public functions for which public funds may be expended pursuant to Article IX, Section IV, Paragraph II.

STATUS: Not continued. Repealed by Article XI, Section I, Paragraph IV.

BAKER COUNTY

(1) CITE: Ga. L. 1941, p. 17.

DESCRIPTION: Authorizes the county to issue bonds to refund and retire debts which were outstanding and past due on January 1, 1942.

COMMENTS: This amendment constitutes a one-time authority to issue refunding bonds for a specific series of debts outstanding on January 1, 1942. The authority so granted has expired and has no current applicability.

STATUS: Not continued. Repealed by Article XI, Section I, Paragraph IV.

(2) CITE: Ga. L. 1953, Jan.-Feb. Sess., p. 298; Ga. L. 1959, p. 451; Ga. L. 1961, p. 618.

DESCRIPTION: Provides for an elected board of education of Baker County.

COMMENTS: The amendments provided the law regarding the composition and method of election of the board. The provisions of the amendment relative to the filling of vacancies on the board have been superseded by a local Act found at Ga. L. 1977, p. 2603. The compensation of board members is contained in Ga. L. 1958, p. 2814, as amended.

STATUS: Not continued. Repealed by Article XI, Section I, Paragraph IV.

(3) CITE: Ga. L. 1965, p. 697.

DESCRIPTION: Creates the Baker County Industrial Development Authority.

STATUS: Not continued. Repealed by Article XI, Section I, Paragraph IV.

BALDWIN COUNTY

(1) CITE: Ga. L. 1964, Ex. Sess., p. 382, as amended by Ga. L. 1968, p. 1841.

DESCRIPTION: Creates the City of Milledgeville-Baldwin County Recreation Authority and gives the authority its powers and duties. Additionally, Baldwin County is authorized to require motor vehicle registration and to levy a \$4.00 tax per vehicle (up to two vehicles per owner), with the net proceeds going to the authority.

COMMENTS: Recreation systems may be established by cities or counties under Chapter 64 of Title 36. However, numerous differences exist between the general law and the authority created by this amendment. For example, this authority can receive tax revenues levied as a motor vehicle registration fee.

STATUS: Not continued. Repealed by Article XI, Section I, Paragraph IV.

(2) CITE: Ga. L. 1968, p. 1490.

DESCRIPTION: Creates the Milledgeville-Baldwin County Industrial Development Authority.

STATUS: Not continued. Repealed by Article XI, Section I, Paragraph IV.

MILLEDGEVILLE

(1) CITE: Ga. L. 1927, p. 127; Ga. L. 1935, p. 1234; Ga. L. 1937, pp. 1132, 1137, 1139.

DESCRIPTION: Zoning and planning.

COMMENTS: The 1927 amendment to Art. III, Sec. VII, Para. XXV of the 1877 Constitution included Albany, Athens, Atlanta, Augusta, Brunswick, Columbus, Darien, Decatur, Dublin, East Thomaston, LaGrange, Macon, Newnan, Rome, Savannah, Thomaston, Valdosta, Waycross, and cities with a population of 25,000 or more according to the decennial census of 1920. The 1935 amendment added Moultrie. The first 1937 amendment added Carrolton, Cordele, Eastman, Forsyth, Fort Valley, McRae, and Milledgeville. The second 1937 amendment added Dalton. The third 1937 amendment added Quitman. Art. III, Sec. VII, Para. XXIII of the Constitution of 1945 (the revised counterpart of old Para. XXV) contained

a direct grant of authority to the General Assembly to grant authority to cities and counties to pass zoning and planning laws. Amendment 19 (which included among other things, Art. XV, Sec. II-A, Para. III) granted some zoning and planning power directly to counties and was held to have impliedly repealed Para. XXIII insofar as it applied to unincorporated areas. Art. IX, Sec. IV, Para. II(15) conferred zoning and planning power in cities and counties.

STATUS: Not continued. Repealed, Article XI, Section I, Paragraph IV.

- (2) CITE: Ga. L. 1964, p. 1035.

DESCRIPTION: Authorizes the City of Milledgeville to acquire, construct, etc., off-street parking facilities and to issue revenue bonds for such purpose.

COMMENTS: Article IX, Section II, Paragraph III(a)(11) and Code Section 36-82-61(4)(G) provide all cities with the powers authorized by this local amendment.

STATUS: Not continued. Repealed by Article XI, Section I, Paragraph IV.

- (3) See Ga. L. 1964, Ex. Sess., p. 382, under Baldwin County for amendment affecting Milledgeville.

- (4) See Ga. L. 1968, p. 1490, under Baldwin County for amendment affecting Milledgeville.

BANKS COUNTY

- (1) CITE: Ga. L. 1962, p. 939.

DESCRIPTION: Creates the Banks County Industrial Building Authority.

STATUS: Continued, Ga. L. 1987, p. 5277.

- (2) CITE: Ga. L. 1978, p. 2438.

DESCRIPTION: Provides an \$8,000.00 homestead exemption from county and county school district ad valorem taxes for residents 65 years of age or over without regard to income.

STATUS: Article VII, Section II, Paragraph IV continues in effect as statutory law those types of exemptions from ad valorem taxation provided for by law on June 30, 1983.

- (3) CITE: Ga. L. 1979, p. 1843.

DESCRIPTION: Authorizes the governing authority of Banks County to engage in business licensing and regulation and to levy business license taxes in the county, including incorporated areas in the county. Violation of such regulations constitutes a misdemeanor.

COMMENTS: There is no general law which would authorize counties to levy license taxes within municipalities and Code Section 48-13-5 expressly prohibits counties from levying license taxes upon certain professional businesses located within municipalities. It may be noted that Article IX, Section IV, Paragraph I(a) now provides that the General Assembly may by local law grant to a county the power to levy business license taxes in only the unincorporated area of the county. Code Section 36-1-20 now authorizes counties to exercise police powers, which would include business regulation, in the unincorporated areas and provides for prosecution of violations in the magistrate court. These provisions could allow for exercise of licensing, regulation, and license taxation powers by Banks County in the absence of this local constitutional amendment but would not allow for the exercise of such powers within incorporated municipalities.

STATUS: Continued, Ga. L. 1986, p. 5365.

(4) CITE: Ga. L. 1980, p. 2159.

DESCRIPTION: Relates to jurisdiction, practice, and procedures in justice of the peace courts.

COMMENTS: The 1983 Constitution abolishes all justice of the peace courts and establishes a system of magistrate courts. Chapter 10 of Title 15 governs all magistrate courts and sets uniform jurisdiction, practice, and procedures for these courts.

STATUS: Not continued. Repealed by Article XI, Section I, Paragraph IV.

HOMER

(1) See Ga. L. 1979, p. 1843, under Banks County for amendment affecting Homer.

BARROW COUNTY

(1) CITE: Ga. L. 1914, p. 27.

DESCRIPTION: Creates Barrow County and describes the boundary thereof.

COMMENT: Following the adoption of the 1877 Constitution, 16 counties were created by local constitutional amendment. Each amendment provided a metes and bounds description of the county boundary and designated the county site.

STATUS: Article IX, Section I, Paragraph II(b) grandfathers in force and effect the boundary description of each of the 159 counties, as well as the county site, that existed as of June 30, 1983, and provides further that subsequent changes may be accomplished only under the operation of a general law.

(2) CITE: Ga. L. 1962, p. 1027; Ga. L. 1964, Ex. Sess., p. 376.

DESCRIPTION: Creates the Winder-Barrow County Industrial Building Authority.

STATUS: Both continued, Ga. L. 1987, p. 3525.

(3) CITE: Ga. L. 1970, p. 1059.

DESCRIPTION: Merges the City of Winder school system with the Barrow County school system and provides for an elected board of education and an appointed school superintendent.

COMMENTS: The amendment merges the independent school system of Winder with the Barrow County school system. The amendment provides detailed provisions regarding the election of the members of the board of education and appointment of the superintendent by the board and authorizes the General Assembly to provide for all matters relative to the Barrow County school system without the necessity of a referendum.

STATUS: Continued, Ga. L. 1987, p. 3523.

(4) CITE: Ga. L. 1979, p. 1805.

DESCRIPTION: Relates to jurisdiction, practice, and procedures in justice of the peace courts.

COMMENTS: The 1983 Constitution abolishes all justice of the peace courts and establishes a system of magistrate courts. Chapter 10 of Title 15 governs all magistrate courts and sets uniform jurisdiction, practice, and procedures for these courts.

STATUS: Not continued. Repealed by Article XI, Section I, Paragraph IV.

AUBURN

(1) CITE: Ga. L. 1975, p. 1680.

DESCRIPTION: Grants a \$2,000.00 exemption from municipal ad valorem taxes to each resident of the city.

COMMENTS: Article VII, Section II, Paragraph IV continues in effect as statutory law those types of exemptions from ad valorem taxation provided for by law on June 30, 1983.

STATUS: Because this general provision of the Constitution continues this exemption in effect, it was not necessary that this local amendment be specifically continued in order for this exemption to continue to be granted. However, an Act purporting to continue the amendment was nevertheless enacted, Ga. L. 1987, p. 5263.

- (2) See Ga. L. 1962, p. 1027, under Barrow County for amendment affecting Winder.
- (3) See Ga. L. 1970, p. 1059, under Barrow County for amendment affecting Winder.

BARTOW COUNTY

- (1) CITE: Ga. L. 1953, Nov.-Dec. Sess., p. 540, Ga. L. 1958, p. 495.

DESCRIPTION: Provides for the election of the board of education of Bartow County and for the election of the school superintendent.

COMMENTS: The amendment provides part of the current law regarding the board of education and school superintendent of Bartow County. The compensation of board members and their terms of office are addressed in Ga. L. 1982, p. 4584 and Ga. L. 1982, p. 4589.

STATUS: Both continued, Ga. L. 1987, p. 4466.

- (2) CITE: Ga. L. 1968, p. 1852.

DESCRIPTION: Authorizes the governing authority of Bartow County to create water, sewage, garbage, and fire protection districts and to levy taxes in the county or in the districts to construct and maintain facilities for such services.

COMMENTS: Counties and municipalities are now authorized to provide these services under Article IX, Section II, Paragraph III, and public funds may be expended therefor under Article IX, Section IV, Paragraph II. Special districts for government services and special taxes within those districts are now authorized by Article IX, Section II, Paragraph VI.

STATUS: Not continued. Repealed by Article XI, Section I, Paragraph IV.

- (3) CITE: Ga. L. 1980, p. 2184.

DESCRIPTION: Relates to jurisdiction, practice, and procedures in justice of the peace courts.

COMMENTS: The 1983 Constitution abolishes all justice of the peace courts and establishes a system of magistrate courts. Chapter 10 of Title 15 governs all magistrate courts and sets uniform jurisdiction, practice, and procedures for these courts.

STATUS: Not continued. Repealed by Article XI, Section I, Paragraph IV.

(4) CITE: Ga. L. 1980, p. 2288.

DESCRIPTION: Grants a total homestead exemption from county school district ad valorem taxes to those residents 62 years of age or older whose specified income does not exceed \$12,000.00.

COMMENTS: Article VII, Section II, Paragraph IV continues in effect as statutory law those types of exemptions from ad valorem taxation provided for by law on June 30, 1983.

STATUS: Repealed specifically by a local Act granting new exemption, Ga. L. 1987, p. 5325.

ADAIRSVILLE

(1) CITE: Ga. L. 1966, p. 912.

DESCRIPTION: Creates the Adairsville Development Authority.

STATUS: Continued, Ga. L. 1986, p. 4696.

CARTERSVILLE

(1) CITE: Ga. L. 1962, p. 1021.

DESCRIPTION: Creates the Cartersville Development Authority.

STATUS: Continued, Ga. L. 1986, p. 4694.

(2) CITE: Ga. L. 1971, p. 952.

DESCRIPTION: Grants a \$2,000.00 homestead exemption from all ad valorem taxation by the City of Cartersville to residents of the City of Cartersville who are disabled or age 62 or over who do not have specified income exceeding \$4,000.00 per year.

COMMENTS: While this amendment appears to apply to taxes levied on behalf of the Cartersville School District, it may not have been so interpreted.

STATUS: Article VII, Section II, Paragraph IV continues in effect as statutory law those types of exemptions from ad valorem taxation provided for by law on June 30, 1983.

Because this general provision of the Constitution continues this exemption in effect, it was not necessary that this local amendment be specifically continued in order for the exemption to continue to be granted. However, a home rule ordinance purporting to continue the amendment was adopted, Ga. L. 1988, p. 5365.

BEN HILL COUNTY

- (1) CITE: Ga. L. 1906, p. 28.

DESCRIPTION: Creates Ben Hill County and describes the boundary thereof.

COMMENT: Following the adoption of the 1877 Constitution, 16 counties were created by local constitutional amendment. Each amendment provided a metes and bounds description of the county boundary and designated the county site.

STATUS: Article IX, Section I, Paragraph II(b) grandfathers in force and effect the boundary description of each of the 159 counties, as well as the county site, that existed as of June 30, 1983, and provides further that subsequent changes may be accomplished only under the operation of a general law.

- (2) CITE: Ga. L. 1962, p. 1011.

DESCRIPTION: Creates the Fitzgerald and Ben Hill County Development Authority.

STATUS: Continued by home rule ordinances, Ga. L. 1985, p. 5190, and Ga. L. 1985, p. 5326, as well as by local Act, Ga. L. 1987, p. 3529.

- (3) CITE: Ga. L. 1980, p. 2219.

DESCRIPTION: Grants a \$6,000.00 homestead exemption from county and county school district ad valorem taxes to residents; and grants a \$12,000.00 exemption to residents 65 years of age or older whose specified income does not exceed \$4,000.00.

STATUS: Article VII, Section II, Paragraph IV continues in effect as statutory law those types of exemptions from ad valorem taxation provided for by law on June 30, 1983.

FITZGERALD

- (1) CITE: Ga. L. 1939, p. 31.

DESCRIPTION: Authorizes the city to levy an ad valorem property tax not to exceed one mill for assisting, promoting, and encouraging new industries to locate in Fitzgerald and for advertising the city.

COMMENTS: There is neither a general constitutional provision nor general law which would authorize taxation for these purposes. A local law so authorizing would require a determination as to whether these purposes are public services or public functions for which public funds may be expended pursuant to Article IX, Section IV, Paragraph II.

STATUS: Continued, Ga. L. 1987, p. 3527.

- (2) See Ga. L. 1962, p. 1011, under Ben Hill County for amendment affecting Fitzgerald.

BERRIEN COUNTY

- (1) CITE: Ga. L. 1937-38, Ex. Sess., p. 12.

DESCRIPTION: Authorizes the Beaverdam school district of Berrien County to issue bonds to refund and retire bonds which were outstanding and past due on October 15, 1938.

COMMENTS: This amendment constitutes a one-time authority to issue refunding bonds for a specific series of bonds in default on October 15, 1938.

STATUS: Not continued. Repealed by Article XI, Section I, Paragraph IV.

- (2) CITE: Ga. L. 1962, p. 819.

DESCRIPTION: Creates the Berrien County Industrial Building Authority.

STATUS: Continued, Ga. L. 1986, p. 3877.

- (3) CITE: Ga. L. 1964, p. 1021.

DESCRIPTION: Provides for an additional member on the board of education of Berrien County to be appointed by the grand jury.

COMMENTS: Ga. L. 1971, p. 3044, completely superseded the provisions of the amendment by creating an elected board of education to replace the previously existing board.

STATUS: Not continued. Repealed by Article XI, Section I, Paragraph IV.

- (4) CITE: Ga. L. 1965, p. 678.

DESCRIPTION: Authorizes the governing body of Berrien County to levy an annual ad valorem tax not exceeding two mills for promotion of industry, agriculture, trade, and commerce. Provides that the governing body may appropriate funds so raised to the Berrien County Industrial Building Authority.

COMMENTS: Code Section 48-5-220 provides that each county may levy up to one mill of ad valorem tax to provide for assistance to county development authorities for the purpose of developing trade, commerce, industry, and employment opportunities. This Code section

provides that the authorization granted therein shall be in addition to any authorization granted by constitutional amendment.

STATUS: Not continued. Repealed by Article XI, Section I, Paragraph IV.

NASHVILLE

(1) CITE: Ga. L. 1939, p. 54.

DESCRIPTION: Authorizes the city to issue bonds to refund and retire bonds which were outstanding and past due on November 1, 1936, and which became due by November 1, 1942.

COMMENTS: This amendment constitutes a one-time authority to issue refunding bonds for a specific series of bonds in default on November 1, 1936, and which became due by November 1, 1942.

STATUS: Not continued. Repealed by Article XI, Section I, Paragraph IV.

RAY CITY

(1) CITE: Ga. L. 1939, p. 67.

DESCRIPTION: Authorizes the city to issue bonds to refund and retire bonds which were outstanding and past due on June 15, 1940.

COMMENTS: This amendment constitutes a one-time authority to issue refunding bonds for a specific series of bonds in default on June 15, 1940.

STATUS: Not continued. Repealed by Article XI, Section I, Paragraph IV.

(2) CITE: Ga. L. 1943, p. 41.

DESCRIPTION: Authorizes the City of Ray City to issue bonds to refund and retire bonds which were outstanding and past due on July 1, 1943, and which became due by January 1, 1962.

COMMENTS: This amendment constitutes a one-time authority to issue refunding bonds for a specific series of bonds in default on July 1, 1943, and which became due by January 1, 1962.

STATUS: Not continued. Repealed by Article XI, Section I, Paragraph IV.

BIBB COUNTY

- (1) CITE: Ga. L. 1941, p. 21.

DESCRIPTION: Authorizes the county to incur debt by making temporary loans and authorizes the county to borrow up to \$150,000.00 for grants of money, property, or loans to the federal or state government for national defense purposes.

COMMENTS: The provision relating to temporary loans is obsolete in that Article IX, Section V, Paragraph V authorizes counties to make temporary loans. However, the provision authorizing the county to borrow money to make certain grants for national defense purposes still constitutes additional authority.

STATUS: Continued, home rule ordinance, Ga. L. 1988, p. 5098.

- (2) CITE: Ga. L. 1943, p. 8.

DESCRIPTION: Authorizes the governing authority of Bibb County to establish sanitation, fire prevention, police protection, and road construction and improvement districts and to issue bonds and levy taxes and assessments upon property within such districts.

COMMENTS: Article IX, Section II, Paragraph III authorizes cities and counties to provide the services enumerated by the amendment. Article IX, Section II, Paragraph VI authorizes the creation of special service districts and the levy of taxes and assessments upon property within such special districts.

STATUS: Continued, home rule ordinance, Ga. L. 1988, p. 5103.

- (3) CITE: Ga. L. 1947, p. 1240.

DESCRIPTION: Authorizes the governing authority of Bibb County and the City of Macon to enact planning and zoning ordinances and appoint agencies for adopting and administering zoning and planning laws.

COMMENTS: Article IX, Section II, Paragraph IV specifically grants local governments the power to enact planning and zoning ordinances.

STATUS: Continued, Ga. L. 1986, p. 5308.

- (4) CITE: Ga. L. 1950, p. 431.

DESCRIPTION: Authorizes the General Assembly to enact laws creating a pension and retirement system for elected or appointed officers and employees of the county who are paid

wholly or in part by the county, to provide for disability and death benefits, and to tax therefor and ratifies prior pension law.

COMMENTS: Article IX, Section II, Paragraph III(a)(14) now authorizes counties and municipalities to maintain and modify existing retirement or pension systems and to create and maintain retirement or pension systems for elected or appointed officers and employees whose compensation is paid in whole or in part from county or municipal funds. Article III, Section X, Paragraph I now authorizes the expenditure of public funds for retirement and pension systems for public officers and employees.

STATUS: Not continued. Repealed by Article XI, Section I, Paragraph IV.

(5) CITE: Ga. L. 1950, p. 434.

DESCRIPTION: Declares population Acts affecting the county which have not been ruled invalid by an appellate court to remain in full force until affected by subsequent legislation.

COMMENTS: This amendment created an exception to the "uniform operation of general laws" paragraph. It appears to validate constitutionally Bibb "population" Acts enacted to the date of the amendment's adoption and thus to remove further appellate jurisdiction to strike such Acts. There may have been a specific incident which prompted this provision's ratification. "Population" Acts are no longer to be used in most cases, but those presently existing have been allowed to remain under Code Section 28-1-15.

STATUS: Continued, home rule ordinance, Ga. L. 1988, p. 5108.

(6) CITE: Ga. L. 1953, Nov.-Dec. Sess., p. 256.

DESCRIPTION: Repeals Ga. L. 1947, p. 1565, and creates a joint Macon-Bibb County Board of Health and provides for its powers and duties and authorizes the governing authorities of the City of Macon and Bibb County to adopt ordinances and to provide criminal penalties for violations of such ordinances.

COMMENTS: General law provides that health services shall be provided by the counties. The amendment requires the City of Macon and Bibb County to act jointly in maintaining a board of health and providing the necessary funds.

STATUS: Continued, Ga. L. 1986, p. 4682.

(7) CITE: Ga. L. 1953, Nov.-Dec. Sess., p. 491.

DESCRIPTION: Authorizes the governing authority of Bibb County to prescribe and enforce building, electrical, and plumbing rules and regulations.

COMMENTS: Cities and counties are authorized to prescribe building, housing, plumbing, and electrical codes under Article IX, Section II, Paragraph III. The amendment provides that violators shall be tried in the City Court of Macon which has subsequently changed to the State Court of Bibb County.

STATUS: Continued, home rule ordinance, Ga. L. 1988, p. 5112.

(8) CITE: Ga. L. 1953, Nov.-Dec. Sess., p. 526.

DESCRIPTION: Authorizes the General Assembly to delegate legislative power to the governing authority of Bibb County to regulate traffic and exercise police powers.

COMMENTS: Code Section 36-1-20 authorizes the governing authority of each county to adopt ordinances preserving the public health, safety, and welfare of the unincorporated areas of the county, specifically including the regulation of traffic, violations of which ordinances may be punished by fine or imprisonment of not more than \$500.00 or 60 days' imprisonment or both.

STATUS: Continued, home rule ordinance, Ga. L. 1988, p. 5117.

(9) CITE: Ga. L. 1955, p. 682.

DESCRIPTION: Creates a civil service system in Bibb County for certain county police officers and officers and employees of the sheriff's department, authorizes the General Assembly to change or abolish the system, and authorizes county commissioners to provide for a county police department.

COMMENTS: Article IX, Section I, Paragraph IV authorizes the General Assembly by general law to authorize the establishment by county governing authorities of civil service systems covering both county employees and employees of county officers.

STATUS: Continued, home rule ordinance, Ga. L. 1988, p. 5122.

(10) CITE: Ga. L. 1958, p. 497.

DESCRIPTION: Authorizes the General Assembly to restructure and reorganize the governing authority of Bibb County and any municipality located within the county subject only to limitations detailed by the amendment.

COMMENTS: Article IX, Section III, Paragraph II authorizes the General Assembly to provide by law for any matters necessary to authorize the consolidation of the governmental functions of cities and counties, provided that no consolidation shall become effective without approval in a referendum, and authorizes the establishment of charter commissions to draft proposed charters for the consolidated government without the necessity of further action by the General Assembly.

STATUS: Not continued. Repealed by Article XI, Section I, Paragraph IV.

(11) CITE: Ga. L. 1961, p. 611.

DESCRIPTION: Empowers the county to set and collect license fees and taxes from businesses in the unincorporated areas of the county and to prescribe and enforce regulations concerning such businesses. The fees and taxes are declared as liens upon the properties of such businesses. Failure to pay fees or to obey regulations is a misdemeanor under the jurisdiction of the State Court of Bibb County.

COMMENTS: Article IX, Section II, Paragraph I grants counties the power to prescribe ordinances, and the power to levy license fees and taxes may be granted by a local Act promulgated under Article IX, Section IV, Paragraph I. However, under general law, the enforcement of ordinances is left to the county magistrate court under Code Section 36-1-20, with maximum punishments of a \$500.00 fine and 60 days' imprisonment or both.

STATUS: Continued, home rule ordinance, Ga. L. 1988, p. 5129.

(12) CITE: Ga. L. 1962, p. 885.

DESCRIPTION: Empowers the county and city, either directly or through the Macon-Bibb County Industrial Authority, to appropriate properties, money, and services to encourage and assist the location and expansion of industrial and commercial facilities in the county. The amendment also ratifies and confirms Ga. L. 1962, p. 2323, creating the Macon-Bibb County Industrial Authority.

COMMENTS: There is neither a general constitutional provision nor general law which would authorize taxation for these purposes. A local law so authorizing would require a determination as to whether these purposes are public services or public functions for which public funds may be expended pursuant to Article IX, Section IV, Paragraph II.

STATUS: Continued by home rule ordinances, Ga. L. 1985, p. 5168, and Ga. L. 1985, p. 5274, and by local Act, Ga. L. 1986, p. 4685.

(13) CITE: Ga. L. 1962, p. 1112.

DESCRIPTION: Authorizes the General Assembly to grant to county governing authority the power to provide for construction, and maintenance of streets, bridges, sidewalks, and related installations inside and outside the corporate limits of any municipality in the county.

COMMENTS: County's exercise of these powers within a municipality would be prohibited by Article IX, Section II, Paragraph III(b)(1) unless authorized by contract or by local law, absent the authority of this local amendment.

STATUS: Continued, home rule ordinance, Ga. L. 1988, p. 5135.

(14) CITE: Ga. L. 1964, p. 1067.

DESCRIPTION: Authorize the governing authorities of Bibb County and the City of Macon by resolution to consolidate the city and county offices regarding property assessment and tax collection, provided that such action may be changed by local Act.

COMMENTS: Under general law a board of tax assessors is created for each county for the valuation of all real property in the county. Municipalities are required to assess and levy taxes on the basis of the fair market value determined by the county board of tax assessors. This amendment provides an exception to general law by the creation of a joint county-city board of tax assessors with unique authority.

STATUS: Continued, Ga. L. 1986, p. 1067.

(15) CITE: Ga. L. 1966, p. 835.

DESCRIPTION: Authorizes the governing authority of Bibb County to provide group medical insurance and group life insurance for employees of the county and elected officials of the county.

COMMENTS: While there is general authority for the provision of such insurance benefits for county employees, there is no such general authority for provision of insurance benefits for county elected officials. In addition, county commissioners are under Article IX, Section II, Paragraph I expressly prohibited from taking home rule action affecting the salary of elected county officers or the compensation, expenses, and allowances in the nature of compensation of the county commissioners.

STATUS: Continued, home rule ordinance, Ga. L. 1988, p. 5139.

(16) CITE: Ga. L. 1966, p. 881.

DESCRIPTION: Authorizes the governing authority of Bibb County to adopt, revise, and modify pension, disability, and retirement plans for any elected or appointed person whose compensation is paid wholly or in part by the county.

COMMENTS: Article IX, Section II, Paragraph III(a)(14) authorizes cities and counties to maintain and modify existing pension or retirement systems, and Article III, Section X, Paragraphs I and II authorize the expenditure of public funds for such purposes.

STATUS: Continued, home rule ordinance, Ga. L. 1988, p. 5144.

(17) CITE: Ga. L. 1974, p. 1706.

DESCRIPTION: Provides an exemption from all ad valorem taxes other than state taxes for harvested agricultural products which have a planting-to-harvest cycle of 12 months or less,

which are customarily cured and aged for a period in excess of one year after harvesting, and before manufacturing, and which are held in Bibb County for manufacturing or processing purposes.

COMMENTS: An identical exemption is now provided by general law. See Code Section 48-5-41.1(b)(2).

STATUS: Continued, home rule ordinance, Ga. L. 1988, p. 5149.

(18) CITE: Ga. L. 1974, p. 1724.

DESCRIPTION: Sets the compensation of members of the board of education of Bibb County and authorizes future changes in the compensation to be enacted by local law without the necessity of a referendum.

COMMENTS: Ga. L. 1978, p. 4007, increased the compensation of members of the board and supersedes the amount provided by the amendment. Article VIII, Section V, Paragraph II permits the compensation of boards of education to be set by local law without a referendum.

STATUS: Not continued. Repealed by Article XI, Section I, Paragraph IV.

(19) CITE: Ga. L. 1974, p. 1754.

DESCRIPTION: Ratifies and confirms Act creating the Macon-Bibb County Urban Development Authority.

STATUS: Continued by home rule ordinance, Ga. L. 1985, p. 5269, and local Act, Ga. L. 1986, p. 4698.

(20) CITE: Ga. L. 1976, p. 1827.

DESCRIPTION: Authorizes Macon-Bibb County Urban Development Authority to issue bonds for buildings and facilities for use by county or city and authorizes county and city to tax to provide funds to authority for use of buildings and facilities.

COMMENTS: Absent this constitutional authority, or general law authority which does not now exist, the authority probably could not issue bonds for public building purposes without a referendum because of Article IX, Section V, Paragraph I or issue revenue bonds for such a purpose because of Article IX, Section VI, Paragraph I and the absence of a general law authorizing revenue bonds to be issued for such purposes.

STATUS: Continued by home rule ordinance, Ga. L. 1985, p. 5269, and local Act, Ga. L. 1986, p. 4698.

(21) CITE: Ga. L. 1978, p. 2360.

DESCRIPTION: Provides that for purposes of determining eligibility for homestead exemption from local county, city, and school ad valorem taxes in Bibb County a "homestead" shall include property held under an occupancy agreement at a stockholder of a nonprofit cooperative ownership housing corporation.

COMMENTS: Article VII, Section II, Paragraph IV continues in effect as statutory law those types of exemptions from ad valorem taxation provided for by law on June 30, 1983.

STATUS: Because this general provision of the Constitution continues in effect this expansion of homestead eligibility, it was not necessary that this local constitutional amendment be specifically continued in order for this expansion of eligibility to continue to apply. However, the amendment was nonetheless continued by home rule ordinance, Ga. L. 1988, p. 5094.

(22) CITE: Ga. L. 1980, p. 2128.

DESCRIPTION: Grants additional powers to the Macon-Bibb County Urban Development Authority.

STATUS: Continued by home rule ordinance, Ga. L. 1985, p. 5269, and by local Act, Ga. L. 1986, p. 4698.

(23) CITE: Ga. L. 1980, p. 2133.

DESCRIPTION: Provides a \$7,000.00 homestead exemption from county and county school district ad valorem taxes to residents' homesteads.

STATUS: Article VII, Section II, Paragraph IV continues in effect as statutory law those types of exemptions from ad valorem taxation provided for by law on June 30, 1983.

(24) See Ga. L. 1910, p. 42, under Chatham County for amendment affecting Bibb County.

MACON

(1) CITE: Ga. L. 1927, p. 127; Ga. L. 1935, p. 1234; Ga. L. 1937, pp. 1132, 1137, 1139.

DESCRIPTION: Zoning and planning.

COMMENTS: The 1927 amendment to Art. III, Sec. VII, Para. XXV of the 1877 Constitution included Albany, Athens, Atlanta, Augusta, Brunswick, Columbus, Darien, Decatur, Dublin, East Thomaston, LaGrange, Macon, Newnan, Rome, Savannah, Thomaston, Valdosta, Waycross, and cities with a population of 25,000 or more according to the decennial census of 1920. The 1935 amendment added Moultrie. The first 1937 amendment added

Carrolton, Cordele, Eastman, Forsyth, Fort Valley, McRae, and Milledgeville. The second 1937 amendment added Dalton. The third 1937 amendment added Quitman. Art. III, Sec. VII, Para. XXIII of the Constitution of 1945 (the revised counterpart of old Para. XXV) contained a direct grant of authority to the General Assembly to grant authority to cities and counties to pass zoning and planning laws. Amendment 19 (which included among other things, Art. XV, Sec. II-A, Para. III) granted some zoning and planning power directly to counties and was held to have impliedly repealed Para. XXIII insofar as it applied to unincorporated areas. Art. IX, Sec. IV, Para. II(15) conferred zoning and planning power in cities and counties.

STATUS: Not continued. Repealed, Article XI, Section I, Paragraph IV.

- (2) CITE: Ga. L. 1937-38, Ex. Sess., p. 45.

DESCRIPTION: Authorizes the city to issue notes to refund and retire any indebtedness which was outstanding on January 1, 1939, and authorizes the city to incur limited debt by making temporary loans.

COMMENTS: This amendment constitutes a one-time authority to issue refunding notes for a specific debt existing on January 1, 1939. Also, Article IX, Section V, Paragraph V authorizes cities to make temporary loans.

STATUS: Not continued. Repealed by Article XI, Section I, Paragraph IV.

- (3) CITE: Ga. L. 1939, p. 52.

DESCRIPTION: Authorizes the city to issue notes and certificates to retire and pay any debts of the city existing at the time the amendment was ratified or within 90 days thereafter.

COMMENTS: The one-time authority to issue notes to retire the debt existing on the date the amendment was ratified has no current applicability.

STATUS: Not continued. Repealed by Article XI, Section I, Paragraph IV.

- (4) CITE: Ga. L. 1941, p. 124.

DESCRIPTION: Authorizes the governing body of the City of Macon to exempt new buildings, machinery, and equipment from municipal ad valorem taxation for up to five years.

COMMENTS: Article VII, Section II, Paragraph IV continues in effect as statutory law those types of exemptions from ad valorem taxation provided for by law on June 30, 1983.

It is not clear, however, that this constitutional provision would continue the discretionary power of the city governing authority to exempt such property from taxation.

STATUS: Not continued. Repealed by Article XI, Section I, Paragraph IV.

(5) CITE: Ga. L. 1941, p. 127.

DESCRIPTION: Authorizes the city to vary the amount of its tax levy on newly annexed property for up to ten years after annexation commensurate with the benefits and services extended to the property.

COMMENTS: This amendment contradicts the uniformity of taxation provisions of Article VII, Section I, Paragraph III, and also differs from the special district alternatives of Article IX, Section V, Paragraph II.

STATUS: Not continued. Repealed by Article XI, Section I, Paragraph IV.

(6) CITE: Ga. L. 1941, p. 129.

DESCRIPTION: Authorizes the city to incur limited debt for the purpose of contributing to local, state, or national defense.

COMMENTS: It is unclear whether the amendment was authority for a one-time issuance of notes or debt certificates or whether it is continuing authority to incur debt for the stated purpose so long as the aggregate of such debt does not exceed \$150,000.00.

STATUS: Not continued. Repealed by Article XI, Section I, Paragraph IV.

(7) CITE: Ga. L. 1952, p. 518.

DESCRIPTION: Authorizes the city to issue revenue bonds to pay for hospital improvements. Also authorizes the use of certain water receipts to be pledged for the payment of such bonds.

COMMENTS: The powers granted to the city under this amendment appear to be otherwise conferred by the Constitution.

STATUS: Not continued. Repealed by Article XI, Section I, Paragraph IV.

(8) CITE: Ga. L. 1958, p. 482.

DESCRIPTION: Empowers the mayor and council to enact ordinances on building safety and fitness.

COMMENTS: Article IX, Section II, Paragraph III(a) and Code Section 36-35-3 serve as a modern basis to accomplish the ends originally sought to be achieved.

STATUS: Not continued. Repealed by Article XI, Section I, Paragraph IV.

(9) CITE: Ga. L. 1977, p. 1612, as amended by Ga. L. 1978, p. 2311.

DESCRIPTION: Provides for an increase in the benefits paid to any widow or child of a member of the Firemen and Police Pension Fund of the City of Macon.

COMMENTS: The amendment is self-executing and increases to a specific amount the benefits paid to certain widows and children of a member of the Firemen and Police Pension Fund of the City of Macon. Article IX, Section II, Paragraph II(14) authorizes cities and counties to increase benefits paid pursuant to public retirement or pension systems by home rule.

STATUS: Not continued. Repealed by Article XI, Section I, Paragraph IV.

(10) CITE: Ga. L. 1978, p. 2357.

DESCRIPTION: Authorizes the governing authority of the city to grant, and fix at not more than \$2,000.00, a homestead exemption from municipal ad valorem taxation for each resident of the city who is 65 years of age or over and has specified income not exceeding \$4,000.00 per year.

STATUS: Unclear. Article VII, Section II, Paragraph IV continues in effect as statutory law those types of exemptions from ad valorem taxation provided for by law on June 30, 1983. It is uncertain that this constitutional provision would continue the discretionary power of the city governing authority to grant and fix the amount of the exemption. This local constitutional amendment was not specifically continued.

(11) CITE: Ga. L. 1980, p. 2092.

DESCRIPTION: Authorizes the city governing authority to grant preferential assessments for city ad valorem property tax purposes for revitalized or rehabilitated residential property.

COMMENTS: Article VII, Section II, Paragraph IV continues in effect as statutory law those types of exemptions from ad valorem taxation provided for by law on June 30, 1983. It is not clear, however, that this constitutional provision would continue the discretionary power of the city governing authority to grant preferential assessments, as opposed to a tax exemption.

STATUS: Continued, Ga. L. 1986, p. 2092.

(12) CITE: Ga. L. 1982, p. 2549.

DESCRIPTION: Provides for an increase in the benefits paid to certain retired firemen or policemen who were members of the Firemen and Police Pension Fund of the City of Macon.

COMMENTS: The amendment is self-executing and increases to a specific amount the benefits paid to certain retired firemen and policemen who were members of the Firemen and Police Pension Fund of the City of Macon. Article IX, Section II, Paragraph II(14) authorizes cities and counties to increase benefits paid pursuant to public retirement or pension systems by home rule.

STATUS: Not continued. Repealed by Article XI, Section I, Paragraph IV.

- (13) See Ga. L. 1947, p. 1240, under Bibb County for amendment affecting Macon.
- (14) See Ga. L. 1953, Nov.-Dec. Sess., p. 256, under Bibb County for amendment affecting Macon.
- (15) See Ga. L. 1962, p. 885, under Bibb County for amendment affecting Macon.
- (16) See Ga. L. 1962, p. 1112, under Bibb County for amendment affecting Macon.
- (17) See Ga. L. 1964, p. 1067, under Bibb County for amendment affecting Macon.
- (18) See Ga. L. 1974, p. 1706, under Bibb County for amendment affecting Macon.
- (19) See Ga. L. 1974, p. 1754, under Bibb County for amendment affecting Macon.
- (20) See Ga. L. 1976, p. 1827, under Bibb County for amendment affecting Macon.
- (21) See Ga. L. 1978, p. 2360, under Bibb County for amendment affecting Macon.
- (22) See Ga. L. 1980, p. 2128, under Bibb County for amendment affecting Macon.

PAYNE

- (1) See Ga. L. 1962, p. 1112, under Bibb County for amendment affecting Payne.
- (2) See Ga. L. 1974, p. 1706, under Bibb County for amendment affecting Payne.
- (3) See Ga. L. 1978, p. 2360, under Bibb County for amendment affecting Payne.

BLECKLEY COUNTY

- (1) CITE: Ga. L. 1912, p. 38.

DESCRIPTION: Creates Bleckley County and describes the boundary thereof.

COMMENT: Following the adoption of the 1877 Constitution, 16 counties were created by local constitutional amendment. Each amendment provided a metes and bounds description of the county boundary and designated the county site.

STATUS: Article IX, Section I, Paragraph II(b) grandfathers in force and effect the boundary description of each of the 159 counties, as well as the county site, that existed as of June 30, 1983, and provides further that subsequent changes may be accomplished only under the operation of a general law.

(2) CITE: Ga. L. 1952, p. 548.

DESCRIPTION: Authorizes the General Assembly to enact a local Act merging Cochran independent school system with Bleckley County school system.

STATUS: Not continued. Repealed by Article XI, Section I, Paragraph IV.

(3) CITE: Ga. L. 1966, p. 1042.

DESCRIPTION: Creates the Bleckley County-Cochran Industrial Development Authority.

STATUS: Continued, Ga. L. 1987, p. 3558.

(4) CITE: Ga. L. 1982, p. 2669.

DESCRIPTION: Provides for an elected board of education of Bleckley County.

COMMENTS: The amendment defines the education districts for Bleckley County and provides for the method of electing the members of the board of education at the general election in 1984, 1986, and 1988. The amendment contains the current school board law for Bleckley County.

STATUS: Continued, Ga. L. 1987, p. 3556

COCHRAN

(1) CITE: Ga. L. 1941, p. 48.

DESCRIPTION: Authorizes the city to issue bonds to refund and retire bonds which were outstanding and past due on February 1, 1941, and which became due by November 1, 1953.

COMMENTS: This amendment constitutes a one-time authority to issue refunding bonds for a specific series of bonds in default on February 1, 1941, and which became due by November 1, 1953.

STATUS: Not continued. Repealed by Article XI, Section I, Paragraph IV.

- (2) See Ga. L. 1952, p. 548, under Bleckley County for amendment affecting Cochran.
- (3) See Ga. L. 1966, p. 1042, under Bleckley County for amendment affecting Cochran.

BRANTLEY COUNTY

- (1) CITE: Ga. L. 1920, p. 34.

DESCRIPTION: Creates Brantley County and describes the boundary thereof.

COMMENT: Following the adoption of the 1877 Constitution, 16 counties were created by local constitutional amendment. Each amendment provided a metes and bounds description of the county boundary and designated the county site.

STATUS: Article IX, Section I, Paragraph II(b) grandfathers in force and effect the boundary description of each of the 159 counties, as well as the county site, that existed as of June 30, 1983, and provides further that subsequent changes may be accomplished only under the operation of a general law.

- (2) CITE: Ga. L. 1937-38, Ex. Sess., p. 17.

DESCRIPTION: Authorizes the levy of an additional tax of five mills for school purposes.

COMMENTS: Article VIII, Section VI, Paragraph I authorizes the levy of a school tax up to 20 mills and provides for increasing or removing the 20 mill limit. Given the current 20 mill limitation, the purpose of the amendment regarding the increase of the school tax is unclear.

STATUS: Not continued. Repealed by Article XI, Section I, Paragraph IV.

- (3) CITE: Ga. L. 1953, Nov.-Dec. Sess., p. 217.

DESCRIPTION: Authorizes county to levy a tax not exceeding one mill for promoting and encouraging location of industry and development of agriculture in the county.

COMMENTS: There is neither a general constitutional provision nor general law which would authorize taxation for these purposes. A local law so authorizing would require a determination as to whether these purposes are public services or public functions for which public funds may be expended pursuant to Article IX, Section IV, Paragraph II.

STATUS: Not continued. Repealed by Article XI, Section I, Paragraph IV.

(4) CITE: Ga. L. 1968, p. 1731.

DESCRIPTION: Creates the Brantley County Development Authority.

STATUS: Continued, Ga. L. 1987, p. 5103.

NAHUNTA

(1) CITE: Ga. L. 1953, Nov.-Dec. Sess., p. 189.

DESCRIPTION: Authorizes the city to levy a tax not exceeding one mill for promoting and encouraging location of industry in city.

COMMENTS: There is neither a general constitutional provision nor general law which would authorize taxation for these purposes. A local law so authorizing would require a determination as to whether these purposes are public services or public functions for which public funds may be expended pursuant to Article IX, Section IV, Paragraph II.

STATUS: Not continued. Repealed by Article XI, Section I, Paragraph IV.

BROOKS COUNTY

(1) CITE: Ga. L. 1956, p. 417; Ga. L. 1957, p. 509.

DESCRIPTION: Provides for an elected board of education of Brooks County.

COMMENTS: A later local constitutional amendment found at Ga. L. 1962, p. 827, which provides for the merger of the Brooks County school system and the City of Quitman school system, completely changed the board membership and composition thereof and the districts from which members are elected and effectively superseded these two amendments.

STATUS: Not continued. Repealed by Article XI, Section I, Paragraph IV.

(2) CITE: Ga. L. 1962, p. 827.

DESCRIPTION: Provides for the merger of the school systems of the City of Quitman and Brooks County and authorizes Quitman and Brooks County to appropriate money from their general funds to the new school system.

COMMENTS: Portions of this amendment have been superseded by Ga. L. 1984, p. 3713, as specifically authorized by the 1962 amendment.

The remaining provisions of this amendment contain the current school board law for Brooks County.

STATUS: Continued, Ga. L. 1987, p. 827.

(3) CITE: Ga. L. 1966, p. 870.

DESCRIPTION: Creates the Brooks County Development Authority.

STATUS: Continued, Ga. L. 1986, p. 4739.

(4) CITE: Ga. L. 1977, p 1581.

DESCRIPTION: Relates to jurisdiction, practice, and procedures in justice of the peace courts.

COMMENTS: The 1983 Georgia Constitution abolishes all justice of the peace courts and establishes a system of magistrate courts. Chapter 10 of Title 15 governs all magistrate courts and sets uniform jurisdiction, practice, and procedures for these courts. This amendment no longer has any applicability to an existing court.

STATUS: Not continued. Repealed by Article XI, Section I, Paragraph IV.

QUITMAN

(1) CITE: Ga. L. 1927, p. 127; Ga. L. 1935, p. 1234; Ga. L. 1937, pp. 1132, 1137, 1139.

DESCRIPTION: Zoning and planning.

COMMENTS: The 1927 amendment to Art. III, Sec. VII, Para. XXV of the 1877 Constitution included Albany, Athens, Atlanta, Augusta, Brunswick, Columbus, Darien, Decatur, Dublin, East Thomaston, LaGrange, Macon, Newnan, Rome, Savannah, Thomaston, Valdosta, Waycross, and cities with a population of 25,000 or more according to the decennial census of 1920. The 1935 amendment added Moultrie. The first 1937 amendment added Carrolton, Cordele, Eastman, Forsyth, Fort Valley, McRae, and Milledgeville. The second 1937 amendment added Dalton. The third 1937 amendment added Quitman. Art. III, Sec. VII, Para. XXIII of the Constitution of 1945 (the revised counterpart of old Para. XXV) contained a direct grant of authority to the General Assembly to grant authority to cities and counties to pass zoning and planning laws. Amendment 19 (which included among other things, Art. XV, Sec. II-A, Para. III) granted some zoning and planning power directly to counties and was held to have impliedly repealed Para. XXIII insofar as it applied to unincorporated areas. Art. IX, Sec. IV, Para. II(15) conferred zoning and planning power in cities and counties.

STATUS: Not continued. Repealed, Article XI, Section I, Paragraph IV.

- (2) CITE: Ga. L. 1939, p. 62.

DESCRIPTION: Authorizes the city to incur debt by making temporary loans and authorizes the city to issue five-year notes to retire any current deficits.

COMMENTS: Article IX, Section V, Paragraph V addresses the making of temporary loans by cities. Although the language relating to five-year notes is less than clear, it appears that this was a one-time authority to pay deficits existing at the time the amendment was ratified and no longer has any applicability.

STATUS: Not continued. Repealed by Article XI, Section I, Paragraph IV.

- (3) CITE: Ga. L. 1939 p. 65.

DESCRIPTION: Authorizes the city to issue bonds to refund and retire bonds which were outstanding and past due on January 1, 1940, and which became due by January 1, 1950.

COMMENTS: This amendment constitutes a one-time authority to issue refunding bonds for a specific series of bonds in default on January 1, 1940, and which became due by January 1, 1950. The authority so granted has expired and has no current applicability.

STATUS: Not continued. Repealed by Article XI, Section I, Paragraph IV.

- (4) See Ga. L. 1962, p. 827, under Brooks County for amendment affecting Quitman.

BRYAN COUNTY

- (1) CITE: Ga. L. 1968, p. 1680; Ga. L. 1974, p. 1696.

DESCRIPTION: Creates the Bryan County Industrial Development Authority.

STATUS: Not continued. Repealed by Article XI, Section I, Paragraph IV.

- (2) See Ga. L. 1924, p. 35, under Chatham County for amendment affecting Bryan County.

- (3) See Ga. L. 1939, p. 23, under Chatham County for amendment affecting Bryan County.

BULLOCH COUNTY

- (1) CITY: Ga. L. 1966, p. 1002.

DESCRIPTION: Creates the Statesboro and Bulloch County Development Authority.

STATUS: Not continued. Repealed by Article XI, Section I, Paragraph IV.

- (2) CITE: Ga. L. 1981, p. 1916.

DESCRIPTION: Authorizes creation of subclasses of real property and taxation with special districts of such subclasses for fire protection services.

COMMENTS: The amendment provides authority relative to taxation not otherwise available.

STATUS: Not continued. Repealed by Article XI, Section I, Paragraph IV.

- (3) CITE: Ga. L. 1981, p. 1931.

DESCRIPTION: Authorizes the General Assembly by local law to allocate to the Bulloch County school system part of the proceeds of any local sales and use tax levied in the county and to reduce proportionately the ad valorem tax millage rate for the system.

STATUS: Continued, Ga. L. 1984, p. 4013.

STATESBORO

- (1) CITE: Ga. L. 1979, p. 1841.

DESCRIPTION: Authorizes the General Assembly to create the Downtown Statesboro Development Authority.

STATUS: Continued, Ga. L. 1986, p. 4655.

- (2) See Ga. L. 1966, p. 1002, under Bulloch County for amendment affecting Statesboro.

BURKE COUNTY

- (1) CITE: Ga. L. 1962, p. 910.

DESCRIPTION: Creates the Burke County Development Authority.

STATUS: Not continued. Repealed by Article XI, Section I, Paragraph IV.

- (2) CITE: Ga. L. 1979, p. 1846.

DESCRIPTION: Provides a formula which limits the ad valorem tax millage rates which may be fixed by the governing authority of Burke County and the board of education of Burke

County. This limitation is in addition to the millage limitation applicable to all county school systems. This formula basically limits total ad valorem tax revenue growth to 4 percent per year unless public hearings are held on the fixing of a higher millage.

COMMENTS: In the absence of this local constitutional amendment it would not be possible to fix any such millage limitation by local action or local legislation.

STATUS: Not continued. Repealed by Article XI, Section I, Paragraph IV.

BUTTS COUNTY

(1) CITE: Ga. L. 1968, p. 1614.

DESCRIPTION: Creates the Butts County Industrial Development Authority.

STATUS: Continued, Ga. L. 1986, p. 3848.

(2) CITE: Ga. L. 1980, p. 2333.

DESCRIPTION: Repeals Ga. L. 1978, p. 2401, and grants an additional \$12,000.00 homestead exemption from all county school district ad valorem taxes to those residents 62 years of age or older whose specified income does not exceed \$8,000.00.

STATUS: Article VII, Section II, Paragraph IV continues in effect as statutory law those types of exemptions from ad valorem taxation provided for by law on June 30, 1983.

CALHOUN COUNTY

(1) CITE: Ga. L. 1941, p. 24.

DESCRIPTION: Authorizes the county to issue bonds to retire all indebtedness of the county as it existed on January 1, 1941, and requires the county thereafter to operate on a cash basis and prohibits issuing delayed warrants and payment orders.

COMMENTS: The provision relating to issuing bonds to retire indebtedness was a one-time authority and has no current applicability. The provision requiring the county to operate on a cash basis is probably not necessary because Article IX, Section V places limitations on the manner in which counties may incur debt through the issuance of bonds and by making temporary loans. The practice of issuing delayed warrants and payment orders beyond the fiscal year is not contemplated or authorized.

STATUS: Not continued. Repealed by Article XI, Section I, Paragraph IV.

(2) CITE: Ga. L. 1955, p. 470.

DESCRIPTION: Provides for an elected board of education of Calhoun County and manner of filling vacancies.

STATUS: Continued, Ga. L. 1986, p. 3940.

(3) CITE: Ga. L. 1968, p. 1672.

DESCRIPTION: Creates the Calhoun County Industrial Development Authority.

STATUS: Not continued. Repealed by Article XI, Section I, Paragraph IV.

ARLINGTON

(1) See Ga. L. 1962, p. 808, under Early County for amendment affecting Arlington.

CAMDEN COUNTY

(1) CITE: Ga. L. 1961, p. 597.

DESCRIPTION: Provides for an elected board of education of Camden County.

STATUS: Initially continued by Ga. L. 1986, p. 4363, however, the local amendment as well as the 1986 Act were both repealed by Ga. L. 1987, p. 4943, Section 9.

(2) CITE: Ga. L. 1981, p. 1909.

DESCRIPTION: Authorizes the Probate Court of Camden County to try violations of county ordinances and resolutions and authorizes the General Assembly to provide by law the procedures and conditions under which this jurisdiction shall be exercised.

COMMENTS: The 1983 Georgia Constitution established a magistrate court in each county. Chapter 10 of Title 15 governs magistrate courts and authorizes these courts to try violations of county ordinances. Code Section 36-1-20 also authorizes magistrate courts to enforce county ordinances. This local amendment is the authority for the Probate Court in Camden County exercising jurisdiction over violations of county ordinances.

STATUS: Not continued. Repealed by Article XI, Section I, Paragraph IV.

- (3) CITE: Ga. L. 1982, p. 2586.

DESCRIPTION: Grants a \$4,000.00 homestead exemption from all county and county school district ad valorem taxes to residents and grants an additional \$4,000.00 exemption to those residents 60 years of age or older whose specified income does not exceed \$12,000.00.

STATUS: Article VII, Section II, Paragraph IV continues in effect as statutory law those types of exemptions from ad valorem taxation provided for by law on June 30, 1983.

- (4) See Ga. L. 1924, p. 35, under Chatham County for amendment affecting Camden County.

- (5) See Ga. L. 1939, p. 23, under Chatham County for amendment affecting Camden County.

KINGSLAND

- (1) CITE: Ga. L. 1962, p. 813.

DESCRIPTION: Creates the Kingsland Development Authority.

STATUS: Continued, Ga. L. 1986, p. 4365.

ST. MARYS

- (1) CITE: Ga. L. 1959, p. 460.

DESCRIPTION: Authorizes the City of St. Marys to bind itself by contract to a stabilized tax program with any corporation, partnership, or individual.

COMMENTS: The city would not have authority to bind itself to a stabilized property tax program without this amendment.

STATUS: Not continued. Repealed by Article XI, Section I, Paragraph IV.

- (2) CITE: Ga. L. 1980, p. 2260.

DESCRIPTION: Grants an \$8,000.00 homestead exemption from city ad valorem taxes to residents 65 years of age or older whose specified income does not exceed \$10,000.00.

STATUS: Article VII, Section II, Paragraph IV continues in effect as statutory law those types of exemptions from ad valorem taxation provided for by law on June 30, 1983. However, this exemption was repealed specifically by Ga. L. 1991, Ex. Sess., p. 460, Section 8.

CANDLER COUNTY

- (1) CITE: Ga. L. 1914, p. 29.

DESCRIPTION: Creates Candler County and describes the boundary thereof.

COMMENT: Following the adoption of the 1877 Constitution, 16 counties were created by local constitutional amendment. Each amendment provided a metes and bounds description of the county boundary and designated the county site.

STATUS: Article IX, Section I, Paragraph II(b) grandfathers in force and effect the boundary description of each of the 159 counties, as well as the county site, that existed as of June 30, 1983, and provides further that subsequent changes may be accomplished only under the operation of a general law.

- (2) CITE: Ga. L. 1962, p. 922.

DESCRIPTION: Creates the Candler County Industrial Authority.

STATUS: Continued, Ga. L. 1987, p. 3734.

CARROLL COUNTY

- (1) CITE: Ga. L. 1957, p. 173.

DESCRIPTION: Repeals an earlier amendment (Ga. L. 1952, p. 564) and establishes a grand jury appointed board of education with an elected superintendent.

STATUS: Not continued. Repealed by Article XI, Section I, Paragraph IV.

- (2) CITE: Ga. L. 1958, p. 459.

DESCRIPTION: Authorizes the General Assembly to give, by local Act, to the county governing authority the power to tax for a rescue squad.

COMMENTS: Counties and municipalities are now authorized to provide these services under Article IX, Section II, Paragraph III, and public funds may be expended therefor under Article IX, Section IV, Paragraph II.

STATUS: Not continued. Repealed by Article XI, Section I, Paragraph IV.

(3) CITE: Ga. L. 1962, p. 1135.

DESCRIPTION: Creates the Carrollton Payroll Development Authority to operate in Carroll County and Carrollton.

STATUS: Continued, Ga. L. 1985, p. 3987.

(4) CITE: Ga. L. 1978, p. 2343.

DESCRIPTION: Authorizes the General Assembly to provide by law for a civil service system for all employees whose salaries are paid from funds of Carroll County.

COMMENTS: Article IX, Section I, Paragraph IV authorizes the General Assembly by general law to authorize the establishment by county governing authorities of civil service systems covering both county employees and employees of county officers.

STATUS: Not continued. Repealed by Article XI, Section I, Paragraph IV.

(5) See Ga. L. 1962, p. 1126, under Mt. Zion for amendment affecting Carroll County.

BOWDON

(1) CITE: Ga. L. 1939, p. 18.

DESCRIPTION: Authorizes the town to issue refunding bonds to retire bonds not paid at the time of maturity.

COMMENTS: This amendment is obsolete. Article IX, Section V, Paragraph III authorizes the issuance of refunding bonds.

STATUS: Not continued. Repealed by Article XI, Section I, Paragraph IV.

(2) CITE: Ga. L. 1974, p. 1702.

DESCRIPTION: Grants a \$6,000.00 homestead exemption from municipal ad valorem taxation to each resident of the city who is 65 years of age or over and has specified income not exceeding \$4,000.00 per year.

STATUS: Article VII, Section II, Paragraph IV continues in effect as statutory law those types of exemptions from ad valorem taxation provided for by law on June 30, 1983.

- (3) CITE: Ga. L. 1977, p. 1602.

DESCRIPTION: Authorizes the governing authority of the city to grant a homestead exemption from municipal ad valorem taxation of not more than \$2,000.00. Provides that the exemption must be granted and its amount fixed by municipal ordinance each year.

Article VII, Section II, Paragraph IV continues in effect as statutory law, those types of exemptions from ad valorem taxation provided for by law on June 30, 1983. It is not clear, however, that this constitutional provision would continue the discretionary power of the city governing authority to grant and fix the amount of the homestead exemption each year.

STATUS: Continued, Ga. L. 1985, p. 4814.

CARROLLTON

- (1) CITE: Ga. L. 1927, p. 127; Ga. L. 1935, p. 1234; Ga. L. 1937, pp. 1132, 1137, 1139.

DESCRIPTION: Zoning and planning.

COMMENTS: The 1927 amendment to Art. III, Sec. VII, Para. XXV of the 1877 Constitution included Albany, Athens, Atlanta, Augusta, Brunswick, Columbus, Darien, Decatur, Dublin, East Thomaston, LaGrange, Macon, Newnan, Rome, Savannah, Thomaston, Valdosta, Waycross, and cities with a population of 25,000 or more according to the decennial census of 1920. The 1935 amendment added Moultrie. The first 1937 amendment added Carrolton, Cordele, Eastman, Forsyth, Fort Valley, McRae, and Milledgeville. The second 1937 amendment added Dalton. The third 1937 amendment added Quitman. Art. III, Sec. VII, Para. XXIII of the Constitution of 1945 (the revised counterpart of old Para. XXV) contained a direct grant of authority to the General Assembly to grant authority to cities and counties to pass zoning and planning laws. Amendment 19 (which included among other things, Art. XV, Sec. II-A, Para. III) granted some zoning and planning power directly to counties and was held to have impliedly repealed Para. XXIII insofar as it applied to unincorporated areas. Art. IX, Sec. IV, Para. II(15) conferred zoning and planning power in cities and counties.

STATUS: Not continued. Repealed, Article XI, Section I, Paragraph IV.

- (2) CITE: Ga. L. 1939, p. 21.

DESCRIPTION: Authorizes the city to issue bonds to refund and retire bonds which were outstanding and past due on January 1, 1939.

COMMENTS: This amendment constitutes a one-time authority to issue refunding bonds for a specific series of bonds in default on January 1, 1939. The authority so granted has expired and has no current applicability.

STATUS: Not continued. Repealed by Article XI, Section I, Paragraph IV.

- (3) CITE: Ga. L. 1977, p. 1596.

DESCRIPTION: Authorizes the governing authority of the city to grant a homestead exemption from municipal ad valorem taxation of not more than \$2,000.00. Provides that the exemption must be granted and its amount fixed by ordinance in each year.

COMMENTS: Article VII, Section II, Paragraph IV continues in effect as statutory law those types of exemptions from ad valorem taxation provided for by law on June 30, 1983. It is not clear, however, that this constitutional provision would continue the discretionary power of the city governing authority to grant and fix the amount of the homestead exemption each year. While this amendment appears to apply to taxes levied on behalf of the Carrollton School District, it may not have been so interpreted.

STATUS: Continued, Ga. L. 1987, p. 5154.

- (4) See Ga. L. 1962, p. 1135, under Carroll County for amendment affecting Carrollton.

MT. ZION

- (1) Ga. L. 1962, p. 1126.

DESCRIPTION: Creates the Mt. Zion, Turkey Creek, and Flint Corner Development Authority.

STATUS: Not continued. Repealed by Article XI, Section I, Paragraph IV.

ROOPVILLE

- (1) CITE: Ga. L. 1977, p. 1604.

DESCRIPTION: Authorizes the governing authority of the city to grant a homestead exemption from municipal ad valorem taxation of not more than \$2,000.00. Provides that the exemption must be granted and its amount fixed by municipal ordinance each year.

STATUS: Article VII, Section II, Paragraph IV continues in effect as statutory law those types of exemptions from ad valorem taxation provided for by law on June 30, 1983. It is not clear, however, that this constitutional provision would continue the discretionary authority of the city governing authority to grant and fix the amount of the homestead exemption each year. This amendment was not specifically continued in effect.

TEMPLE

- (1) CITE: Ga. L. 1977, p. 1598.

DESCRIPTION: Authorizes the governing authority of the city to grant a homestead exemption from municipal ad valorem taxation of not more than \$2,000.00. Provides that the exemption must be granted and its amount fixed by ordinance in each year.

STATUS: Article VII, Section II, Paragraph IV continues in effect as statutory law those types of exemptions from ad valorem taxation provided for by law on June 30, 1983. It is not clear, however, that this constitutional provision would continue the discretionary power of the city governing authority to grant and fix the amount of the homestead exemption each year. This amendment was not specifically continued in effect.

VILLA RICA

- (1) CITE: Ga. L. 1977, p. 1600.

DESCRIPTION: Authorizes the governing authority of the city to grant a homestead exemption from municipal ad valorem taxation of not more than \$2,000.00. Provides that the exemption must be granted and its amount fixed by municipal ordinance in each year.

STATUS: Article VII, Section II, Paragraph IV continues in effect as statutory law those types of exemptions from ad valorem taxation provided for by law on June 30, 1983. It is not clear, however, that this constitutional provision would continue the discretionary power of the city governing authority to grant and fix the amount of the homestead exemption each year. This amendment was not specifically continued in effect.

WHITESBURG

- (1) Ga. L. 1977, p. 1594.

DESCRIPTION: Authorizes the governing authority of the city to grant a homestead exemption from municipal ad valorem taxation of not more than \$2,000.00. Provides that the exemption must be granted and its amount fixed by ordinance in each year.

STATUS: Article VII, Section II, Paragraph IV continues in effect as statutory law those types of exemptions from ad valorem taxation provided for by law on June 30, 1983. It is not clear, however, that this constitutional provision would continue the discretionary power of the city governing authority to grant and fix the amount of the homestead exemption each year. This amendment was not specifically continued in effect.

CATOOSA COUNTY

- (1) CITE: Ga. L. 1941, p. 29.

DESCRIPTION: Authorizes the county to issue bonds to retire all indebtedness of the county as it existed on January 1, 1942, and requires the county thereafter to operate on a cash basis and prohibits issuing delayed warrants and payment orders.

COMMENTS: The provision relating to issuing bonds to retire indebtedness was a one-time authority and has no current applicability. The provision requiring the county to operate on a cash basis is probably not necessary because Article IX, Section V places limitations on the manner in which counties may incur debt through the issuance of bonds and by making temporary loans. The practice of issuing delayed warrants and payment orders beyond the fiscal year is not contemplated or authorized.

STATUS: Not continued. Repealed by Article XI, Section I, Paragraph IV.

- (2) Ga. L. 1958, p. 592.

DESCRIPTION: Vests the power and authority to levy taxes in a board of tax administrators elected county-wide to four years of office and authorizes the board to evaluate taxable property.

COMMENTS: The amendment is an exception to general law which provides for county boards of tax assessors.

STATUS: Initially continued, Ga. L. 1987, p. 3796, but subsequently repealed by Ga. L. 1992, p. 5345.

- (3) CITE: Ga. L. 1962, p. 892.

DESCRIPTION: Authorizes the governing authority of Catoosa County to establish sewage districts and to levy taxes in support of such service.

COMMENTS: Cities and counties are authorized under Article IX, Section II, Paragraph III to provide for sewerage service and may create service districts and levy taxes in support of such services under Article IX, Section II, Paragraph VI. The amendment provides that the homestead exemption shall not be applied to the levy of taxes for bonds issued in support of such service.

STATUS: Continued, Ga. L. 1987, p. 4548.

(4) CITE: Ga. L. 1966, p. 781.

DESCRIPTION: Creates the Catoosa County Development Authority.

STATUS: Continued, Ga. L. 1987, p. 4546.

(5) CITE: Ga. L. 1976, p. 1831.

DESCRIPTION: Creates the Lakeview-Fort Oglethorpe-Catoosa County Stadium Authority and authorizes the authority to issue general obligation bonds for the construction of a stadium facility to be conveyed to the board of education of Catoosa County and provides for the levy of an ad valorem tax in the special tax district created by the amendment.

STATUS: Continued, Ga. L. 1987, p. 3588.

CHARLTON COUNTY

(1) CITE: Ga. L. 1964, Ex. Sess., p. 363.

DESCRIPTION: Creates the Charlton Development Authority.

STATUS: Continued, Ga. L. 1987, p. 4530.

(2) CITE: Ga. L. 1978, p. 2329.

DESCRIPTION: Relates to jurisdiction, practice, and procedures in justice of the peace courts. Repeals prior local amendment, Ga. L. 1977, p. 1616.

COMMENTS: The 1983 Georgia Constitution abolishes all justice of the peace courts and establishes a system of magistrate courts. Chapter 10 of Title 15 governs all magistrate courts and sets uniform jurisdiction, practice, and procedures for these courts.

STATUS: Not continued. Repealed by Article XI, Section I, Paragraph IV.

(3) CITE: Ga. L. 1980, p. 2297.

DESCRIPTION: Grants a \$10,000.00 homestead exemption from all county school district ad valorem taxes to those residents 62 years of age or older whose specified income does not exceed \$12,000.00.

STATUS: Article VII, Section II, Paragraph IV continues in effect as statutory law those types of exemptions from ad valorem taxation provided for by law on June 30, 1983.

CHATHAM COUNTY

- (1) CITE: Ga. L. 1910, p. 42; Ga. L. 1913, p. 30; Ga. L. 1916, p. 22; Ga. L. 1917, p. 36; Ga. L. 1918, p. 94; Ga. L. 1920, p. 20; Ga. L. 1922, p. 26; Ga. L. 1925, p. 70; Ga. L. 1927, p. 111.

DESCRIPTION: Provides for salary supplements to certain superior court judges in the Eastern Judicial Circuit.

COMMENTS: Except for the provisions relating to Chatham County, the provisions of this amendment appear to be obsolete from the passage of time and the enactment of later local laws. The provisions relating to Chatham County are cited in a later local law, Ga. L. 1981, p. 548.

STATUS: Not continued. Repealed by Article XI, Section I, Paragraph IV.

- (2) CITE: Ga. L. 1924, p. 35.

DESCRIPTION: Creates the Coastal Highway District to be composed of Chatham, Bryan, Liberty, McIntosh, Glynn, and Camden Counties and authorizes the district to issue bonds to construct the "Dixie and South Atlantic Highway."

COMMENTS: This amendment constitutes the authority for the existence of the Coastal Highway District. Those provisions relative to issuing bonds were a one-time grant of power and no longer have any applicability. A subsequent constitutional amendment (Ga. L. 1939, p. 23) and several local laws (Ga. L. 1924, p. 307; Ga. L. 1925, p. 139; Ga. L. 1929, p. 217; Ga. L. 1935, p. 204; Ga. L. 1939, p. 415; and Ga. L. 1950, p. 179) have added to the duties and responsibilities of the district.

STATUS: Not continued. Repealed by Article XI, Section I, Paragraph IV.

- (3) CITE: Ga. L. 1926, Ex. Sess., p. 22.

DESCRIPTION: Authorizes the county to issue bonds to pave a portion of Victory Drive without regard to the debt limitation in the Constitution. The bonds will be retired first by using the proceeds of reasonable tolls and then by the use of tax revenues.

COMMENTS: It would appear that this amendment no longer has any validity in that the project contemplated by the amendment has been completed. In addition Chapter 82 of Title 36 now addresses the issuance of revenue bonds and specific constitutional authority for toll roads and toll bridges is no longer needed.

STATUS: Not continued. Repealed by Article XI, Section I, Paragraph IV.

(4) CITE: Ga. L. 1927, p. 122; Ga. L. 1943, p. 26.

DESCRIPTION: Temporary loans authorized.

STATUS: Not continued. Repealed by Article XI, Section I, Paragraph IV.

(5) CITE: Ga. L. 1937, p. 16.

DESCRIPTION: Authorizes the General Assembly to enact laws authorizing county to create a retirement system for county employees and to establish rules of tenure therefor.

COMMENTS: Article IX, Section II, Paragraph III(a)(14) now authorizes counties and municipalities to maintain and modify existing retirement or pension systems and to create and maintain retirement or pension systems for elected or appointed officers and employees whose compensation is paid in whole or in part from county or municipal funds. Article III, Section X, Paragraph I now authorizes the expenditure of public funds for retirement and pension systems for public officers and employees. This amendment was to have been repealed if the 1978 revision of the article on retirement (Ga. L. 1978, p. 2510) had been ratified in 1978. It should be noted that a tenure system for county employees is probably a county home rule power under Article IX, Section II which could supersede a local law relating thereto in the absence of this local amendment.

STATUS: Not continued. Repealed by Article XI, Section I, Paragraph IV.

(6) CITE: Ga. L. 1939, p. 23.

DESCRIPTION: Continues the Coastal Highway District and authorizes the district to issue bonds to reconstruct the Atlantic Coastal Highway.

COMMENTS: Those provisions of the amendment constitute a one-time authority to issue highway reconstruction bonds and no longer have any applicability. Those provisions relating to continuing the district may have continuing applicability in view of Section 2 of Ga. L. 1935, p. 204, which states that the district shall cease to exist upon the retirement of any bonds issued under a prior constitutional amendment (Ga. L. 1924, p. 35).

STATUS: Not continued. Repealed by Article XI, Section I, Paragraph IV.

(7) CITE: Ga. L. 1941, p. 33.

DESCRIPTION: Authorizes the levy of an additional two mills on the dollar on all taxable property in Chatham County whenever recommended by the board of education and approved by a two-thirds' vote in a referendum held for such purpose.

COMMENTS: A later constitutional amendment found at Ga. L. 1950, p. 448, superseded the provisions of this amendment by authorizing the levy of additional taxes above the constitutional maximum if approved by the voters in a referendum.

STATUS: Not continued. Repealed by Article XI, Section I, Paragraph IV.

(8) CITE: Ga. L. 1949, p. 2135.

DESCRIPTION: Authorizes the governing authority of Chatham County to establish a civil service system.

COMMENTS: Article IX, Section I, Paragraph IV provides that the General Assembly may by general law authorize the establishment by county governing authorities of civil service systems covering county employees or covering county employees and employees of the elected county officers.

STATUS: Continued, Ga. L. 1986, p. 4222.

(9) CITE: Ga. L. 1950, p. 436.

DESCRIPTION: Authorizes Chatham County at the recommendation of the board of education to incur bonded indebtedness for the purpose of purchasing sites and constructing school houses. This debt is in addition to the debt limitation of the Constitution which at the time this amendment was ratified was 7 percent of the assessed value of taxable property.

COMMENTS: County school boards are currently authorized to issue bonds for educational purposes pursuant to Article 9 of Chapter 2 of Title 20. However, this amendment authorizes the county to incur additional indebtedness without regard to the general debt limitation applicable to counties.

STATUS: Not continued. Repealed by Article XI, Section I, Paragraph IV.

(10) CITE: Ga. L. 1950, p. 444.

DESCRIPTION: Creates described industrial areas which shall be service areas for Savannah city water and fire protection and subject to a five mill limit city property tax. The city forgoes annexation and all other municipal powers over the area. Chatham County provides police protection.

STATUS: Article XI, Section I, Paragraph IV continues "industrial areas" local amendments in force without further action on the part of local authorities, so long as such amendments were continued under Georgia Constitution 1976, Article XIII, Section I, Paragraph II and were in effect on July 1, 1983.

(11) CITE: Ga. L. 1950, p. 448.

DESCRIPTION: Authorizes the levy of ad valorem taxes for educational purposes in excess of the maximum amount allowed under general provisions of the Constitution and provides for elections to approve or reject such tax increases.

COMMENTS: Article VIII, Section VI, Paragraph II authorizes boards of education to increase or remove the mill limitation on ad valorem taxes for education subject to voter approval in a referendum. Article VIII, Section VI, Paragraph I(c) provides that the constitutional 20 mill limit shall not apply to those school systems authorized on June 30, 1983, to levy a tax in excess of such limitation. The Chatham County school board does not currently exceed the 20 mill limit and the provisions of the Constitution permit the Chatham County school board to accomplish the same ends as the amendment.

STATUS: Not continued. Repealed by Article XI, Section I, Paragraph IV.

(12) CITE: Ga. L. 1950, p. 451.

DESCRIPTION: Empowers the judge of superior court of the Eastern Judicial Circuit to appoint the judge of the City Court of Savannah (now state court) and the chief judge of the Municipal Court of Savannah as judges pro hac vice in superior court.

COMMENTS: Under Article VI, Section I, Paragraph III and Code Section 15-1-9.1, judges who are otherwise qualified may serve in other courts upon the request of such other court and the consent of the court to which the request is made.

STATUS: Continued, Ga. L. 1986, p. 4357.

(13) CITE: Ga. L. 1951, p. 833.

DESCRIPTION: Authorizes the governing authority of Chatham County to incur limited bonded indebtedness for the purpose of constructing a new road to Savannah Beach, Tybee Island. Said debt is in addition to the general debt limitation in the in the Constitution which at the time this amendment was ratified was 7 percent of the assessed value of taxable property. Such indebtedness does not require approval of the voters.

COMMENTS: It is unclear whether this was a one-time authorization or a continuing authorization. Also, since the general debt limitation in Article IX, Section V, Paragraph I was changed after the passage of this amendment, it is unclear as to the exact amount of additional indebtedness which may be incurred by the county pursuant to this amendment. However, this amendment also authorizes the county to incur bonded indebtedness without the necessity of a referendum.

STATUS: Not continued. Repealed by Article XI, Section I, Paragraph IV.

(14) CITE: Ga. L. 1951, p. 840.

DESCRIPTION: Authorizes the governing authority of Chatham County to incur limited bonded indebtedness for the purpose of constructing and operating a new hospital. Said debt is in addition to the general debt limitation in the Constitution which at the time this amendment was ratified was 7 percent of the assessed value of taxable property.

COMMENTS: Since the general debt limitation in Article IX, Section V, Paragraph I was changed after the passage of this amendment, it is unclear as to the exact amount of additional indebtedness which may be incurred by the county pursuant to this amendment. This amendment also authorizes the county to incur bonded indebtedness without the necessity of a referendum and for a purpose not covered by general law.

STATUS: Not continued. Repealed by Article XI, Section I, Paragraph IV.

(15) CITE: Ga. L. 1951, p. 854; Ga. L. 1965, p. 675; Ga. L. 1972, p. 1569.

DESCRIPTION: Creates the Savannah Port Authority.

STATUS: This amendment is continued in force by a general provision of the new Constitution in Article XI, Section I, Paragraph IV(d).

(16) CITE: Ga. L. 1952, p. 617.

DESCRIPTION: Authorizes the governing authority of Chatham County to enact ordinances for the policing of the unincorporated areas of the county, to enact ordinances regulating businesses and providing occupation taxes, and to establish a recorder's court to hear cases involving violations of county ordinances.

COMMENTS: Article IX, Section II, Paragraph I and Code Section 36-1-20 authorize counties to adopt ordinances and resolutions, and Article IX, Section IV, Paragraph I authorizes counties to regulate businesses. However, the provisions of the Constitution and general law may be more restrictive as to the subject matter of these local ordinances and resolutions and as to the penalties which may be imposed for violations of the ordinances and resolutions.

STATUS: Continued, Ga. L. 1986, p. 4560.

(17) CITE: Ga. L. 1955, p. 665.

DESCRIPTION: Authorizes the General Assembly to grant the governing authority of Chatham County the power to assess the cost of streets, sidewalks, and curbing against the owners of abutting subdivided property in unincorporated areas of the county. Consent of 51 percent of such owners is required.

COMMENTS: Article IX, Section II, Paragraph VI currently authorizes county governments to establish special services districts for the provision of governmental services and facilities therefor and authorizes the levy within such special districts of taxes, fees, and assessments for such purposes.

STATUS: Continued, Ga. L. 1986, p. 4214.

(18) CITE: Ga. L. 1956, p. 267.

DESCRIPTION: Authorizes the county to expend county funds for eradication of mosquitoes and to control drainage in furtherance thereof.

COMMENTS: Taxation for those activities may now be authorized as a public health service under Article IX, Section II, Paragraph III(a)(3), Article IX, Section IV, Paragraph II, and Code Section 48-5-220(7) and (21).

STATUS: Not continued. Repealed by Article XI, Section I, Paragraph IV.

(19) CITE: Ga. L. 1956, p. 352.

DESCRIPTION: Creates described industrial areas over which the City of Savannah may impose a maximum five mill property tax when it can furnish "municipal services." The city may not exercise annexation, regulatory licensing, or "any other municipal or other governmental function."

STATUS: Article XI, Section I, Paragraph IV continues "industrial areas" local amendments in force without further action by local authorities, so long as such amendments were continued under Georgia Constitution 1976, Article XIII, Section I, Paragraph II and were in effect on July 1, 1983.

(20) CITE: Ga. L. 1960, p. 1344.

DESCRIPTION: Creates the Savannah Transit Authority as a body given constitutional status. Chatham County constitutes the area of operation.

STATUS: Not continued. Repealed by Article XI, Section I, Paragraph IV.

(21) CITE: Ga. L. 1964, p. 986.

DESCRIPTION: Authorizes creation of the Chatham County-City of Savannah Joint Board of Tax Assessors.

STATUS: Continued, Ga. L. 1987, p. 4485.

(22) CITE: Ga. L. 1967, p. 953.

DESCRIPTION: Authorizes the levy, after a referendum, of any tax which is not expressly prohibited by the Constitution or general laws; and after the tax is levied there shall be a corresponding property tax reduction. The procedures of the amendment do not apply to any other tax which the county is authorized by law to levy.

COMMENTS: Article IX, Section IV, Paragraph I provides generally that counties may exercise the taxation power as authorized by the Constitution or general law. The types and purposes of county taxation are so provided. This amendment provides a differing authorization for taxation than that contained in the general laws

STATUS: Not continued. Repealed by Article XI, Section I, Paragraph IV.

(23) CITE: Ga. L. 1971, p. 962.

DESCRIPTION: Authorizes the governing authority of Chatham County to establish districts for the provision of water, sewerage, fire protection, street lighting, and garbage and trash collection services and the construction and maintenance of streets, curbs, gutters, and sidewalks. Authorizes the levy of taxes for such purposes within such districts after approval of such taxes at a referendum in the affected district.

COMMENTS: Article IX, Section II, Paragraph VI currently authorizes counties to establish special services districts for the provision of governmental services and facilities therefor and authorizes the levy within such special districts of taxes, fees, and assessments for such purposes. While this general provision of the Constitution does not require a referendum, it may have eliminated the need for this local constitutional amendment.

STATUS: Not continued. Repealed by Article XI, Section I, Paragraph IV.

(24) CITE: Ga. L. 1971, p. 964.

DESCRIPTION: Authorizes the board of commissioners to provide by ordinance almost all procedures relating to property taxes, such as the place and manner of making returns, assessments for taxation, equalization of assessments, payment and collection of taxes, installment payments, and numerous other procedures.

COMMENTS: This amendment grants powers differing from the general laws found in Chapter 5 of Title 48, which general laws are promulgated pursuant to Article VII, Section I, Paragraph III.

STATUS: Continued, Ga. L. 1986, p. 4217.

(25) CITE: Ga. L. 1972, p. 1466, as amended by Ga. L. 1980, p. 2158.

DESCRIPTION: Authorizes the General Assembly to provide for city-county consolidation.

COMMENTS: General provisions of the Constitution provide a mechanism for city-county consolidation (Art. IX, Sec. III, Par. II(a)).

STATUS: Not continued. Repealed by Article XI, Section I, Paragraph IV.

(26) CITE: Ga. L. 1972, p. 1493.

DESCRIPTION: Creates the Recorder's Court of Chatham County and provides for its jurisdiction and powers.

STATUS: Continued, Ga. L. 1985, p. 4658.

(27) CITE: Ga. L. 1974, p. 1772.

DESCRIPTION: Establishes the General Hospital Authority of West Chatham County to serve a limited geographical area and authorizes the governing authority of Chatham County to issue general obligation bonds and to levy a tax on property within the service area to retire such bonds.

STATUS: Continued, Ga. L. 1986, p. 4352.

(28) CITE: Ga. L. 1976, p. 1916.

DESCRIPTION: Grants an exemption from Chatham County ad valorem taxation for county purposes for a period of five years to new manufacturing establishments and additions to existing manufacturing establishments costing in excess of \$500,000.00.

STATUS: Article VII, Section II, Paragraph IV continues in effect as statutory law those types of exemptions from ad valorem taxation provided for by law on June 30, 1983.

(29) CITE: Ga. L. 1978, p. 2351.

DESCRIPTION: Provides that the independent school system of Chatham County shall be deemed a county system but continues all existing local laws until further amended by the General Assembly.

COMMENTS: The Constitution no longer contains the former provision exempting those independent school systems created prior to the Constitution of 1877. Since all such systems are subject to the provisions of the Constitution, the purpose of this amendment is unclear.

STATUS: Continued, Ga. L. 1987, p. 4607.

(30) CITE: Ga. L. 1978, p. 2373.

DESCRIPTION: Authorizes the governing authority of Chatham County to fix the amount of and income qualification for a homestead exemption from county ad valorem taxes for county purposes, such exemption to be granted to those residents of the county who are disabled or age 65 or older and meet such income qualification.

COMMENTS: Article VII, Section II, Paragraph IV continues in effect as statutory law those types of exemptions from ad valorem taxation provided for by law on June 30, 1983.

It is not clear, however, that this general provision of the Constitution would continue the power of the county governing authority to change the amount of the exemption and conditions of eligibility for the exemption.

STATUS: Continued, Ga. L. 1986, p. 4219.

(31) CITE: Ga. L. 1980, p. 2209.

DESCRIPTION: Provides that the Recorder's Court of Chatham County shall have jurisdiction to take and entertain pleas of guilty and nolo contendere in misdemeanor cases and to impose sentence as provided by law in cases where the defendant has waived in writing the right to a trial by jury.

STATUS: Continued, Ga. L. 1985, p. 4150.

(32) CITE: Ga. L. 1981, p. 1917.

DESCRIPTION: Repeals Ga. L. 1978, p. 2448, and grants a \$12,000.00 homestead exemption from county school district ad valorem taxes to those residents 62 years of age or older whose specified income does not exceed \$10,000.00.

COMMENTS: Article VII, Section II, Paragraph IV continues in effect as statutory law those types of exemptions from ad valorem taxation provided for by law on June 30, 1983.

STATUS: Continued, Ga. L. 1986, p. 4354.

(33) CITE: Ga. L. 1981, p. 1920.

DESCRIPTION: Allows the compensation of the members of the board of education to be changed by local law without the necessity of referendum approval.

COMMENTS: Article VIII, Section V, Paragraph II of the Constitution now allows the compensation of members of local boards of education to be provided by law without the necessity of approval by referendum.

STATUS: Not continued. Repealed by Article XI, Section I, Paragraph IV.

- (34) See Ga. L. 1927, p. 122, under Fulton County for amendment affecting Chatham County.

BLOOMINGDALE

- (1) See Ga. L. 1960, p. 1344, under Chatham County for amendment affecting Bloomingdale.

GARDEN CITY

- (1) See Ga. L. 1960, p. 1344, under Chatham County for amendment affecting Garden City.

POOLER

- (1) See Ga. L. 1960, p. 1344, under Chatham County for amendment affecting Pooler.

PORT WENTWORTH

- (1) See Ga. L. 1960, p. 1344, under Chatham County for amendment affecting Port Wentworth.

SAVANNAH

- (1) CITE: Ga. L. 1914, p. 39.

DESCRIPTION: Authorizes the abolition of justices of the peace in the City of Savannah.

COMMENTS: This local amendment amended language contained in the Constitution of 1877 which has been deleted from the Georgia Constitution. The office of justice of the peace has now been abolished on a state-wide basis by the Constitution. Therefore, this amendment is legally obsolete.

STATUS: Not continued. Repealed by Article XI, Section I, Paragraph IV.

- (2) CITE: Ga. L. 1923, p. 45.

DESCRIPTION: Authorizes the City of Savannah to incur \$3 million in bonded indebtedness for the purpose of acquiring and operating certain types of facilities at the port of Savannah. This indebtedness is not subject to the debt limitations found in the Constitution.

COMMENTS: This amendment authorizes the creation of debt for certain purposes without being subject to the general debt limitation found in Article IX, Section V. However, the amendment requires that the debt be repaid out of revenues derived from the port facilities of the City of Savannah. This tends to make these bonds more in the nature of revenue bonds which are not now subject to this general debt limitation.

STATUS: Not continued. Repealed by Article XI, Section I, Paragraph IV.

- (3) CITE: Ga. L. 1927, p. 127; Ga. L. 1935, p. 1234; Ga. L. 1937, pp. 1132, 1137, 1139.

DESCRIPTION: Zoning and planning.

COMMENTS: The 1927 amendment to Art. III, Sec. VII, Para. XXV of the 1877 Constitution included Albany, Athens, Atlanta, Augusta, Brunswick, Columbus, Darien, Decatur, Dublin, East Thomaston, LaGrange, Macon, Newnan, Rome, Savannah, Thomaston, Valdosta, Waycross, and cities with a population of 25,000 or more according to the decennial census of 1920. The 1935 amendment added Moultrie. The first 1937 amendment added Carrolton, Cordele, Eastman, Forsyth, Fort Valley, McRae, and Milledgeville. The second 1937 amendment added Dalton. The third 1937 amendment added Quitman. Art. III, Sec. VII, Para. XXIII of the Constitution of 1945 (the revised counterpart of old Para. XXV) contained a direct grant of authority to the General Assembly to grant authority to cities and counties to pass zoning and planning laws. Amendment 19 (which included among other things, Art. XV, Sec. II-A, Para. III) granted some zoning and planning power directly to counties and was held to have impliedly repealed Para. XXIII insofar as it applied to unincorporated areas. Art. IX, Sec. IV, Para. II(15) conferred zoning and planning power in cities and counties.

STATUS: Not continued. Repealed, Article XI, Section I, Paragraph IV.

- (4) CITE: Ga. L. 1937-38, Ex. Sess., p. 51.

DESCRIPTION: Authorizes the city to issue bonds to refund and retire bonds which were outstanding and past due on November 1, 1937, and which became due up to January 1, 1939, and authorizes the city to issue bonds to retire any indebtedness outstanding and unpaid on January 1, 1939.

COMMENTS: The amendment constitutes a one-time authority to issue certain refunding bonds for bonds and other debts outstanding and due on November 1, 1937, and up to January 1, 1939. The authority so granted has expired and has no current applicability.

STATUS: Not continued. Repealed by Article XI, Section I, Paragraph IV.

- (5) CITE: Ga. L. 1939, p. 72.

DESCRIPTION: Authorizes the city to incur limited bonded indebtedness up to an aggregate of \$1 million without regard to the general debt limitation of the Constitution for the purpose of providing an industrial and domestic water supply system.

COMMENTS: This amendment appears to be a one-time authority to issue bonds up to a stated aggregate.

STATUS: Not continued. Repealed by Article XI, Section I, Paragraph IV.

(6) CITE: Ga. L. 1939, p. 75.

DESCRIPTION: Authorizes the city to incur limited bonded indebtedness up to an aggregate of \$500,000.00 without regard to the debt limitation of the Constitution for the purpose of acquiring real property for transfer to the United States government for national defense purposes.

COMMENTS: This amendment appears to be a one-time authority to issue bonds up to a stated aggregate.

STATUS: Not continued. Repealed by Article XI, Section I, Paragraph IV.

(7) CITE: Ga. L. 1941, p. 160.

DESCRIPTION: Directs the mayor and aldermen to secure the return of \$50,000.00 from the Savannah Port Authority and pay the money to the National Gypsum Company as reimbursement for a portion of the cost of a wharf constructed by the company.

STATUS: Not continued. Repealed by Article XI, Section I, Paragraph IV.

(8) CITE: Ga. L. 1950, p. 439.

DESCRIPTION: Creates the Savannah Airport Commission and grants powers and duties to the commission.

STATUS: Continued, Ga. L. 1986, p. 4203.

(9) CITE: Ga. L. 1951, p. 837.

DESCRIPTION: Authorizes the City of Savannah to incur limited bonded indebtedness for the purpose of paving and repairing streets and sidewalks. This debt is in addition to the debt limitation of the Constitution which at the time this amendment was ratified was 7 percent of the assessed value of taxable property. Such indebtedness does not require approval of the voters.

COMMENTS: Since the general debt limitation in Article IX, Section V, Paragraph I was changed after the passage of this amendment, it is unclear as to the exact amount of additional indebtedness which may be incurred by the city pursuant to this amendment. This amendment also authorizes the city to incur bonded indebtedness without the necessity of a referendum and for a purpose not specifically covered by general law.

STATUS: Not continued. Repealed by Article XI, Section I, Paragraph IV.

(10) CITE: Ga. L. 1951, p. 843.

DESCRIPTION: Authorizes the City of Savannah to incur limited bonded indebtedness for the purpose of constructing and operating a hospital. Said debt is in addition to the debt limitation of the Constitution which at the time this amendment was ratified was 7 percent of the assessed value of taxable property. Such indebtedness does not require approval of the voters.

COMMENTS: Since the general debt limitation in Article IX, Section V, Paragraph I was changed after the passage of this amendment, it is unclear as to the exact amount of additional indebtedness which may be incurred by the city pursuant to this amendment. This amendment also authorizes the city to incur bonded indebtedness without the necessity of a referendum and for a purpose not covered by general law.

STATUS: Not continued. Repealed by Article XI, Section I, Paragraph IV.

(11) CITE: Ga. L. 1951, p. 846.

DESCRIPTION: Authorizes the City of Savannah to issue limited bonded indebtedness for the purpose of improving and modernizing the storm and sewer system of said city. Said indebtedness does not require approval of the voters and is in addition to the debt limitation of the Constitution which at the time this amendment was ratified was 7 percent of the assessed value of taxable property.

COMMENTS: It is unclear whether this was a one-time authorization or a continuing authorization. Also, the present Constitution limits general obligation debt to 10 percent of the assessed value of taxable property. It is unclear whether this amendment authorizes general obligation debt in excess of the limitation which existed at the time the amendment was ratified or whether it authorizes general obligation debt in excess of the present constitutional limitation.

STATUS: Not continued. Repealed by Article XI, Section I, Paragraph IV.

(12) CITE: Ga. L. 1968, p. 1591.

DESCRIPTION: Authorizes the City of Savannah to establish historic zones and to enact planning and zoning ordinances.

COMMENTS: Article 2 of Chapter 10 of Title 44 establishes uniform procedures to be used by counties and municipalities in enacting ordinances providing for the protection of districts, sites, buildings, and structures having a special historical, cultural, or esthetic interest or value. The purpose of the amendment is unnecessary, but any ordinances adopted previously would need to be reenacted in accordance with the procedures established by general law.

STATUS: Continued, Ga. L. 1986, p. 5077.

(13) CITE: Ga. L. 1968, p. 1745.

DESCRIPTION: Authorizes the levy, after a referendum, of any tax which is not expressly prohibited by the Constitution or general laws; and after the tax is levied there shall be a corresponding property tax reduction. The procedures of the amendment do not apply to any other tax which the city is authorized by law to levy.

COMMENTS: Article IX, Section IV, Paragraph I and general law provide the authorization for the exercise of taxation power by municipalities and also provide the types and purposes of taxation which are allowable. In addition, action of the General Assembly is ordinarily needed, under Code Section 36-35-6, before a municipality may adopt any form of taxation beyond that authorized by the Constitution or laws. This local amendment provides a differing authorization for taxation than that contained in general law.

STATUS: Not continued. Repealed by Article XI, Section I, Paragraph IV.

(14) CITE: Ga. L. 1972, p. 1521.

DESCRIPTION: Authorizes the city to incur certain general obligation debt for street and drainage improvement purposes without a referendum.

COMMENTS: General obligation bonds may under the general provisions of the Constitution be issued only pursuant to referendum approval.

STATUS: Continued, Ga. L. 1986, p. 4837.

(15) CITE: Ga. L. 1974, p. 1692.

DESCRIPTION: Authorizes the board of education to provide for an increase in retirement benefits for persons already retired under the provisions of the retirement system of the board of education.

STATUS: Continued, Ga. L. 1987, p. 4515.

(16) CITE: Ga. L. 1974, p. 1738.

DESCRIPTION: Creates the Downtown Savannah Authority.

STATUS: Continued, Ga. L. 1986, p. 4201.

(17) CITE: Ga. L. 1977, p. 1583.

DESCRIPTION: Authorizes the city to incur certain general obligation debt for street and drainage improvement purposes without a referendum. Provides that such debt authorization is in addition to the debt authorization contained in the amendment set out at Ga. L. 1972, p. 1521.

COMMENTS: General obligation bonds may under the general provisions of the Constitution be issued only pursuant to referendum approval.

STATUS: Continued, Ga. L. 1986, p. 4837.

(18) See Ga. L. 1950, p. 436, under Chatham County for amendment affecting Savannah.

(19) See Ga. L. 1950, p. 444, under Chatham County for amendment affecting Savannah.

(20) See Ga. L. 1950, p. 451, under Chatham County for amendment affecting Savannah.

(21) See Ga. L. 1951, p. 854, under Chatham County for amendment affecting Savannah.

(22) See Ga. L. 1956, p. 352, under Chatham County for amendment affecting Savannah.

(23) See Ga. L. 1960, p. 1344, under Chatham County for amendment affecting Savannah.

(24) See Ga. L. 1972, p. 1466, under Chatham County for amendment affecting Savannah.

(25) See Ga. L. 1978, p. 2351, under Chatham County for amendment affecting Savannah.

(26) See Ga. L. 1981, p. 1920, under Chatham County for amendment affecting Savannah.

THUNDERBOLT

(1) See Ga. L. 1960, p. 1344, under Chatham County for amendment affecting Thunderbolt.

TYBEE ISLAND

(1) See Ga. L. 1960, p. 1344, under Chatham County for amendment affecting Tybee Island.

VERNONBURG

(1) See Ga. L. 1960, p. 1344, under Chatham County for amendment affecting Vernonburg.

CHATTAHOOCHEE COUNTY

- (1) CITE: Ga. L. 1958, p. 603.

DESCRIPTION: Provides for an elected board of education of Chattahoochee County.

COMMENTS: This amendment provides the current law relative to the board of education of Chattahoochee County.

STATUS: Continued, Ga. L. 1986, p. 4311.

- (2) CITE: Ga. L. 1960, p. 1418.

DESCRIPTION: Authorizes Chattahoochee County to issue revenue bonds to fund the purchase, etc., of facilities for use by industry or commercial enterprise.

COMMENTS: An amendment which was identical to this one (Ga. L. 1960, p. 1400, relating to Telfair County) was declared to be in violation of the due process and equal protection clauses of the Fourteenth Amendment to the U.S. Constitution in the case of *Smith v. State of Georgia*, 222 Ga. 552 (1966).

STATUS: Not continued. Repealed by Article XI, Section I, Paragraph IV.

- (3) CITE: Ga. L. 1962, p. 1090.

DESCRIPTION: Provides that the board of education of Chattahoochee County shall appoint the school superintendent.

COMMENTS: The amendment contains the current law relative to the method of selection of the school superintendent of Chattahoochee County.

STATUS: Continued, Ga. L. 1986, p. 4313.

- (4) Ga. L. 1966, p. 1063.

DESCRIPTION: Authorizes the governing authority of Chattahoochee County to engage in business licensing and to levy business license fees and taxes in the unincorporated area of the county.

COMMENTS: Article IX, Section IV, Paragraph I(a) authorizes local laws granting to counties the power to levy and collect license taxes only in the unincorporated area of the county. Article IX, Section II, Paragraph I provides for general home rule powers which are likely broad enough to authorize counties to enforce licensing ordinances, and Code Section 36-1-20 authorizes counties to enforce ordinances which could include licensing ordinances

by imposing a maximum punishment not to exceed a fine of \$500.00 or imprisonment for 60 days, or both, for such ordinance violations with such violations triable in the magistrate's court.

STATUS: Continued, Ga. L. 1986, p. 4315.

- (5) CITE: Ga. L. 1968, p. 1640.

DESCRIPTION: Creates the Chattahoochee County Industrial Development Authority.

STATUS: Continued, Ga. L. 1986, p. 4317.

- (6) CITE: Ga. L. 1972, p. 1372.

DESCRIPTION: Provides for the salary of the sheriff of the county and for the fiscal affairs of the sheriff's office. Provides that the General Assembly may by local Act amend the provisions of this local constitutional amendment.

COMMENTS: This amendment by its terms allows the General Assembly to control matters which are otherwise controlled by general law, specifically by the state minimum salary law for sheriffs. It is unclear whether the provision of the local constitutional amendment which provides that it may be amended by local Act is affected by the provisions of Article XI, Section I, Paragraph IV which provides that local amendments may be continued in effect after July 1, 1987, and "may thereafter be repealed but shall not be amended." This general constitutional provision may supersede that part of the local constitutional amendment which allows the General Assembly flexibility to act by local legislation in the future.

STATUS: Continued, Ga. L. 1986, p. 4319.

- (7) CITE: Ga. L. 1972. p. 1375.

DESCRIPTION: Creates the Chattahoochee County Airport Authority.

STATUS: Not continued. Repealed by Article XI, Section I, Paragraph IV.

CUSSETA

- (1) See Ga. L. 1968, p. 1640, under Chattahoochee County for amendment affecting Cusseta.

CHATTOOGA COUNTY

- (1) CITE: Ga. L. 1941, p. 35.

DESCRIPTION: Authorizes the county to issue bonds to retire all indebtedness of the county as it existed on January 1, 1942, and requires the county thereafter to operate on a cash basis and prohibits issuing delayed warrants and payment orders.

COMMENTS: The provision relating to issuing bonds to retire indebtedness was a one-time authority and has no current applicability. The provision requiring the county to operate on a cash basis is probably not necessary because Article IX, Section V places limitations on the manner in which counties may incur debt through the issuance of bonds and by making temporary loans. The practice of issuing delayed warrants and payment orders beyond the fiscal year is not contemplated or authorized.

STATUS: Not continued. Repealed by Article XI, Section I, Paragraph IV.

- (2) CITE: Ga. L. 1943, p. 57.

DESCRIPTION: Authorizes the board of education of Chattooga County or the trustees of the Summerville school district, whichever is the proper authority, to issue bonds to finance the rebuilding of a high school destroyed by fire.

STATUS: Not continued. Repealed by Article XI, Section I, Paragraph IV.

- (3) Ga. L. 1959, p. 453; Ga. L. 1968, p. 1764.

DESCRIPTION: Provides for an elected board of education of Chattooga County.

COMMENTS: The amendment contains the current school board law for Chattooga County.

STATUS: Continued, Ga. L. 1987, p. 3821.

- (4) CITE: Ga. L. 1964, p. 909.

DESCRIPTION: Authorizes the county board of education of Chattooga County to borrow funds for the purpose of constructing school buildings and facilities and pledge the building funds which will or may be forthcoming to Chattooga County from the state through the Minimum Foundation Program for Education as security and payment therefor.

COMMENTS: The Minimum Foundation Program for Education has been replaced by the Adequate Program for Education in Georgia (APEG) and further replaced by QBE.

STATUS: Not continued. Repealed by Article XI, Section I, Paragraph IV.

(5) CITE: Ga. L. 1966, p. 804.

DESCRIPTION: Creates the Chattooga County Development Authority.

STATUS: Continued, Ga. L. 1986, p. 4556

(6) CITE: Ga. L. 1968, p. 1766.

DESCRIPTION: Provides that the proceeds of ad valorem taxes collected on motor vehicles by Chattooga County may be used by the governing authority of said county in the same calendar year in which such taxes are collected and for the same purposes for which other ad valorem taxes collected in the immediately preceding calendar year are used.

COMMENTS: There does not appear to be any other authority under the general provisions of the Constitution or general law to accomplish this purpose.

STATUS: Not continued. Repealed by Article XI, Section I, Paragraph IV.

(7) CITE: Ga. L. 1975, p. 1672.

DESCRIPTION: Requires that all fees, costs, and fines received by the tax commissioner of Chattooga County for the board of education are public funds belonging to the board and shall be paid to the board by the fifteenth day of every month.

COMMENTS: The purpose of the amendment is unclear unless it is necessary for the purpose of distributing the net proceeds of any sales or use tax authorized pursuant to a later constitutional amendment found at Ga. L. 1982, p. 2675.

STATUS: Continued, Ga. L. 1987, p. 3819.

(8) CITE: Ga. L. 1982, p. 2675.

DESCRIPTION: Allocates the proceeds from any local option sales and use tax levied in Chattooga County to the Chattooga County school district and the Trion independent school district and mandates the reduction of the ad valorem tax levied for educational purposes.

COMMENTS: The amendment allocates the revenues which would be generated from any local option sales tax to the Chattooga County and Trion school systems.

STATUS: Continued, Ga. L. 1985, p. 4447.

SUMMERVILLE

See Ga. L. 1943, p. 57, under Chattooga County for amendment affecting Summerville.

TRION

- (1) CITE: Ga. L. 1980, p. 2198.

DESCRIPTION: Grants a \$2,000.00 homestead exemption from all ad valorem taxation by the town to residents 65 years of age or older. The amount may be increased to not more than \$4,000.00 by vote of the mayor, recorder, and council.

COMMENTS: Article VII, Section II, Paragraph XV continues in effect as statutory law those types of exemptions from ad valorem taxation provided for by law on June 30, 1983. It is not clear, however, that this constitutional provision would continue the discretionary power of the local authorities to increase the amount of the exemption.

STATUS: Continued, Ga. L. 1985, p. 4967.

- (2) See Ga. L. 1982, p. 2675, under Chattooga County for amendment affecting Trion.

CHEROKEE COUNTY

- (1) CITE: Ga. L. 1956, p. 133; Ga. L. 1966, p. 1075.

DESCRIPTION: Merges the independent school system of the City of Canton with the Cherokee County school system and provides for an elected board of education.

COMMENTS: The provisions of the amendment which define the school districts and provide for the election of the board members have been superseded by local Acts. The amendment contains a special provision which permitted the General Assembly to authorize the City of Canton and Cherokee County to appropriate money from the general funds to the board for educational purposes.

STATUS: Continued, Ga. L. 1987, p. 3572.

- (2) CITE: Ga. L. 1966, p. 938.

DESCRIPTION: Creates the Cherokee County Development Authority.

STATUS: Continued, Ga. L. 1987, p. 3566.

(3) CITE: Ga. L. 1968, p. 1545.

DESCRIPTION: Creates the Cherokee County Airport Authority.

STATUS: Continued, Ga. L. 1987, p. 3570.

(4) CITE: Ga. L. 1968, p. 1743.

DESCRIPTION: Authorizes the governing authority of Cherokee County to establish fire protection districts and sewerage facilities districts and to levy taxes therein upon referendum approval in the affected district. Provides that the constitutional homestead exemption shall not apply to such taxes.

COMMENTS: Article IX, Section II, Paragraph VI currently authorizes counties to establish special services districts for the provision of governmental services and facilities therefor and to levy taxes, fees, and assessments within such districts for such purposes. This constitutional provision does not require referendum approval and does not provide for nonapplicability of homestead exemptions. Code Section 36-82-61 does not include fire protection as an undertaking for which issuance of revenue bonds is authorized but does include sewage facilities.

STATUS: Continued, Ga. L. 1987, p. 3568.

(5) CITE: Ga. L. 1978, p. 2472.

DESCRIPTION: Relates to jurisdiction, practice, and procedures in justice of the peace courts.

COMMENTS: The 1983 Georgia Constitution abolishes all justice of the peace courts and establishes a system of magistrate courts. Chapter 10 of Title 15 governs all magistrate courts and sets uniform jurisdiction, practice, and procedures for these courts. This amendment no longer has any applicability to any existing court.

STATUS: Not continued. Repealed by Article XI, Section I, Paragraph IV.

(6) CITE: Ga. L. 1979, p. 1852.

DESCRIPTION: Provides full value homestead exemption from county school district ad valorem taxes for residents who are 62 years of age or over and whose specified income does not exceed \$12,000.00.

STATUS: Article VII, Section II, Paragraph IV continues in effect as statutory law those types of exemptions from ad valorem taxation provided for by law on June 30, 1983.

BALL GROUND

- (1) See Ga. L. 1966, p. 938, under Cherokee County for amendment affecting Ball Ground.

CANTON

- (1) See Ga. L. 1956, p. 133, under Cherokee County for amendment affecting Canton.
- (2) See Ga. L. 1966, p. 938, under Cherokee County for amendment affecting Canton.

HOLLY SPRINGS

- (1) See Ga. L. 1966, p. 938, under Cherokee County for amendment affecting Holly Springs.

WALESKA

- (1) See Ga. L. 1966, p. 938, under Cherokee County for amendment affecting Waleska.

WOODSTOCK

- (1) See Ga. L. 1966, p. 938, under Cherokee County for amendment affecting Woodstock.

CLARKE COUNTY

- (1) CITE: Ga. L. 1953, Jan.-Feb. Sess., p. 560; Ga. L. 1966, p. 834; Ga. L. 1968, p. 1530; Ga. L. 1970, p. 1147.

DESCRIPTION: Authorizes the General Assembly to enact local legislation merging the Clarke County and City of Athens school systems and provides detailed law and authority to the General Assembly relative to the board of education of Clarke County.

COMMENTS: The amendment is the authority for the current Clarke County school district.

STATUS: Continued, Ga. L. 1985, p. 4165.

- (2) CITE: Ga. L. 1960, p. 1306.

DESCRIPTION: Authorizes the governing authority of Clarke County to provide for the construction and maintenance of streets, sidewalks, and curbing in the unincorporated areas and to levy assessments against the abutting property owners in support of such services.

COMMENTS: Cities and counties are authorized under Article IX, Section II, Paragraph III to provide these services and may levy taxes in support of such services under Article IX, Section IV, Paragraphs I and II.

STATUS: Not continued. Repealed by Article XI, Section I, Paragraph IV.

(3) CITE: Ga. L. 1960, p. 1308.

DESCRIPTION: Authorizes the board of commissioners to establish storm sewer, light, and garbage districts and levy special taxes in such districts and regulate those services in such districts.

COMMENTS: Counties and municipalities are now authorized to provide these services under Article IX, Section II, Paragraph III, and public funds may be expended therefor under Article IX, Section IV, Paragraph II. Special districts for government services and special taxes within those districts are now authorized by Article IX, Section II, Paragraph VI.

STATUS: Not continued. Repealed by Article XI, Section I, Paragraph IV.

(4) CITE: Ga. L. 1960, p. 1310.

DESCRIPTION: Authorizes the issuance of building permits and the adoption of building codes.

COMMENTS: Under Article IX, Section II, Paragraph III(12) and the provisions of Chapter 13 of Title 36, counties have the powers provided by this amendment.

STATUS: Not continued. Repealed by Article XI, Section I, Paragraph IV.

(5) CITE: Ga. L. 1960, p. 1313.

DESCRIPTION: Authorizes the board of commissioners to regulate and levy license taxes on businesses within unincorporated areas of county, except those subject to the Public Service Commission, and to classify such businesses with violations of such regulations to constitute misdemeanors.

COMMENTS: Article IX, Section IV, Paragraph I(a) authorizes local laws granting to counties the power to levy and collect license taxes only in the unincorporated area of the county. Article IX, Section II, Paragraph I provides for general home rule powers which are likely broad enough to authorize counties to enforce licensing ordinances, and Code Section 36-1-20 authorizes counties to enforce ordinances which could include licensing ordinances by imposing a maximum punishment not to exceed a fine of \$500.00 or imprisonment for 60 days, or both, for such ordinance violations with such violations triable in the magistrate's court.

STATUS: Not continued. Repealed by Article XI, Section I, Paragraph IV.

(6) CITE: Ga. L. 1960, p. 1316.

DESCRIPTION: Authorizes the General Assembly to empower the board of commissioners of Clarke County to adopt ordinances and regulations governing the health, safety, welfare, and morals of its citizens, to regulate traffic on the streets and highways of the county, and to implement and enforce all duties and powers vested in the board as the governing authority of the county, and to provide penalties for violations of such ordinances.

COMMENTS: Code Section 36-1-20 authorizes the governing authority of each county to adopt ordinances preserving the public health, safety, and welfare of the unincorporated areas of the county, violations of which ordinances may be punished by fine or imprisonment of not more than \$500.00 or 60 days or both.

STATUS: Not continued. Repealed by Article XI, Section I, Paragraph IV.

(7) CITE: Ga. L. 1960, p. 1379.

DESCRIPTION: Creates the Athens-Clarke County Industrial Development Authority.

STATUS: Continued, Ga. L. 1985, p. 4134.

(8) CITE: Ga. L. 1960, p. 1387.

DESCRIPTION: Authorizes the governing authority of Clarke County to establish water, sanitation, sewerage, and fire protection districts and to levy taxes in support of such services.

COMMENTS: Cities and counties are authorized under Article IX, Section II, Paragraph III to provide for water, sanitation, sewerage, and fire protection services and may create service districts and levy taxes in support of such services under Article IX, Section II, Paragraph VI. The amendment provides that the homestead exemption shall not be applied to the levy of taxes in support of such services.

STATUS: Continued, Ga. L. 1987, p. 3635.

(9) CITE: Ga. L. 1966, p. 1050.

DESCRIPTION: Authorizes the General Assembly to create a charter commission for city-county consolidation.

COMMENTS: General provisions of the Constitution provide a mechanism for city-county consolidation (Art. IX, Sec. III, Par. II(a)).

STATUS: Not continued. Repealed by Article XI, Section I, Paragraph IV.

(10) CITE: Ga. L. 1968, p. 1822.

DESCRIPTION: Authorizes the governing authorities of Clarke County and Athens, after referendum, to levy within their jurisdictions any tax not expressly prohibited by the Constitution or general laws. The procedures of the amendment do not apply to any other tax which could by law be levied. After the special tax levy, a corresponding property tax reduction is required.

COMMENTS: Article IX, Section IV, Paragraph I and general law provide the authorization for the exercise of taxation powers and also provide the types and purposes of taxation which are allowable. In addition, action of the General Assembly is ordinarily needed, under Code Section 36-35-6, before a municipality may adopt any form of taxation beyond that authorized by the Constitution or laws. This local amendment provides a differing authorization for taxation than the enumeration contained in general law.

STATUS: Continued, Ga. L. 1987, p. 3631.

(11) CITE: Ga. L. 1970, p. 1147.

DESCRIPTION: Homestead exemption; education taxes.

STATUS: Continued by Article VII, Section II, Paragraph IV as statutory law.

(12) CITE: Ga. L. 1980, p. 2305.

DESCRIPTION: Authorizes the creation of a merit system for employees of the county.

COMMENTS: Article IX, Section I, Paragraph IV authorizes the General Assembly by general law to authorize the establishment by county governing authorities of civil service systems covering both county employees and employees of county officers.

STATUS: Continued, Ga. L. 1987, p. 3633.

(13) See Ga. L. 1910, p. 42, under Chatham County for amendment affecting Clarke County.

ATHENS

(1) CITE: Ga. L. 1927, p. 127; Ga. L. 1935, p. 1234; Ga. L. 1937, pp. 1132, 1137, 1139.

DESCRIPTION: Zoning and planning.

COMMENTS: The 1927 amendment to Art. III, Sec. VII, Para. XXV of the 1877 Constitution included Albany, Athens, Atlanta, Augusta, Brunswick, Columbus, Darien, Decatur, Dublin, East Thomaston, LaGrange, Macon, Newnan, Rome, Savannah, Thomaston, Valdosta, Waycross, and cities with a population of 25,000 or more according to the decennial

census of 1920. The 1935 amendment added Moultrie. The first 1937 amendment added Carrolton, Cordele, Eastman, Forsyth, Fort Valley, McRae, and Milledgeville. The second 1937 amendment added Dalton. The third 1937 amendment added Quitman. Art. III, Sec. VII, Para. XXIII of the Constitution of 1945 (the revised counterpart of old Para. XXV) contained a direct grant of authority to the General Assembly to grant authority to cities and counties to pass zoning and planning laws. Amendment 19 (which included among other things, Art. XV, Sec. II-A, Para. III) granted some zoning and planning power directly to counties and was held to have impliedly repealed Para. XXIII insofar as it applied to unincorporated areas. Art. IX, Sec. IV, Para. II(15) conferred zoning and planning power in cities and counties.

STATUS: Not continued. Repealed, Article XI, Section I, Paragraph IV.

- (2) CITE: Ga. L. 1975, p. 1698, as amended by Ga. L. 1976, p. 1912.

DESCRIPTION: Authorizes the General Assembly to create the Downtown Athens Development Authority.

STATUS: Continued, Ga. L. 1987, p. 3825.

- (3) See Ga. L. 1953, Jan.-Feb. Sess., p. 560, under Clarke County for amendment affecting Athens.
- (4) See Ga. L. 1960, p. 1379, under Clarke County for amendment affecting Athens.
- (5) See Ga. L. 1966, p. 1050, under Clarke County for amendment affecting Athens.
- (6) See Ga. L. 1968, p. 1822, under Clarke County for amendment affecting Athens.

CLAY COUNTY

- (1) CITE: Ga. L. 1959, p. 457.

DESCRIPTION: Authorizes the governing authority of Clay County to establish, construct, and administer municipal port and terminal facilities in said county and to issue general obligation bonds for such purpose; provides that this debt is in addition to the debt limitation of the Constitution which at the time of this amendment was 7 percent of the assessed value of the taxable property.

COMMENTS: The Constitution limits general obligation debt to 10 percent of the assessed value of taxable property. It is unclear whether this amendment authorizes general obligation debt in excess of the limitation which existed at the time the amendment was ratified or whether it authorizes general obligation debt in excess of the present constitutional limitation.

STATUS: Continued, Ga. L. 1987, p. 5284.

- (2) CITE: Ga. L. 1960, p. 1354.

DESCRIPTION: Authorizes Clay County to issue revenue bonds to fund the purchase, etc., of facilities for use by industry or commercial enterprise.

COMMENTS: An amendment which was identical to this one (Ga. L. 1960, p. 1400, relating to Telfair County) was declared to be in violation of the due process and equal protection clauses of the Fourteenth Amendment to the U.S. Constitution in the case of Smith v. State of Georgia, 222 Ga. 552 (1966). In view of this and the 1968 amendment establishing the Clay County Industrial Development Authority, it appears that this local amendment is obsolete.

STATUS: Not continued. Repealed by Article XI, Section I, Paragraph IV.

- (3) CITE: Ga. L. 1968, p. 1634.

DESCRIPTION: Creates the Clay County Industrial Development Authority.

STATUS: Continued, Ga. L. 1987, p. 5286.

FORT GAINES

- (1) CITE: Ga. L. 1957, p. 545.

DESCRIPTION: Authorizes the city to levy an ad valorem property tax not exceeding one mill for assisting, promoting, and encouraging the location of new industries in the city. The governing authority may select a board of citizens to give them advice regarding how to spend such funds.

COMMENTS: There is neither a general constitutional provision nor general law which would authorize taxation for these purposes. A local law so authorizing would require a determination as to whether these purposes are public services or public functions for which public funds may be expended pursuant to Article IX, Section IV, Paragraph II.

STATUS: Continued, Ga. L. 1987, p. 5288.

- (2) See Ga. L. 1968, p. 1634, under Clay County for amendment affecting Fort Gaines.

CLAYTON COUNTY

- (1) CITE: Ga. L. 1953, Nov.-Dec. Sess., p. 227.

DESCRIPTION: Authorizes Clayton County to incur bonded indebtedness for the purpose of acquiring and constructing a water and sewerage system. This debt is in addition to the debt limitation of the Constitution which at the time this amendment was ratified was 7 percent of the assessed value of taxable property.

COMMENTS: Since the general debt limitation in Article IX, Section V, Paragraph I was changed after the passage of this amendment, it is unclear as to the exact amount of additional indebtedness which may be incurred by the county pursuant to this amendment. However, this amendment does authorize the county to incur a greater amount of bonded indebtedness than is permitted under the general provisions of the Constitution.

STATUS: Continued, Ga. L. 1986, p. 5009.

- (2) CITE: Ga. L. 1953, Nov.-Dec. Sess., p. 506; Ga. L. 1958, p. 3.

DESCRIPTION: Provides for an elected board of education of Clayton County and for an elected school superintendent.

COMMENTS: The first three undesignated paragraphs of the amendment, relating to the composition and method of election of board members, have been specifically superseded by Ga. L. 1982, p. 4431. However, the remainder of the amendment contains current law with regard to the election of the school superintendent.

STATUS: Continued, Ga. L. 1986, p. 5013.

- (3) CITE: Ga. L. 1958, p. 430.

DESCRIPTION: Changes debt limitation incurred by Clayton County from 7 percent of assessed value of property to 10 percent of assessed value of property.

COMMENTS: Since Article IX, Section V, Paragraph I provides for a debt limitation not to exceed 10 percent of the assessed value of all taxable property within such county, the same as the local amendment, this amendment is no longer necessary.

STATUS: Not continued. Repealed by Article XI, Section I, Paragraph IV.

- (4) CITE: Ga. L. 1960, p. 1206.

DESCRIPTION: Authorizes the General Assembly to grant to the governing authority of Clayton County the power to establish fire protection districts and to levy taxes therein.

COMMENTS: Counties and municipalities are now authorized to provide these services under Article IX, Section II, Paragraph III, and public funds may be expended therefor under Article IX, Section IV, Paragraph II. Special districts for government services and special taxes within those districts are now authorized by Article IX, Section II, Paragraph VI.

STATUS: Not continued. Repealed by Article XI, Section I, Paragraph IV.

(5) CITE: Ga. L. 1963, p. 679.

DESCRIPTION: Authorizes the governing authority of Clayton County to levy and collect business and occupational license fees and to adopt ordinances and provides that violations of such ordinances shall constitute a misdemeanor.

COMMENTS: Article IX, Section IV, Paragraph I(a) authorizes local laws granting to counties the power to levy and collect license taxes only in the unincorporated area of the county. Article IX, Section II, Paragraph I provides for general home rule powers which are likely broad enough to authorize counties to enforce licensing ordinances, and Code Section 36-1-20 authorizes counties to enforce ordinances which could include licensing ordinances by imposing a maximum punishment not to exceed a fine of \$500.00 or imprisonment for 60 days, or both, for such ordinance violations with such violations triable in the magistrate's court.

STATUS: Continued, Ga. L. 1986, p. 4762.

(6) CITE: Ga. L. 1963, p. 681.

DESCRIPTION: Authorizes the General Assembly to enact laws creating county civil service system for persons, other than elected officials, whose salaries are paid from county funds.

COMMENTS: Article IX, Section I, Paragraph IV authorizes the General Assembly by general law to authorize the establishment by county governing authorities of civil service systems covering both county employees and employees of county officers.

STATUS: Continued, Ga. L. 1986, p. 5573.

(7) CITE: Ga. L. 1963, p. 683.

DESCRIPTION: Authorizes the General Assembly to empower the governing authority of Clayton County to adopt ordinances and regulations.

COMMENTS: Article IX, Section II, Paragraph I and Code Section 36-1-20 authorize counties to adopt ordinances and regulations, and Article IX, Section IV, Paragraph I authorizes counties to regulate businesses. In view of these provisions, this local amendment may not be necessary. However, the provisions of the Constitution and the general law may

be more restrictive as to the subject matter of these local ordinances and resolutions, as to the penalties which may be imposed for violations of these ordinances and resolutions, and as to the territorial applicability of these ordinances or resolutions.

STATUS: Continued, Ga. L. 1986, p. 5011.

(8) CITE: Ga. L. 1964, p. 1008.

DESCRIPTION: Authorizes the creation of MARTA and grants all powers of the authority.

STATUS: This amendment is continued in force by Article XI, Section I, Paragraph IV(d).

(9) CITE: Ga. L. 1976, p. 1797.

DESCRIPTION: Relates to jurisdiction, practice, and procedures in justice of the peace courts.

COMMENTS: The 1983 Constitution abolishes all justice of the peace courts and establishes a system of magistrate courts. Chapter 10 of Title 15 governs all magistrate courts and sets uniform jurisdiction, practice, and procedures for these courts.

STATUS: Not continued. Repealed by Article XI, Section I, Paragraph IV.

(10) CITE: Ga. L. 1979, p. 1812.

DESCRIPTION: Provides a \$10,000.00 homestead exemption from county school district ad valorem taxes for residents who are 62 years of age or over and whose specified income does not exceed \$10,000.00.

STATUS: Article VII, Section II, Paragraph IV continues in effect as statutory law those types of exemptions from ad valorem taxation provided for by law on June 30, 1983.

(11) CITE: Ga. L. 1980, p. 2310.

DESCRIPTION: Grants a \$4,000.00 homestead exemption from county ad valorem taxes to residents and grants an \$8,000.00 homestead exemption from all county ad valorem taxes to those residents 65 years of age or older whose specified income does not exceed \$4,000.00.

STATUS: Article VII, Section II, Paragraph IV continues in effect as statutory law those types of exemptions from ad valorem taxation provided for by law on June 30, 1983.

FOREST PARK

- (1) CITE: Ga. L. 1974, p. 1694.

DESCRIPTION: Grants a \$4,000.00 homestead exemption from municipal ad valorem taxation to each resident of the city who is 65 years of age or older who does not have specified income exceeding \$4,000.00 per year.

STATUS: Article VII, Section II, Paragraph IV continues in effect as statutory law those types of exemptions from ad valorem taxation provided for by law on June 30, 1983.

MORROW

- (1) CITE: Ga. L. 1977, p. 1614.

DESCRIPTION: Grants an \$8,000.00 homestead exemption from municipal ad valorem taxation to each resident of the city who is disabled or 65 years of age or over and does not have specified income exceeding \$4,000.00 per year.

STATUS: Article VII, Section II, Paragraph IV continues in effect as statutory law those types of exemptions from ad valorem taxation provided for by law on June 30, 1983.

RIVERDALE

- (1) CITE: Ga. L. 1974, p. 1718.

DESCRIPTION: Grants a \$2,000.00 homestead exemption from municipal ad valorem taxes to each resident of the city who is 65 years of age or over and has specified income not exceeding \$4,000.00 per year.

STATUS: Article VII, Section II, Paragraph IV continues in effect as statutory law those types of exemptions from ad valorem taxation provided for by law on June 30, 1983.

CLINCH COUNTY

- (1) CITE: Ga. L. 1964, p. 913.

DESCRIPTION: Creates the Clinch County Development Authority.

STATUS: Continued, Ga. L. 1987, p. 4534.

(2) CITE: Ga. L. 1970, p. 1111.

DESCRIPTION: Provides for an elected board of education of Clinch County and provides for the school superintendent to be appointed by the board.

COMMENTS: The amendment contains the current law relative to the board of education and the school superintendent of Clinch County.

STATUS: Continued, Ga. L. 1987, p. 4536.

(3) CITE: Ga. L. 1970, p. 1114.

DESCRIPTION: Authorizes the General Assembly to provide by local Act for the consolidation of the offices of tax collector and tax receiver into the office of tax commissioner.

DESCRIPTION: Article IX, Section I, Paragraph III(c) authorizes the General Assembly to consolidate the office of tax receiver and tax collector into the office of tax commissioner.

STATUS: Not continued. Repealed by Article XI, Section I, Paragraph IV.

(4) CITE: Ga. L. 1980, p. 2295.

DESCRIPTION: Grants a \$10,000.00 homestead exemption from all county school district ad valorem taxes to those residents 62 years of age or older whose specified income does not exceed \$12,000.00.

STATUS: Article VII, Section II, Paragraph IV continues in effect as statutory law those types of exemptions from ad valorem taxation provided for by law on June 30, 1983.

HOMERVILLE

(1) CITE: Ga. L. 1937-38, Ex. Sess., p. 35.

DESCRIPTION: Authorizes the city to issue bonds to refund and retire bonds which were outstanding and past due on January 1, 1939.

COMMENTS: This amendment constitutes a one-time authority to issue refunding bonds for a specific series of bonds in default on January 1, 1939. The authority so granted has expired and has no current applicability.

STATUS: Not continued. Repealed by Article XI, Section I, Paragraph IV.

(2) CITE: Ga. L. 1937-38, Ex. Sess., p. 37.

DESCRIPTION: Authorizes the city to issue bonds to refund and retire bonds which were outstanding and past due on January 1, 1939.

COMMENTS: This amendment constitutes a one-time authority to issue refunding bonds for a specific series of bonds in default on January 1, 1939. The authority so granted has expired and has no current applicability.

STATUS: Not continued. Repealed by Article XI, Section I, Paragraph IV.

COBB COUNTY

(1) CITE: Ga. L. 1937-38, Ex. Sess., p. 20, as amended by Ga. L. 1952, p. 516.

DESCRIPTION: Authorizes the governing authority of Cobb County to establish fire protection districts and to levy taxes upon approval of 60 percent of the voters in the districts.

COMMENTS: Cities and counties are authorized under Article IX, Section II, Paragraph III to provide for fire protection and may create service districts and levy taxes in support of such services under Article IX, Section II, Paragraph VI without necessitating voter approval. The amendment limits the amount of the tax to five mills and excludes the homestead exemption in computing such taxes.

STATUS: Continued, Ga. L. 1986, p. 4501.

(2) CITE: Ga. L. 1941, p. 43.

DESCRIPTION: Authorizes the county to issue bonds to retire all indebtedness of the county as it existed on January 1, 1942, and requires the county thereafter to operate on a cash basis and prohibits issuing delayed warrants and payment orders.

COMMENTS: The provision relating to issuing bonds to retire indebtedness was a one-time authority and has no current applicability. The provision requiring the county to operate on a cash basis is probably not necessary because Article IX, Section V places limitations on the manner in which counties may incur debt through the issuance of bonds and by making temporary loans. The practice of issuing delayed warrants and payment orders beyond the fiscal year is not contemplated or authorized.

STATUS: Not continued. Repealed by Article XI, Section I, Paragraph IV.

- (3) CITE: Ga. L. 1943, p. 11.

DESCRIPTION: Authorizes Cobb County to issue bonds to retire all indebtedness of the county as it existed on January 1, 1944, requires the county thereafter to operate on a cash basis, and prohibits the county from issuing delayed warrants and payment orders.

COMMENTS: The provision relating to issuing bonds to retire indebtedness was a one-time authority and has no current applicability. The provision requiring the county to operate on a cash basis is probably not necessary because Article IX, Section V places limitations on the manner in which counties may incur debt through the issuance of bonds and by making temporary loans. The practice of using delayed warrants and payment orders beyond the fiscal year is not contemplated or authorized.

STATUS: Not continued. Repealed by Article XI, Section I, Paragraph IV.

- (4) CITE: Ga. L. 1956, p. 363.

DESCRIPTION: Authorizes the governing authority of Cobb County to provide for construction and maintenance of streets, sidewalks, or curbing and to assess the costs thereof against the abutting property.

COMMENTS: Cities and counties are authorized under Article IX, Section II, Paragraph III to provide these services and may levy taxes in support of such services under Article IX, Section IV, Paragraphs I and II.

STATUS: Continued, home rule ordinance, Ga. L. 1988, p. 5085.

- (5) CITE: Ga. L. 1962, p. 971; Ga. L. 1968, p. 1529.

DESCRIPTION: Provides for an elected board of education of Cobb County and an appointed school superintendent.

COMMENTS: The provisions of the amendment defining the education districts, providing for the election and terms of office of the members of the board, and establishing their compensation have been superseded by local Acts. The amendment does contain the current law regarding the appointment of the school superintendent by the board and the filling of vacancies.

STATUS: Continued, Ga. L. 1986, pp. 4055 and 4511.

- (6) CITE: Ga. L. 1963, p. 685.

DESCRIPTION: Authorizes the General Assembly to enact laws creating county civil service system for persons, other than elected officials, whose salaries are paid from county funds.

COMMENTS: Article IX, Section I, Paragraph IV authorizes the General Assembly by general law to authorize the establishment by county governing authorities of civil service systems covering both county employees and employees of county officers.

STATUS: Continued, Ga. L. 1986, p. 4505.

(7) CITE: Ga. L. 1964, p. 936.

DESCRIPTION: Authorizes Cobb County to construct and maintain solid waste facilities and to issue revenue bonds for such purpose.

COMMENTS: Counties are authorized by Article IX, Section II, Paragraph III and Chapter 82 of Title 36 to exercise the powers provided for by this local amendment.

STATUS: Continued, Ga. L. 1986, p. 4408.

(8) CITE: Ga. L. 1964, p. 1008.

DESCRIPTION: Authorizes the creation of MARTA and grants all powers of the authority.

STATUS: This amendment is continued in force by Article XI, Section I, Paragraph IV(d).

(9) CITE: Ga. L. 1964, p. 1024.

DESCRIPTION: Authorizes the General Assembly to grant to the governing authority of Cobb County the power to engage in business licensing and regulation and to levy business license taxes in the county, including incorporated areas in the county. Violation of such regulations constitutes a misdemeanor.

COMMENTS: There is no general law which would authorize counties to levy license taxes within municipalities and Code Section 48-13-5 expressly prohibits counties from levying license taxes upon certain professional businesses located within municipalities. It may be noted that Article IX, Section IV, Paragraph I(a) now provides that the General Assembly may by local law grant to a county the power to levy business license taxes in only the unincorporated area of the county. Code Section 36-1-20 now authorizes counties to exercise police powers, which would include business regulation, in the unincorporated areas and provides for prosecution of violations in the magistrate court. These provisions could allow for exercise of licensing, regulation, and license taxation powers by Cobb County in the absence of this local constitutional amendment but would not allow for the exercise of such powers within incorporated municipalities.

STATUS: Continued, Ga. L. 1986, p. 5450.

(10) CITE: Ga. L. 1964, p. 1070.

DESCRIPTION: Abolishes the office of coroner and establishes the office of county medical examiner to be appointed by the governing authority of Cobb County.

COMMENTS: Under general law the offices of coroner and medical examiner are two separate and distinct offices. This amendment abolishes the office of coroner and provides that the medical examiner shall perform the duties of coroner and medical examiner.

STATUS: Continued, Ga. L. 1986, p. 4507.

(11) CITE: Ga. L. 1964, p. 814; Ga. L. 1966, p. 877.

DESCRIPTION: Authorizes the General Assembly to vest zoning power in a zoning and planning commission and to provide for building codes and for their administration by the zoning and planning commission.

COMMENTS: As to planning and zoning, the 1972 general amendment which granted a list of self-executing powers, including planning and zoning, directly to counties and municipalities probably superseded this amendment. As to building codes, general provisions of the current Constitution found in Article IX, Section II, Paragraph III(12) and the general law provisions of Chapter 13 of Title 36 make the amendment obsolete and unnecessary.

STATUS: Not continued. Repealed by Article XI, Section I, Paragraph IV.

(12) CITE: Ga. L. 1964, Ex. Sess., p. 415.

DESCRIPTION: Authorizes the governing authority to spend county funds on sidewalks in unincorporated areas.

COMMENTS: Counties and municipalities are now authorized to provide these services under Article IX, Section II, Paragraph III, and public funds may be expended therefor under Article IX, Section IV, Paragraph II.

STATUS: Not continued. Repealed by Article XI, Section I, Paragraph IV.

(13) CITE: Ga. L. 1967, p. 914.

DESCRIPTION: Authorizes the governing authority of Cobb County to adopt ordinances preserving the health, safety, welfare, and morals of its citizens and to provide penalties for violations of such ordinances and authorizes the appropriate court with jurisdiction over such matters to inflict punishment for such violations.

COMMENTS: Code Section 36-1-20 authorizes the governing authority of each county to adopt ordinances preserving the public health, safety, and welfare of the unincorporated

areas of the county, violations of which ordinances may be punished by fine or imprisonment of not more than \$500.00 or 60 days or both.

STATUS: Continued, Ga. L. 1986, p. 4410.

(14) CITE: Ga. L. 1967, p. 918.

DESCRIPTION: Authorizes the governing authority of Cobb County to establish districts in any part of the county for establishing and maintaining street lights. Authorizes the levy of taxes within each district for this purpose after approval of such taxes at a referendum within the district.

COMMENTS: Article IX, Section II, Paragraph VI currently authorizes county governments to establish special services districts in unincorporated areas for the provision of local government services and facilities therefor and authorizes the levy within such special districts of taxes and fees for such purposes without a referendum.

STATUS: Not continued. Repealed by Article XI, Section I, Paragraph IV.

(15) CITE: Ga. L. 1967, p. 927.

DESCRIPTION: Authorizes the governing authority of Cobb County to incur limited bonded indebtedness for the purpose of constructing and operating sanitary and storm sewers. Said debt is in addition to the general debt limitation in the Constitution which at the time this amendment was ratified was 7 percent of the assessed value of taxable property.

COMMENTS: Since the general debt limitation in Article IX, Section V, Paragraph I was changed after the passage of this amendment, it is unclear as to the exact amount of additional indebtedness which may be incurred by the county pursuant to this amendment. However, this amendment does authorize the county to incur a greater amount of bonded indebtedness than is permitted under the general provisions of the Constitution.

STATUS: Not continued. Repealed by Article XI, Section I, Paragraph IV.

(16) CITE: Ga. L. 1967, p. 932.

DESCRIPTION: Repeals Ga. L. 1952, p. 508, and authorizes the governing authority of Cobb County to establish sewage districts and to levy taxes in support of such services.

COMMENTS: Cities and counties are authorized under Article IX, Section II, Paragraph III to provide sewage systems and may create special service districts and levy taxes in support of such services under Article IX, Section II, Paragraph VI. The amendment provides that bonds issued for the construction of such sewage systems shall be in addition to and separate from the constitutionally imposed debt ceiling. The amendment also provides that the homestead exemption shall not be applied to the levy of taxes in support of such services.

STATUS: Continued, Ga. L. 1986, p. 4509.

(17) CITE: Ga. L. 1973, p. 1522; Ga. L. 1976, p. 1904; Ga. L. 1980, p. 2098.

DESCRIPTION: Provides a \$12,000.00 homestead exemption from county and county school district ad valorem taxes for residents who are disabled and whose specified income does not exceed \$12,000.00.

STATUS: Article VII, Section II, Paragraph IV continues in effect as statutory law those types of exemptions from ad valorem taxation provided for by law on June 30, 1983.

(18) CITE: Ga. L. 1974, p. 1730.

DESCRIPTION: Authorizes the levy and collection of a tax on liquor and the allocation of one-half of the net revenues to the Cobb County board of education.

COMMENTS: The amendment authorizes a special levy for educational purposes in the Cobb County school district in addition to the ad valorem property tax authorized under Article VIII, Section VI.

STATUS: Continued, Ga. L. 1986, pp. 4052, 4594.

(19) CITE: Ga. L. 1974, p. 1763.

DESCRIPTION: Authorizes the adoption of legislation relative to the Cobb County board of education without the necessity of a referendum.

COMMENTS: Former Article VIII, Section V, Paragraph IV(a), now repealed and reserved, provided that the composition of school boards, the term of office, and the method of selecting board members and school superintendents may be changed by local law conditioned upon approval by the voters in a referendum. Former Article VIII, Section V, Paragraph IV(b) permitted school systems which were authorized on June 30, 1983, to make such changes listed in subparagraph (a) without a referendum to continue to do so.

STATUS: Continued, Ga. L. 1986, pp. 4057, 4416.

(20) Ga. L. 1976, p. 1898.

DESCRIPTION: If the General Assembly repeals the charter of a municipality lying wholly within Cobb County, the General Assembly is authorized to provide by local Act for all matters relative to the disposition of the assets and obligations of such abolished municipality and such local Act need not be approved in a referendum.

STATUS: Continued, Ga. L. 1986, p. 4412.

(21) CITE: Ga. L. 1977, p. 1585.

DESCRIPTION: Relates to jurisdiction, practice, and procedures in justice of the peace courts.

COMMENTS: The 1983 Constitution abolishes all justice of the peace courts and establishes a system of magistrate courts. Chapter 10 of Title 15 governs all magistrate courts and sets uniform jurisdiction, practice, and procedures for these courts.

STATUS: Not continued. Repealed by Article XI, Section I, Paragraph IV.

(22) CITE: Ga. L. 1978, p. 2364.

DESCRIPTION: Grants each resident of the Cobb County school district who is 62 years of age or over an exemption from all Cobb County school district ad valorem taxes on the full value of the homestead beginning after December 31, 1978.

STATUS: Article VII, Section II, Paragraph IV continues in effect as statutory law those types of exemptions from ad valorem taxation provided for by law on June 30, 1983.

(23) CITE: Ga. L. 1982, p. 2615.

DESCRIPTION: Provides for the filling of a vacancy in the office of justice of the peace.

COMMENTS: The 1983 Constitution abolishes all justice of the peace courts and establishes a system of magistrate courts. Since this amendment relates to courts which no longer exist, it is obsolete.

STATUS: Not continued. Repealed by Article XI, Section I, Paragraph IV.

ACWORTH

(1) CITE: Ga. L. 1968, p. 1524.

DESCRIPTION: Grants a \$2,000.00 homestead exemption from city ad valorem taxes to residents of the City of Acworth who are disabled or aged 62 or older who do not have specified income exceeding \$5,000.00 per year.

STATUS: Article VII, Section II, Paragraph IV continues in effect as statutory law those types of exemptions from ad valorem taxation provided for by law on June 30, 1983.

(2) CITE: Ga. L. 1980, p. 2134.

DESCRIPTION: Creates the Acworth Downtown Development Authority.

STATUS: Continued, Ga. L. 1986, p. 4386.

(3) See Ga. L. 1964, p. 1024, under Cobb County for amendment affecting Acworth.

(4) See Ga. L. 1966, p. 877, under Cobb County for amendment affecting Acworth.

AUSTELL

(1) CITE: Ga. L. 1964, p. 1061.

DESCRIPTION: Authorizes the City of Austell to issue revenue bonds to construct, operate, etc., gas generating and distribution systems without an election.

COMMENTS: Such bonds are authorized by Code Section 36-82-61(4)(C)(iv), but such statute requires that an election be held and the bonds be approved by the voters.

STATUS: Continued, Ga. L. 1984, p. 3836.

(2) CITE: Ga. L. 1977, p. 1609.

DESCRIPTION: Authorizes the City of Austell to grant a discount of not more than 2 percent from municipal ad valorem taxes paid within 30 days of the billing date.

COMMENTS: This amendment grants powers to the city which it would not otherwise possess under general laws.

STATUS: Continued, Ga. L. 1986, p. 4389.

(3) CITE: Ga. L. 1977, p. 1610.

DESCRIPTION: Authorizes the City of Austell to grant a \$2,000.00 homestead exemption from municipal ad valorem taxation to each resident of the city who is 65 years of age or over and whose income does not exceed such limitation as may be established by the City of Austell.

COMMENTS: Article VII, Section II, Paragraph IV continues in effect as statutory law those types of exemptions from ad valorem taxation provided for by law on June 30, 1983. It is not clear, however, that this constitutional provision would continue the discretionary power of the city governing authority to grant or revoke the exemption and to fix the income qualification for the exemption.

STATUS: Continued, Ga. L. 1986, p. 4391.

- (4) CITE: Ga. L. 1980, p. 2121.

DESCRIPTION: Authorizes city governing authority to grant up to \$1,000.00 homestead exemption from city ad valorem taxes to residents' homesteads.

COMMENTS: Article VII, Section II, Paragraph IV continues in effect as statutory law those types of exemptions from ad valorem taxation provided for by law on June 30, 1983. It is not clear, however, that this constitutional provision would continue the discretionary power of the city governing authority to implement, increase, or decrease the exemption.

STATUS: Continued, Ga. L. 1986, pp. 4384, 4414.

- (5) See Ga. L. 1964, p. 1024, under Cobb County for amendment affecting Austell.
(6) See Ga. L. 1966, p. 877, under Cobb County for amendment affecting Austell.

KENNESAW

- (1) See Ga. L. 1964, p. 1024, under Cobb County for amendment affecting Kennesaw.
(2) See Ga. L. 1966, p. 877, under Cobb County for amendment affecting Kennesaw.

MARIETTA

- (1) CITE: Ga. L. 1958, p. 425.

DESCRIPTION: Authorizes the City of Marietta to combine its water and sewerage system and its electric system and to issue public utilities revenue bonds without the necessity of an election.

COMMENTS: Code Section 36-82-61 authorizes the issuance of revenue bonds for gas or electric generating and distribution systems and for water and sewerage systems. Also see Article IX, Section VI, Paragraph I.

STATUS: Continued, Ga. L. 1986, p. 4503.

- (2) CITE: Ga. L. 1965, p. 680.

DESCRIPTION: Authorizes the City of Marietta to incur bonded indebtedness for educational purposes in an amount exceeding the general debt limitations of the Constitution; authorizes an annual tax not to exceed 7 mills.

COMMENTS: The City of Marietta is currently authorized to issue bonds for educational purposes pursuant to Article 9 of Chapter 2 of Title 20. However, this amendment authorizes

the City of Marietta to incur additional debt without regard to the general debt limitation applicable to political subdivisions.

STATUS: Continued, Ga. L. 1986, p. 4406.

- (3) CITE: Ga. L. 1970, p. 1109.

DESCRIPTION: Authorizes the General Assembly to create the Downtown Marietta Development Authority.

STATUS: Continued, Ga. L. 1986, p. 4503.

- (4) CITE: Ga. L. 1976, p. 1789.

DESCRIPTION: Repeals Ga. L. 1968, p. 1678, and grants a \$2,000.00 homestead exemption from municipal ad valorem taxation to each resident of the city who is 62 years of age or over or disabled who has specified income not exceeding \$5,000.00 per year.

STATUS: Article VII, Section II, Paragraph IV continues in effect as statutory law those types of exemptions from ad valorem taxation provided for by law on June 30, 1983. While this amendment appears to apply to taxes levied on behalf of the Marietta School District, it may not have been so interpreted.

- (5) CITE: Ga. L. 1976, p. 1872.

DESCRIPTION: Authorizes the city governing authority to provide increases in retirement benefits to persons who have already retired and to those employees who retire in the future.

COMMENTS: Article IX, Section II, Paragraph III(a)(14) and Article III, Section X, Paragraph II now provide general authorization for maintaining retirement systems and expending public funds for increasing benefits in systems wholly or partially supported by public funds. It appears that under such current general provisions of the Constitution that the need for this local amendment no longer exists. This amendment was to have been repealed if the 1978 revision of the article on retirement (Ga. L. 1978, p. 2510) had been ratified in 1978.

STATUS: Not continued. Repealed by Article XI, Section I, Paragraph IV.

- (6) CITE: Ga. L. 1980, p. 2123.

DESCRIPTION: Exempts from all city school ad valorem taxes, except those to retire bonds, homesteads of residents who are 62 years of age or over.

STATUS: Article VII, Section II, Paragraph IV continues in effect as statutory law those types of exemptions from ad valorem taxation provided for by law on June 30, 1983.

- (7) See Ga. L. 1964, p. 1024, under Cobb County for amendment affecting Marietta.
- (8) See Ga. L. 1966, p. 877, under Cobb County for amendment affecting Marietta.

POWDER SPRINGS

- (1) CITE: Ga. L. 1976, p. 1908.

DESCRIPTION: Grants a \$2,000.00 homestead exemption from municipal ad valorem taxation to each resident of the City of Powder Springs. Grants a \$4,000.00 homestead exemption to each resident of the city who is 65 years of age or older.

STATUS: Article VII, Section II, Paragraph IV continues in effect as statutory law those types of exemptions from ad valorem taxation provided for by law on June 30, 1983.

- (2) CITE: Ga. L. 1980, p. 2035; Ga. L. 1982, p. 2505.

DESCRIPTION: Creates the Powder Springs Downtown Development Authority.

STATUS: Continued, Ga. L. 1986, p. 453, and Ga. L. 1987, pp. 4199, 4770.

- (3) See Ga. L. 1964, p. 1024, under Cobb County for amendment affecting Powder Springs.
- (4) See Ga. L. 1966, p. 877, under Cobb County for amendment affecting Powder Springs.

SMYRNA

- (1) CITE: Ga. L. 1960, p. 1376.

DESCRIPTION: Authorizes the General Assembly to create an independent school system for the City of Smyrna.

COMMENTS: The amendment provides an exception to the general constitutional prohibition against the establishment of independent school systems. No school system has been created pursuant to the amendment.

STATUS: Not continued. Repealed by Article XI, Section I, Paragraph IV.

- (2) CITE: Ga. L. 1962, p. 976; Ga. L. 1972, p. 1440; Ga. L. 1979, p. 1844.

DESCRIPTION: Authorizes the mayor and council to exempt up to \$4,000.00 as homestead exemption from city ad valorem taxes for residents who are 65 years of age or over and who have resided in the city for at least three years.

COMMENTS: Article VII, Section II, Paragraph IV continues in effect as statutory law those types of exemptions from ad valorem taxation provided for by law on June 30, 1983. It is not clear, however, that this constitutional provision would continue the discretionary power of the mayor and council to set the actual exemption amounts.

STATUS: Initially continued, Ga. L. 1986, p. 5525. Subsequently repealed, Ga. L. 1989, pp. 1378, 3878, and home rule ordinance, Ga. L. 1992, pp. 5525, 5725.

- (3) CITE: Ga. L. 1970, p. 1117.

DESCRIPTION: Authorizes the General Assembly to create the Downtown Smyrna Development Authority.

STATUS: Continued, Ga. L. 1986, p. 3957.

- (4) CITE: Ga. L. 1976, p. 1929.

DESCRIPTION: Grants a \$6,000.00 homestead exemption from municipal ad valorem taxation to each resident of the city who is disabled and has specified income not exceeding \$6,000.00 per year.

COMMENTS: Article VII, Section II, Paragraph IV continues in effect as statutory law those types of exemptions from ad valorem taxation provided for by law on June 30, 1983.

STATUS: Initially continued, Ga. L. 1986, p. 5523. Subsequently repealed, Ga. L. 1989, p. 4896.

- (5) See Ga. L. 1964, p. 1024, under Cobb County for amendment affecting Smyrna.

- (6) See Ga. L. 1966, p. 877, under Cobb County for amendment affecting Smyrna.

COFFEE COUNTY

- (1) CITE: Ga. L. 1953, Jan.-Feb. Sess., p. 549.

DESCRIPTION: Provides for the appointment of the Coffee County school superintendent by the board of education and authorizes the board to set the qualifications, duties, and compensation of the superintendent.

STATUS: Not continued. Repealed by Article XI, Section I, Paragraph IV.

(2) CITE: Ga. L. 1953, Jan.-Feb. Sess., p. 569.

DESCRIPTION: Merges the independent school system of the City of Douglas with the school system of Coffee County and establishes a board of education for the combined system.

COMMENTS: A local Act found at Ga. L. 1970, p. 2441, as amended, effectively superseded the amendment.

STATUS: Not continued. Repealed by Article XI, Section I, Paragraph IV.

(3) CITE: Ga. L. 1953, Nov.-Dec. Sess., p. 250.

DESCRIPTION: Authorizes the board of education of Coffee County to reorganize the schools within its jurisdiction and determine and fix the number of grades to be taught at each school.

COMMENTS: Article VIII, Section V, Paragraph II provides that each school system shall be under the management and control of a board of education. Since the amendment merely states the authority which the board would ordinarily possess under the terms of the above-mentioned general provision of the Constitution, the purpose of the amendment is unclear.

STATUS: Not continued. Repealed by Article XI, Section I, Paragraph IV.

(4) CITE: Ga. L. 1957, p. 568.

DESCRIPTION: Repeals Ga. L. 1953, Jan.-Feb. Sess., p. 547, and creates the Douglas-Coffee County Industrial Authority.

STATUS: Continued, Ga. L. 1987, p. 3554.

DOUGLAS

(1) See Ga. L. 1953, Jan.-Feb. Sess., p. 569, under Coffee County for amendment affecting Douglas.

(2) See Ga. L. 1957, p. 568, under Coffee County for amendment affecting Douglas.

COLQUITT COUNTY

- (1) CITE: Ga. L. 1958, p. 567.

DESCRIPTION: Authorizes the board of commissioners to regulate and levy license fees and taxes on businesses within unincorporated areas of county and to classify such businesses, with violation of such regulations constituting a misdemeanor. The General Assembly may modify or limit these powers.

COMMENTS: Article IX, Section IV, Paragraph I(a) authorizes local laws granting to counties the power to levy and collect license taxes only in the unincorporated area of the county. Article IX, Section II, Paragraph I provides for general home rule powers which are likely broad enough to authorize counties to enforce licensing ordinances, and Code Section 36-1-20 authorizes counties to enforce ordinances which could include licensing ordinances by imposing a maximum punishment not to exceed a fine of \$500.00 or imprisonment for 60 days, or both, for such ordinance violations with such violations triable in the magistrate's court.

STATUS: Continued, Ga. L. 1985, p. 4433.

- (2) CITE: Ga. L. 1960, p. 1402; Ga. L. 1964, Ex. Sess., p. 403; Ga. L. 1976, p. 1773.

DESCRIPTION: Creates the Moultrie-Colquitt County Development Authority.

STATUS: Continued, Ga. L. 1985, p. 4745.

- (3) CITE: Ga. L. 1964, p. 893.

DESCRIPTION: Provides for an elected board of education of Colquitt County and for the appointment of the school superintendent by the board.

COMMENTS: The school districts and manner of selecting the chairman of the board were changed by a local Act found at Ga. L. 1970, p. 2582. The amendment contains the current school board law regarding the appointment of the school superintendent by the board.

STATUS: Continued, Ga. L. 1985, p. 4747.

- (4) CITE: Ga. L. 1980, p. 2127.

DESCRIPTION: Allocation of local sales and use tax revenues to Colquitt County school system.

STATUS: Unclear. According to the official state vote tabulation for the November 4, 1980, general election the amendment apparently was ratified at the referendum thereon in

Colquitt County, the school district, and all municipalities except one. Thus, it failed to be approved under Article XII, Section I, Paragraph I of the 1976 Constitution. However, the amendment may have been nonetheless declared ratified by superior court decree. It was purportedly continued in effect by Ga. L. 1983, p. 3753.

DOERUN

- (1) CITE: Ga. L. 1941, p. 73.

DESCRIPTION: Authorizes the city to issue refunding bonds any time any bonds are not paid at maturity.

COMMENTS: Article IX, Section V, Paragraph III authorizes cities to issue refunding bonds. However, one of the conditions for issuing refunding bonds is that the term of the original debt may not be extended. This local amendment authorizes such an extension.

STATUS: Continued, Ga. L. 1987, p. 3717.

MOULTRIE

- (1) CITE: Ga. L. 1927, p. 127; Ga. L. 1935, p. 1234; Ga. L. 1937, pp. 1132, 1137, 1139.

DESCRIPTION: Zoning and planning.

COMMENTS: The 1927 amendment to Art. III, Sec. VII, Para. XXV of the 1877 Constitution included Albany, Athens, Atlanta, Augusta, Brunswick, Columbus, Darien, Decatur, Dublin, East Thomaston, LaGrange, Macon, Newnan, Rome, Savannah, Thomaston, Valdosta, Waycross, and cities with a population of 25,000 or more according to the decennial census of 1920. The 1935 amendment added Moultrie. The first 1937 amendment added Carrolton, Cordele, Eastman, Forsyth, Fort Valley, McRae, and Milledgeville. The second 1937 amendment added Dalton. The third 1937 amendment added Quitman. Art. III, Sec. VII, Para. XXIII of the Constitution of 1945 (the revised counterpart of old Para. XXV) contained a direct grant of authority to the General Assembly to grant authority to cities and counties to pass zoning and planning laws. Amendment 19 (which included among other things, Art. XV, Sec. II-A, Para. III) granted some zoning and planning power directly to counties and was held to have impliedly repealed Para. XXIII insofar as it applied to unincorporated areas. Art. IX, Sec. IV, Para. II(15) conferred zoning and planning power in cities and counties.

STATUS: Not continued. Repealed, Article XI, Section I, Paragraph IV.

- (2) See Ga. L. 1960, p. 1402, under Colquitt County for amendment affecting Moultrie.

COLUMBIA COUNTY

- (1) CITE: Ga. L. 1966, p. 858.

DESCRIPTION: Authorizes the General Assembly to grant to the governing authority of Columbia County the power to assess the cost of streets, sidewalks, curbing, and water and sewer mains against the owners of abutting subdivided land. Consent of 75 percent of such property owners is required.

COMMENTS: Article IX, Section II, Paragraph VI currently authorizes counties to establish special services districts for the provision of governmental services and facilities therefor and authorizes the levy of taxes, fees, and assessments within such districts for such purposes.

STATUS: Not continued. Repealed by Article XI, Section I, Paragraph IV.

- (2) CITE: Ga. L. 1976, p. 1792.

DESCRIPTION: Authorizes the governing authority of Columbia County to engage in business licensing and regulation and to levy business license taxes in the county, including incorporated areas in the county. Violation of such regulations constitutes a misdemeanor.

COMMENTS: There is no general law which would authorize counties to levy license taxes within municipalities and Code Section 48-13-6 expressly prohibits counties from levying license taxes upon certain professional businesses located within municipalities.

It may be noted that Article IX, Section IV, Paragraph I(a) now provides that the General Assembly may by local law grant to a county the power to levy business license taxes in only the unincorporated area of the county. Code Section 36-1-20 now authorizes counties to exercise police powers, which would include business regulation, in the unincorporated areas and provides for prosecution of violations in the magistrate court. These provisions could allow for exercise of licensing, regulation, and license taxation powers by Columbia County in the absence of this local constitutional amendment but would not allow for the exercise of such powers within incorporated municipalities.

STATUS: Not continued. Repealed by Article XI, Section I, Paragraph IV.

- (3) CITE: Ga. L. 1979, p. 1815.

DESCRIPTION: Provides a \$10,000.00 homestead exemption from county school district ad valorem taxes for residents who are 62 years of age or over and whose specified income does not exceed \$10,000.00.

STATUS: Article VII, Section II, Paragraph IV continues in effect as statutory law those types of exemptions from ad valorem taxation provided for by law on June 30, 1983.

- (4) CITE: Ga. L. 1982, p. 2575.

DESCRIPTION: Relates to jurisdiction, practice, and procedures in justice of the peace courts.

COMMENTS: The 1983 Georgia Constitution abolishes all justice of the peace courts and establishes a system of magistrate courts. Chapter 10 of Title 15 governs all magistrate courts and sets uniform jurisdiction, practice, and procedures for these courts.

STATUS: Not continued. Repealed by Article XI, Section I, Paragraph IV.

APPLING

- (1) See Ga. L. 1976, p. 1792, under Columbia County for amendment affecting Appling.

GROVETOWN

- (1) See Ga. L. 1976, p. 1792, under Columbia County for amendment affecting Grovetown.

HARLEM

- (1) See Ga. L. 1976, p. 1792, under Columbia County for amendment affecting Harlem.

COOK COUNTY

- (1) CITE: Ga. L. 1918, p. 102; Ga. L. 1921, p. 88.

DESCRIPTION: Creates Cook County and describes the boundary thereof.

COMMENT: Following the adoption of the 1877 Constitution, 16 counties were created by local constitutional amendment. Each amendment provided a metes and bounds description of the county boundary and designated the county site.

STATUS: Article IX, Section I, Paragraph II(b) grandfathers in force and effect the boundary description of each of the 159 counties, as well as the county site, that existed as of June 30, 1983, and provides further that subsequent changes may be accomplished only under the operation of a general law.

- (2) CITE: Ga. L. 1941, p. 52.

DESCRIPTION: Authorizes the county to issue bonds to refund and retire bonds which were outstanding and past due on September 1, 1940, and which became due by December 1, 1949.

COMMENTS: This amendment constitutes a one-time authority to issue refunding bonds for a specific series of bonds in default on September 1, 1940, and which became due by December 1, 1949. The authority so granted has expired and has no current applicability.

STATUS: Not continued. Repealed by Article XI, Section I, Paragraph IV.

- (3) CITE: Ga. L. 1941, p. 54.

DESCRIPTION: Authorizes the county to issue bonds to retire all indebtedness of the county as it existed on January 1, 1942, and requires the county thereafter to operate on a cash basis and prohibits issuing delayed warrants and payment orders.

COMMENTS: The provision relating to issuing bonds to retire indebtedness was a one-time authority and has no current applicability. The provision requiring the county to operate on a cash basis is probably not necessary because Article IX, Section V places limitations on the manner in which counties may incur debt through the issuance of bonds and by making temporary loans. The practice of issuing delayed warrants and payment orders beyond the fiscal year is not contemplated or authorized.

STATUS: Not continued. Repealed by Article XI, Section I, Paragraph IV.

- (4) CITE: Ga. L. 1941, p. 163.

DESCRIPTION: Authorizes the Sparks-Adel consolidated school district to issue bonds to refund and retire bonds which were outstanding and past due on February 1, 1941, and which became due by February 1, 1945.

COMMENTS: This amendment constitutes a one-time authority to issue refunding bonds for a specific series of bonds in default on February 1, 1941, and which became due by February 1, 1945. The authority so granted has expired and has no current applicability.

STATUS: Not continued. Repealed by Article XI, Section I, Paragraph IV.

ADEL

- (1) CITE: Ga. L. 1937-38, Ex. Sess., p. 7.

DESCRIPTION: Authorizes the city to issue bonds to refund and retire bonds which were outstanding and past due July 1, 1937, and July 1, 1942, and authorizes the city to issue

general obligation bonds for waterworks, sewage, and electrical systems without regard to the general obligation debt limitation in the Constitution.

COMMENTS: The provisions of this amendment relating to the issue of refunding bonds constitute a one-time authority to issue refunding bonds for a specific series of bonds in default on July 1, 1937, and July 1, 1942, and are therefore obsolete. However, the provisions relating to issuing limited general obligation bonds without regard to the general debt limitation are still valid.

STATUS: Continued, Ga. L. 1986, p. 3875.

SPARKS

- (1) CITE: Ga. L. 1937-38, Ex. Sess., p. 55.

DESCRIPTION: Authorizes the city to issue bonds to refund and retire bonds which were outstanding and past due on January 1, 1938.

COMMENTS: This amendment constitutes a one-time authority to issue refunding bonds for a specific series of bonds in default on January 1, 1938. The authority so granted has expired and has no current applicability.

STATUS: Not continued. Repealed by Article XI, Section I, Paragraph IV.

COWETA COUNTY

- (1) CITE: Ga. L. 1964, p. 906.

DESCRIPTION: Authorizes the governing authority of Coweta County to establish water, sanitation, sewerage, and fire protection districts and to levy taxes and issue bonds for the construction and maintenance of such services.

COMMENTS: Article IX, Section II, Paragraph III authorizes cities and counties to provide these services and Article IX, Section IV, Paragraphs I and II authorize the exercise of the power of taxation and the expenditure of public funds for such services. The amendment does provide that taxes levied in support of such services shall not exceed five mills.

STATUS: Continued, Ga. L. 1985, p. 4175.

- (2) Ga. L. 1966, p. 1101.

DESCRIPTION: Creates the Coweta County Development Authority.

STATUS: Continued, Ga. L. 1985, p. 4173.

- (3) CITE: Ga. L. 1968, p. 1452.

DESCRIPTION: Merges the independent school system of the City of Newnan with Coweta County and provides for an elected board of education and an appointed school superintendent.

COMMENTS: The amendment contains a portion of the current school board law for Coweta County and provides that the duties of the school superintendent shall be determined by the board in contrast to Article VIII, Section V, Paragraph III which provides that such duties be set by general law.

The amendment has been superseded in part by a local Act found at Ga. L. 1984, p. 3704, regarding the composition of the board, the election and term of office of board members, and the filling of vacancies.

STATUS: Continued, Ga. L. 1985, p. 4171.

- (4) CITE: Ga. L. 1975, p. 1692.

DESCRIPTION: Authorizes the board of education of Coweta County to incur debt to provide facilities for education purposes, which debt is in addition to the debt limitation of the Constitution.

COMMENTS: The debt authorized by this amendment is in addition to the debt limitation in Article IX, Section V, Paragraph I.

STATUS: Continued, Ga. L. 1985, p. 4177.

- (5) CITE: Ga. L. 1975, p. 1700.

DESCRIPTION: Authorizes the governing authority of Coweta County and the governing authority of each municipality within Coweta County to exempt from ad valorem taxation tangible personal property in transit to a destination outside of the state.

COMMENTS: The current general provisions of the Constitution and general law concerning the "freeport amendment" provide similar authority, but the authority afforded by general law is not as broad as the authority granted by the local amendment. For example, any exemption granted under the general provisions must be approved at a referendum; but no referendum is required in order to grant an exemption under the local amendment.

STATUS: Article VII, Section II, Paragraph IV continues in effect as statutory law those types of exemptions from ad valorem taxation provided for by law on June 30, 1983. While this provision would continue any exemption granted under the local amendment as of that date, the power of the governing authority thereafter to grant and revoke such exemptions

might be lost if the local amendment is not specifically continued. The amendment was not specifically continued.

GRANTVILLE

- (1) See Ga. L. 1975, p. 1700, under Coweta County for amendment affecting Grantville.

HARALSON

- (1) See Ga. L. 1975, p. 1700, under Coweta County for amendment affecting Haralson.

MORELAND

- (1) See Ga. L. 1975, p. 1700, under Coweta County for amendment affecting Moreland.

NEWNAN

- (1) CITE: Ga. L. 1927, p. 127; Ga. L. 1935, p. 1234; Ga. L. 1937, pp. 1132, 1137, 1139.

DESCRIPTION: Zoning and planning.

COMMENTS: The 1927 amendment to Art. III, Sec. VII, Para. XXV of the 1877 Constitution included Albany, Athens, Atlanta, Augusta, Brunswick, Columbus, Darien, Decatur, Dublin, East Thomaston, LaGrange, Macon, Newnan, Rome, Savannah, Thomaston, Valdosta, Waycross, and cities with a population of 25,000 or more according to the decennial census of 1920. The 1935 amendment added Moultrie. The first 1937 amendment added Carrolton, Cordele, Eastman, Forsyth, Fort Valley, McRae, and Milledgeville. The second 1937 amendment added Dalton. The third 1937 amendment added Quitman. Art. III, Sec. VII, Para. XXIII of the Constitution of 1945 (the revised counterpart of old Para. XXV) contained a direct grant of authority to the General Assembly to grant authority to cities and counties to pass zoning and planning laws. Amendment 19 (which included among other things, Art. XV, Sec. II-A, Para. III) granted some zoning and planning power directly to counties and was held to have impliedly repealed Para. XXIII insofar as it applied to unincorporated areas. Art. IX, Sec. IV, Para. II(15) conferred zoning and planning power in cities and counties.

STATUS: Not continued. Repealed, Article XI, Section I, Paragraph IV.

- (2) CITE: Ga. L. 1972, p. 1410; Ga. L. 1974, p. 1700; Ga. L. 1978, p. 2347.

DESCRIPTION: Authorizes the combination of the water, sewerage, and electric systems under the Board of Water, Sewerage and Light Commission and authorizes the issuance of revenue bonds without an election.

COMMENTS: While Code Section 36-82-61(4), authorizes the issuance of revenue bonds for the purposes set out in this local amendment, it requires an election prior to the issuance

of the bonds. No general law would specifically cover the administrative aspects of the local amendment.

STATUS: Continued, Ga. L. 1985, pp. 4258, 4260, and Ga. L. 1987, p. 3608.

- (3) See Ga. L. 1968, p. 1452, under Coweta County for amendment affecting Newnan.
- (4) See Ga. L. 1975, p. 1700, under Coweta County for amendment affecting Newnan.

SENOIA

- (1) See Ga. L. 1975, p. 1700, under Coweta County for amendment affecting Senoia.

SHARPSBURG

- (1) See Ga. L. 1975, p. 1700, under Coweta County for amendment affecting Sharpsburg.

TURIN

- (1) See Ga. L. 1975, p. 1700, under Coweta County for amendment affecting Turin.

CRISP COUNTY

- (1) Ga. L. 1925, p. 72.

DESCRIPTION: Creates the Crisp County Power Commission and authorizes Crisp County to provide hydroelectric power and to issue revenue bonds, upon approval in a referendum, for the purpose of funding such power facilities.

This amendment authorizes Crisp County, upon approval in a referendum, to issue revenue bonds for the purpose of acquiring and operating hydroelectric plants. At the time the amendment was ratified, it was necessary in order to authorize the county to provide hydroelectric power and to authorize the issuance of revenue bonds in excess of the general debt limitations of the Constitution. Chapter 82 of Title 36 authorizes counties to issue revenue bonds for the purpose of providing electric power and the other provisions of the amendment are now properly the subject of local law or are authorized by the Constitution or general law. However, this amendment constitutes the authority for much of what is currently being done in Crisp County.

STATUS: Continued, Ga. L. 1985, p. 3812.

(2) CITE: Ga. L. 1956, p. 111.

DESCRIPTION: Authorizes the merger of Crisp County and City of Cordele school systems and provides for an elected board of education and an appointed school superintendent for the merged system. The amendment authorizes Cordele and Crisp County to appropriate money from their general funds to the merged board of education.

COMMENTS: Ga. L. 1957, p. 2066, as amended by Ga. L. 1967, p. 2691 effectively supersedes this amendment with the exception of the special appropriation provision.

STATUS: Not continued. Repealed by Article XI, Section I, Paragraph IV.

(3) CITE: Ga. L. 1961, p. 606.

DESCRIPTION: Authorizes Crisp County to issue revenue bonds to fund the purchase, etc., of facilities for use by industry or commercial enterprise.

COMMENTS: An amendment which was identical to this one (Ga. L. 1960, p. 1400, relating to Telfair County) was declared to be in violation of the due process and equal protection clauses of the Fourteenth Amendment to the U.S. Constitution in the case of *Smith v. State of Georgia*, 222 Ga. 552 (1966). In view of this and the 1968 amendment creating the Crisp County-Cordele Industrial Development Authority, it appears that this local amendment is obsolete.

STATUS: Not continued. Repealed by Article XI, Section I, Paragraph IV.

(4) CITE: Ga. L. 1968, p. 1757; Ga. L. 1982, p. 2570.

DESCRIPTION: Creates the Crisp County-Cordele Industrial Development Authority.

STATUS: Continued, Ga. L. 1987, p. 3548.

(5) CITE: Ga. L. 1975, p. 1693.

DESCRIPTION: Authorizes Crisp County to issue revenue bonds, without an election, to construct, operate, etc., electric generation, transmission, and distribution systems.

COMMENTS: Such bonds are authorized by Code Section 36-82-61(4)(C)(iv), but such statute requires that an election be held and the bonds be approved by the voters.

STATUS: Continued, Ga. L. 1986, p. 381.

(6) CITE: Ga. L. 1979, p. 1801.

DESCRIPTION: Relates to jurisdiction, practice, and procedures in justice of the peace courts.

COMMENTS: The 1983 Georgia Constitution abolishes all justice of the peace courts and establishes a system of magistrate courts. Chapter 10 of Title 15 governs all magistrate courts and sets uniform jurisdiction, practice, and procedures for these courts. This amendment no longer has any applicability to an existing court.

STATUS: Not continued. Repealed by Article XI, Section I, Paragraph IV.

(7) CITE: Ga. L. 1982, p. 2564.

DESCRIPTION: Grants an additional \$2,000.00 homestead exemption from all county school district ad valorem taxes to residents 65 years of age or older.

STATUS: Article VII, Section II, Paragraph IV continues in effect as statutory law those types of exemptions from ad valorem taxation provided for by law on June 30, 1983.

CORDELE

(1) CITE: Ga. L. 1927, p. 127; Ga. L. 1935, p. 1234; Ga. L. 1937, pp. 1132, 1137, 1139.

DESCRIPTION: Zoning and planning.

COMMENTS: The 1927 amendment to Art. III, Sec. VII, Para. XXV of the 1877 Constitution included Albany, Athens, Atlanta, Augusta, Brunswick, Columbus, Darien, Decatur, Dublin, East Thomaston, LaGrange, Macon, Newnan, Rome, Savannah, Thomaston, Valdosta, Waycross, and cities with a population of 25,000 or more according to the decennial census of 1920. The 1935 amendment added Moultrie. The first 1937 amendment added Carrolton, Cordele, Eastman, Forsyth, Fort Valley, McRae, and Milledgeville. The second 1937 amendment added Dalton. The third 1937 amendment added Quitman. Art. III, Sec. VII, Para. XXIII of the Constitution of 1945 (the revised counterpart of old Para. XXV) contained a direct grant of authority to the General Assembly to grant authority to cities and counties to pass zoning and planning laws. Amendment 19 (which included among other things, Art. XV, Sec. II-A, Para. III) granted some zoning and planning power directly to counties and was held to have impliedly repealed Para. XXIII insofar as it applied to unincorporated areas. Art. IX, Sec. IV, Para. II(15) conferred zoning and planning power in cities and counties.

STATUS: Not continued. Repealed, Article XI, Section I, Paragraph IV.

- (2) CITE: Ga. L. 1941, p. 58.

DESCRIPTION: Authorizes the city to issue bonds to refund and retire bonds which were outstanding and past due on April 1, 1941, and which became due by October 1, 1942.

COMMENTS: This amendment constitutes a one-time authority to issue refunding bonds for a specific series of bonds in default on April 1, 1941, and which became due by October 1, 1942. The authority so granted has expired and has no current applicability.

STATUS: Not continued. Repealed by Article XI, Section I, Paragraph IV.

- (3) CITE: Ga. L. 1961, p. 609.

DESCRIPTION: Authorizes the City of Cordele to issue revenue bonds to fund the purchase, etc., of facilities for use by industry or commercial enterprise.

An amendment which was identical to this one (Ga. L. 1960, p. 1400, relating to Telfair County) was declared to be in violation of the due process and equal protection clauses of the Fourteenth Amendment to the U.S. Constitution in the case of *Smith v. State of Georgia*, 222 Ga. 552 (1966). In view of this and the 1968 amendment creating the Crisp County-Cordele Industrial Development Authority, it appears that this local amendment is obsolete.

STATUS: Not continued. Repealed by Article XI, Section I, Paragraph IV.

- (4) CITE: Ga. L. 1966, p. 750.

DESCRIPTION: Authorizes the City of Cordele to incur bonded indebtedness for the purpose of paving and repairing streets and sidewalks and relocating and repairing utilities and drainage facilities. Assessments are used to pay off the obligations and such indebtedness does not require approval of the voters.

COMMENTS: This amendment authorizes the City of Cordele to incur bonded indebtedness without the necessity of a referendum and for specific purposes, not all of which are covered by general law.

STATUS: Not continued. Repealed by Article XI, Section I, Paragraph IV.

- (5) CITE: Ga. L. 1968, p. 1715.

DESCRIPTION: Creates the Cordele Office Building Authority for the purpose of providing buildings and facilities for use by the City of Cordele and other political subdivisions. Authorizes the authority to finance such buildings and facilities by issuance of revenue bonds to be repaid from rentals received by the authority from the city.

COMMENTS: Generally the type of buildings and facilities which the authority is authorized to provide may be financed only by the issuance of general obligation debt which must be approved by the voters.

STATUS: Continued, Ga. L. 1987, p. 4532.

(6) See Ga. L. 1956, p. 111, under Crisp County for amendment affecting Cordele.

(7) See Ga. L. 1968, p. 1757, under Crisp County for amendment affecting Cordele.

DADE COUNTY

(1) Ga. L. 1941, p. 65.

DESCRIPTION: Authorizes the county to issue bonds to refund and retire bonds which were outstanding and past due on January 1, 1940, and which became due by January 1, 1945.

COMMENTS: This amendment constitutes a one-time authority to issue refunding bonds for a specific series of bonds in default on January 1, 1940, and which became due by January 1, 1945. The authority so granted has expired and has no current applicability.

STATUS: Not continued. Repealed by Article XI, Section I, Paragraph IV.

(2) Ga. L. 1960, p. 1374.

DESCRIPTION: Authorizes Dade County to issue revenue bonds to fund the purchase, etc., of facilities for use by industry or commercial enterprise.

COMMENTS: An amendment which was identical to this one (Ga. L. 1960, p. 1400, relating to Telfair County) was declared to be in violation of the due process and equal protection clauses of the Fourteenth Amendment to the U.S. Constitution in the case of *Smith v. State of Georgia*, 222 Ga. 552 (1966). In view of this and the 1967 amendment establishing the Dade County Industrial Development Authority, it appears that this local amendment is obsolete.

STATUS: Not continued. Repealed by Article XI, Section I, Paragraph IV.

(3) CITE: Ga. L. 1967, p. 907.

DESCRIPTION: Creates the Dade County Industrial Development Authority.

STATUS: Continued, home rule ordinance, Ga. L. 1980, p. 5062.

DAWSON COUNTY

- (1) Ga. L. 1962, p. 1143.

DESCRIPTION: Creates the Dawson County Industrial Building Authority.

STATUS: Continued, Ga. L. 1985, p. 4117.

DECATUR COUNTY

- (1) CITE: Ga. L. 1960, p. 1368.

DESCRIPTION: Authorizes Decatur County to issue revenue bonds to fund the purchase, etc., of facilities for use by industry or commercial enterprise.

COMMENTS: An amendment which was identical to this one (Ga. L. 1960, p. 1400, relating to Telfair County) was declared to be in violation of the due process and equal protection clauses of the Fourteenth Amendment to the U.S. Constitution in the case of *Smith v. State of Georgia*, 222 Ga. 552 (1966). In view of this and the 1968 amendment establishing the Decatur County-Bainbridge Industrial Development Authority, it appears that this local amendment is obsolete.

STATUS: Not continued. Repealed by Article XI, Section I, Paragraph IV.

- (2) CITE: Ga. L. 1968, p. 1780.

DESCRIPTION: Creates the Decatur County-Bainbridge Industrial Development Authority.

STATUS: Continued, Ga. L. 1985, p. 3930.

BAINBRIDGE

- (1) CITE: Ga. L. 1979, p. 1806.

DESCRIPTION: Authorizes the General Assembly to create the Downtown Bainbridge Development Authority.

STATUS: Continued, Ga. L. 1985, p. 3930.

- (2) See Ga. L. 1968, p. 1780, under Decatur County for amendment affecting Bainbridge.

DEKALB COUNTY

- (1) Ga. L. 1937, p. 20.

DESCRIPTION: Authorizes the governing authority of DeKalb County to establish fire prevention, sanitation, and water districts and to levy taxes and assessments not exceeding five mills upon property within such districts.

COMMENTS: Article IX, Section II, Paragraph III authorizes cities, and counties to provide the special services enumerated by the amendment. Article IX, Section II, Paragraph VI authorizes the creation of special districts and the levy of taxes and assessments upon property within such districts. The amendment limits the taxing authority of the county governing authority to five mills.

STATUS: Not continued. Repealed by Article XI, Section I, Paragraph IV.

- (2) CITE: Ga. L. 1939, p. 3.

DESCRIPTION: Temporary loans.

STATUS: Continued, Ga. L. 1987, p. 4118.

- (3) CITE: Ga. L. 1939, p. 79.

DESCRIPTION: Provides for a local salary supplement for judges of the superior court.

COMMENTS: Local salary supplements are a matter now addressed by local law. This amendment is obsolete and has been superseded by Ga. L. 1974, p. 391, as amended by Ga. L. 1983, p. 775.

STATUS: Not continued. Repealed by Article XI, Section I, Paragraph IV.

- (4) CITE: Ga. L. 1941, p. 69.

DESCRIPTION: Authorizes the governing authority of DeKalb County to establish sewerage, water, and fire protection systems and to establish and administer parks and hospitals and levy taxes in support of such services.

COMMENTS: Cities and counties are authorized under Article IX, Section II, Paragraph III to provide these services and may levy taxes in support of such services under Article IX, Section IV, Paragraph II.

STATUS: Not continued. Repealed by Article XI, Section I, Paragraph IV.

(5) CITE: Ga. L. 1943, p. 18.

DESCRIPTION: Joint contracts and taxation with City of Atlanta and Fulton County.

STATUS: Continued, Ga. L. 1986, p. 4783.

(6) CITE: Ga. L. 1943, p. 20; Ga. L. 1977, p. 1606.

DESCRIPTION: The 1943 amendment provided that upon the request of the board of education of DeKalb County the county should levy, in addition to all other taxes, a school ad valorem tax not to exceed one mill. This additional ad valorem tax was to be levied both within the DeKalb County school district and within any independent school district within DeKalb County. The 1977 amendment provided that the additional school tax should not be levied within any independent school district.

COMMENTS: The effect of the 1943 amendment, as amended by the 1977 amendment, appears to be simply to allow the DeKalb County school district the levy of one mill more of ad valorem tax than would otherwise be allowed by the mill rate limitation in effect in the school district.

STATUS: Continued, Ga. L. 1985, p. 4080.

(7) Ga. L. 1947, p. 1753; Ga. L. 1962, p. 998.

DESCRIPTION: Authorizes the General Assembly to establish election districts and provide for the election of members of the board of education and the selection of the county school superintendent without the necessity of a referendum.

COMMENTS: Former Article VIII, Section V, Paragraph IV(a), now repealed and reserved, provided that the composition of school boards, the term of office, and the method of selecting board members and school superintendents may be changed by local law conditioned upon approval by the voters in a referendum. Former Article VIII, Section V, Paragraph IV(b) permitted school systems which were authorized on June 30, 1983, to make such changes listed in subparagraph (a) without a referendum to continue to do so.

STATUS: Continued, Ga. L. 1985, p. 4078.

(8) CITE: Ga. L. 1947, p. 1755.

DESCRIPTION: Streets, sidewalks, and curbing construction and maintenance.

STATUS: Not continued. Repealed by Article XI, Section I, Paragraph IV.

(9) CITE: Ga. L. 1947, p. 1759.

DESCRIPTION: Stadiums and grandstands, revenue participation authorized.

STATUS: Continued, Ga. L. 1986, p. 4786.

(10) CITE: Ga. L. 1949, p. 2121.

DESCRIPTION: Authorizes the General Assembly to grant the governing authority of DeKalb County the power to assess the cost of streets, sidewalks, and curbing against the owners of abutting property in unincorporated areas of the county. Consent of 51 percent of such owners is required.

COMMENTS: Article IX, Section II, Paragraph VI currently authorizes county governments to establish special services districts for the provision of local government services and facilities therefor and authorizes the levy within such special districts of taxes, fees, and assessments for such purposes. While this general provision of the Constitution does not require consent of the affected property owners, it may have eliminated the need for this local constitutional amendment.

STATUS: Continued, Ga. L. 1985, p. 3728.

(11) CITE: Ga. L. 1949, p. 2137.

DESCRIPTION: Authorizes the General Assembly to enact laws creating civil service and merit system for employees and deputies and employees of county officers of DeKalb County and establish tenure and Civil Service Commission.

COMMENTS: Article IX, Section I, Paragraph IV authorizes the General Assembly by general law to authorize the establishment by county governing authorities of civil service systems covering both county employees and employees of county officers.

STATUS: Continued, Ga. L. 1985, p. 3771.

(12) Ga. L. 1958, p. 485.

DESCRIPTION: Authorizes the board of commissioners to establish storm sewer and light districts and levy taxes therefor.

COMMENTS: Counties and municipalities are now authorized to provide these services under Article IX, Section II, Paragraph III, and public funds may be expended therefor under Article IX, Section IV, Paragraph II. Special districts for government services and special taxes within those districts are now authorized by Article IX, Section II, Paragraph VI.

STATUS: Not continued. Repealed by Article XI, Section I, Paragraph IV.

(13) CITE: Ga. L. 1958, p. 582, as amended by Ga. L. 1962, p. 1133.

DESCRIPTION: Authorizes the General Assembly to authorize DeKalb County to enact certain ordinances and regulations and authorizes the General Assembly to create a recorder's court.

COMMENTS: Article IX, Section II, Paragraph I and Code Section 36-1-20 authorize counties to adopt ordinances and regulations, and Article IX, Section IV, Paragraph I authorizes counties to regulate businesses. In view of these provisions, this local amendment may not be necessary. However, the provisions of the Constitution and general law may be more restrictive as to the subject matter of these local ordinances and resolutions, as to the penalties which may be imposed for violations of these ordinances and resolutions, and as to the territorial applicability of these ordinances and resolutions. In addition, this amendment constitutes the authority for the creation of the recorder's court.

STATUS: Continued, Ga. L. 1985, p. 4279.

(14) CITE: Ga. L. 1960, p. 1410.

DESCRIPTION: Authorizes the county to levy a tax not exceeding one-fourth mill for promoting and encouraging location of industries in county, including advertising expenses therefor.

COMMENTS: There is neither a general constitutional provision nor general law which would authorize taxation for these purposes. A local law so authorizing would require a determination as to whether these purposes are public services or public functions for which public funds may be expended pursuant to Article IX, Section IV, Paragraph II.

STATUS: Not continued. Repealed by Article XI, Section I, Paragraph IV.

(15) CITE: Ga. L. 1962, p. 982.

DESCRIPTION: Authorizes the board of education of DeKalb County to incur bonded indebtedness to establish, operate, and administer a junior college. Said debt is in addition to the general debt limitation in the Constitution which at the time this amendment was ratified was 7 percent of the assessed value of taxable property.

COMMENTS: Since the general debt limitation in Article IX, Section V, Paragraph I was changed after the passage of this amendment, it is unclear as to the exact amount of additional indebtedness which may be incurred by the board of education pursuant to this amendment. This amendment also authorizes the board of education to perform functions which are not covered by other provisions of this Constitution or general law.

STATUS: Continued, Ga. L. 1986, p. 4333.

(16) CITE: Ga. L. 1962, p. 1133.

DESCRIPTION: Licensing and taxation of business authorized.

STATUS: Continued, Ga. L. 1985, p. 4279.

(17) CITE: Ga. L. 1964, p. 990.

DESCRIPTION: General Assembly may grant to county the power to levy tax to pay administrative costs and other costs of constructing sewer lines from owners of abutting undeveloped property along any public road in county and may pay the same to the person constructing the lines.

COMMENTS: Use of taxing power to pay directly private parties for work done is not an authorized use of county's taxing power under Code Section 48-5-220 since this appears to use county as bill collector for private parties.

STATUS: Not continued. Repealed by Article XI, Section I, Paragraph IV.

(18) CITE: Ga. L. 1964, p. 1008.

DESCRIPTION: Authorizes the creation of MARTA and grants all powers of the authority.

STATUS: This amendment is continued in force by Article XI, Section I, Paragraph IV(d).

(19) CITE: Ga. L. 1966, p. 828.

DESCRIPTION: Authorizes the board of commissioners of DeKalb County to provide systems of garbage disposal in the county, exclusive of any incorporated municipality not wholly lying in DeKalb County. Authorizes the board to establish sanitation districts and to levy assessments or service charges for services rendered in such sanitation districts.

COMMENTS: The import of this local constitutional amendment appears to be to allow DeKalb County to provide garbage disposal services in all parts of the county, including within municipal corporations other than the City of Atlanta, and to provide special services districts for such services and financing thereof. The power to provide garbage disposal services and the power to establish special services districts are granted by current general provisions of the Constitution. Article IX, Section II, Paragraph III(2) and Article IX, Section II, Paragraph VI(c). Under these general provisions, however, a county is not authorized to provide garbage disposal services within the boundaries of a municipality except by contract with the municipality involved, unless otherwise provided by law. Article IX, Section II, Paragraph III(b)(1).

See also a local amendment at Ga. L. 1975, p. 1695, authorizing garbage and solid waste contracts and a local amendment at Ga. L. 1976, p. 1798, creating the DeKalb County Solid Waste Disposal Authority.

STATUS: Continued, Ga. L. 1985, p. 3712.

(20) CITE: Ga. L. 1972, p. 1490.

DESCRIPTION: Authorizes the levy and collection of a tax on liquor and the allocation of one-half of the net revenues to the DeKalb County board of education and the Decatur board of education.

COMMENTS: The amendment authorizes a special levy for educational purposes in the DeKalb County school system and the City of Decatur in addition to the ad valorem property tax authorized under Article VIII, Section VI.

STATUS: Continued, Ga. L. 1985, p. 3730.

(21) CITE: Ga. L. 1974, p. 1669.

DESCRIPTION: Grants a \$10,000.00 homestead exemption from DeKalb County School District ad valorem taxes to each resident of the school district who is age 62 or over and has specified income not exceeding \$6,000.00 per annum.

COMMENTS: A later constitutional amendment set out at Ga. L. 1982, p. 2659, grants a total homestead exemption from DeKalb County School District taxes to each resident of the school district who is 62 years of age or over and has an adjusted gross income of \$8,000.00 or less per year.

STATUS: Article VII, Section II, Paragraph IV continues in effect as statutory law those exemptions from ad valorem taxation provided for by law on June 30, 1983.

(22) CITE: Ga. L. 1974, p. 1720.

DESCRIPTION: Authorizes the General Assembly to enact a broad range of local laws affecting justice of the peace courts in DeKalb County.

COMMENTS: The 1983 Georgia Constitution abolishes all justice of the peace courts and establishes a system of magistrate courts. Chapter 10 of Title 15 governs all magistrate courts and sets uniform jurisdiction, practice, and procedures for these courts. Since this amendment relates to courts which no longer exist, it is obsolete.

STATUS: Not continued. Repealed by Article XI, Section I, Paragraph IV.

(23) CITE: Ga. L. 1975, p. 1695.

DESCRIPTION: Authorizes DeKalb County to contract with private firms on a long-term basis relative to garbage and solid waste collection and disposal.

STATUS: Continued, Ga. L. 1986, p. 5047.

(24) CITE: Ga. L. 1976, p. 1798.

DESCRIPTION: Creates the DeKalb County Solid Waste Disposal Authority.

STATUS: Not continued. Repealed by Article XI, Section I, Paragraph IV.

(25) CITE: Ga. L. 1976, p. 1825.

DESCRIPTION: Authorizes the board of commissioners to pay claims of \$200.00 or less for damages to personal property caused by employees of the county acting within the scope of their employment.

COMMENTS: Although the General Assembly is empowered to waive the sovereign immunity of a county by Article IX, Section II, Paragraph IX, Code Section 36-1-4 declares a county to be liable in only those causes of action in which a statute makes a county liable.

STATUS: Continued, Ga. L. 1985, p. 5006.

(26) CITE: Ga. L. 1976, p. 1882.

DESCRIPTION: Provides for the filling of a vacancy in the office of justice of the peace.

COMMENTS: The 1983 Georgia Constitution abolishes all justice of the peace courts and establishes a system of magistrate courts. Chapter 10 of Title 15 governs all magistrate courts and sets uniform jurisdiction, practice, and procedures for these courts. Since this amendment relates to courts which no longer exist, it is obsolete.

STATUS: Not continued. Repealed by Article XI, Section I, Paragraph IV.

(27) CITE: Ga. L. 1978, p. 2370.

DESCRIPTION: Authorizes the General Assembly to provide for the form of government in DeKalb County and to establish the officers, departments, and agencies through which the county's governmental powers shall be exercised and requires the effectiveness of any law enacted pursuant to the amendment to be conditioned upon the approval of a majority of the voters voting in a referendum if such law affects the structure of DeKalb County government in certain ways.

COMMENTS: The amendment constitutes the legal foundation for the current governmental organization of DeKalb County.

STATUS: Continued, Ga. L. 1987, p. 2370.

(28) CITE: Ga. L. 1978, p. 2378.

DESCRIPTION: Authorizes the county governing authority to exempt up to 40 percent of fair market value of real property improvements from ad valorem taxes levied by the county and the county school system.

COMMENTS: Article VII, Section II, Paragraph IV continues in effect as statutory law those types of exemptions from ad valorem taxation provided for by law on June 30, 1983. It is not clear, however, that this constitutional provision would continue the discretionary power of the county governing authority to implement and terminate this exemption.

STATUS: Continued, Ga. L. 1987, p. 3792.

(29) CITE: Ga. L. 1978, p. 2380.

DESCRIPTION: Relates to jurisdiction, practice, and procedures in justice of the peace courts.

COMMENTS: The 1983 Georgia Constitution abolishes all justice of the peace courts and establishes a system of magistrate courts. Chapter 10 of Title 15 governs all magistrate courts and sets uniform jurisdiction, practice, and procedures for these courts. Since this amendment no longer has any applicability to an existing court, it is obsolete.

STATUS: Not continued. Repealed by Article XI, Section I, Paragraph IV.

(30) CITE: Ga. L. 1978, p. 2389.

DESCRIPTION: Provides full value homestead exemption from county school district ad valorem taxes for persons 62 years of age or over or who are disabled, if specified income does not exceed \$8,000.00.

STATUS: This amendment was stricken from the Constitution and replaced by a later amendment found at Ga. L. 1982, p. 2659.

(31) CITE: Ga. L. 1978, p. 2468.

DESCRIPTION: Provides for certain requirements relative to taxation by DeKalb County within DeKalb municipalities.

STATUS: Continued, Ga. L. 1986, p. 4615.

(32) CITE: Ga. L. 1978, p. 2474.

DESCRIPTION: Provides a formula which limits the ad valorem tax millage rates which may be fixed by the governing authority of DeKalb County and the board of education of DeKalb County. This limitation is in addition to the millage limitation applicable to all county school systems. This formula basically limits total ad valorem tax revenue growth to 4 percent per year unless public hearings are held on the fixing of a higher millage.

COMMENTS: In the absence of this local constitutional amendment it would not be possible to fix any such millage limitation by local action or by local legislation.

STATUS: Not continued. Repealed by Article XI, Section I, Paragraph IV.

(33) CITE: Ga. L. 1978, p. 2519.

DESCRIPTION: Provides incrementally increasing homestead exemption from county and county school district ad valorem taxes to residents.

STATUS: This amendment was stricken from the Constitution and replaced by a later amendment found at Ga. L. 1982, p. 2657.

(34) CITE: Ga. L. 1978, p. 2524.

DESCRIPTION: Authorizes the enactment of local law providing for the recall and removal of members of the DeKalb County board of education notwithstanding the existence of general law.

COMMENTS: No local law providing for the recall procedures for members of the DeKalb County board of education has been enacted.

STATUS: Not continued. Repealed by Article XI, Section I, Paragraph IV.

(35) CITE: Ga. L. 1980, p. 2106.

DESCRIPTION: Authorizes the General Assembly to abolish the office of coroner and create the office of medical examiner in DeKalb County.

COMMENTS: Under general law the offices of coroner and medical examiner are two separate and distinct offices. This amendment abolishes the office of coroner and provides that the medical examiner shall perform the duties of coroner and medical examiner.

STATUS: Continued, Ga. L. 1985, p. 3800.

(36) CITE: Ga. L. 1980, p. 2125.

DESCRIPTION: Grants jurisdiction to the Recorder's Court of DeKalb County to try and dispose of offenses against any county ordinance controlling animals, including offenses which occur in that portion of the corporate limits of the City of Atlanta lying in DeKalb County.

COMMENTS: Article VI does not specifically continue recorder's courts.

STATUS: Continued, Ga. L. 1985, p. 4277.

(37) CITE: Ga. L. 1982, p. 2573.

DESCRIPTION: Authorizes the General Assembly to enact a broad range of local laws affecting justice of the peace courts but provides that certain parallel legislation affecting the recorder's court must also be enacted.

COMMENTS: The 1983 Georgia Constitution abolishes all justice of the peace courts and establishes a system of magistrate courts. Chapter 10 of Title 15 governs all magistrate courts and sets uniform jurisdiction, practice, and procedures for these courts. Since justice of the peace courts no longer exist, those provisions dealing with those courts are obsolete. It also appears that the required parallel legislation affecting the recorder's court may be enacted under existing authority.

STATUS: Not continued. Repealed by Article XI, Section I, Paragraph IV.

(38) CITE: Ga. L. 1982, p. 2657.

DESCRIPTION: Grants a \$10,000.00 homestead exemption to each resident of DeKalb County.

COMMENTS: Article VII, Section II, Paragraph IV continues in effect as statutory law those types of exemptions from ad valorem taxation provided for by law on June 30, 1983.

STATUS: Repealed, Ga. L. 1992, p. 6624.

(39) CITE: Ga. L. 1982, p. 2659.

DESCRIPTION: Grants a \$20,000.00 homestead exemption from county school district ad valorem taxes to each resident of the county school district 62 years of age or over or disabled and who does not have specified income exceeding \$8,000.00 per year.

STATUS: Article VII, Section II, Paragraph IV continues in effect as statutory law those types of exemptions from ad valorem taxation provided for by law on June 30, 1983.

- (40) See Ga. L. 1939, p. 83, under Fulton County for amendment affecting DeKalb County.
- (41) See Ga. L. 1943, p. 18, under Atlanta for amendment affecting DeKalb County.
- (42) See Ga. L. 1947, p. 1759, under Fulton County for amendment affecting DeKalb County.
- (43) See Ga. L. 1964, p. 1008, under Fulton County for amendment affecting DeKalb County.

AVONDALE ESTATES

- (1) See Ga. L. 1966, p. 828, under DeKalb County for amendment affecting Avondale Estates.
- (2) See Ga. L. 1978, p. 2468, under DeKalb County for amendment affecting Avondale Estates.

CHAMBLEE

- (1) CITE: Ga. L. 1982, p. 2542.

DESCRIPTION: Grants a \$20,000.00 homestead exemption from city ad valorem taxes to residents under age 65, and grants a full homestead exemption to residents 65 years of age or older or totally disabled.

STATUS: Article VII, Section II, Paragraph IV continues in effect as statutory law those types of exemptions from ad valorem taxation provided for by law on June 30, 1983.

- (2) See Ga. L. 1966, p. 828, under DeKalb County for amendment affecting Chamblee.
- (3) See Ga. L. 1978, p. 2468, under DeKalb County for amendment affecting Chamblee.

CLARKSTON

- (1) See Ga. L. 1966, p. 828, under DeKalb County for amendment affecting Clarkston.
- (2) See Ga. L. 1978, p. 2468, under DeKalb County for amendment affecting Clarkston.

DECATUR

- (1) CITE: Ga. L. 1927, p. 127; Ga. L. 1935, p. 1234; Ga. L. 1937, pp. 1132, 1137, 1139.

DESCRIPTION: Zoning and planning.

COMMENTS: The 1927 amendment to Art. III, Sec. VII, Para. XXV of the 1877 Constitution included Albany, Athens, Atlanta, Augusta, Brunswick, Columbus, Darien, Decatur, Dublin, East Thomaston, LaGrange, Macon, Newnan, Rome, Savannah, Thomaston, Valdosta, Waycross, and cities with a population of 25,000 or more according to the decennial

census of 1920. The 1935 amendment added Moultrie. The first 1937 amendment added Carrolton, Cordele, Eastman, Forsyth, Fort Valley, McRae, and Milledgeville. The second 1937 amendment added Dalton. The third 1937 amendment added Quitman. Art. III, Sec. VII, Para. XXIII of the Constitution of 1945 (the revised counterpart of old Para. XXV) contained a direct grant of authority to the General Assembly to grant authority to cities and counties to pass zoning and planning laws. Amendment 19 (which included among other things, Art. XV, Sec. II-A, Para. III) granted some zoning and planning power directly to counties and was held to have impliedly repealed Para. XXIII insofar as it applied to unincorporated areas. Art. IX, Sec. IV, Para. II(15) conferred zoning and planning power in cities and counties.

STATUS: Not continued. Repealed, Article XI, Section I, Paragraph IV.

- (2) CITE: Ga. L. 1968, p. 1515.

DESCRIPTION: Authorizes the City of Decatur to issue revenue bonds for the construction of off-street parking facilities.

COMMENTS: Article IX, Section II, Paragraph III(a)(11) and Article IX, Section VI, Paragraph I and Code Section 36-82-61(4)(G) appear to grant the city the powers authorized by this local amendment.

STATUS: Continued, Ga. L. 1987, p. 3790.

- (3) CITE: Ga. L. 1971, p. 940.

DESCRIPTION: Grants a \$2,000.00 homestead exemption from all City of Decatur ad valorem taxes to residents of the City of Decatur who are age 65 or over who do not have specified income exceeding \$4,000.00 per year.

COMMENTS: While this amendment appears to apply to taxes levied on behalf of the Decatur school district, it may not have been so interpreted.

STATUS: Article VII, Section II, Paragraph IV continues in effect as statutory law those types of exemptions from ad valorem taxation provided for by law on June 30, 1983.

- (4) CITE: Ga. L. 1980, p. 2196.

DESCRIPTION: Allows the city governing authority to authorize tax deferral to residents 65 years of age or older covering any ad valorem tax increase amounts after 1980 or the year when the resident reaches 65, whichever is later.

COMMENTS: This amendment allows ad valorem tax deferral by a municipality, which is not found in general law. Counties are allowed to do so by Code Sections 48-5-70 to 48-5-84.

STATUS: Not continued. Repealed by Article XI, Section I, Paragraph IV.

- (5) CITE: Ga. L. 1981, p. 1914.

DESCRIPTION: Grants a homestead exemption from city ad valorem taxes (but not city school taxes) to residents in an amount of at least \$2,000.00. The exemption may be increased by the city governing authority under a specific formula.

COMMENTS: Article VII, Section II, Paragraph IV continues in effect as statutory law those types of exemptions from ad valorem taxation provided for by law on June 30, 1983. It is not clear, however, that this constitutional provision would continue the discretionary power of the city governing authority to increase the amount of the homestead exemption.

STATUS: The amendment was not specifically continued.

- (6) See Ga. L. 1966, p. 828, under DeKalb County for amendment affecting Decatur.
(7) See Ga. L. 1972, p. 1490, under DeKalb County for amendment affecting Decatur.
(8) See Ga. L. 1978, p. 2468, under DeKalb County for amendment affecting Decatur.

DORAVILLE

- (1) CITE: Ga. L. 1980, p. 2102.

DESCRIPTION: Authorizes city governing authority to grant up to \$20,000.00 homestead exemption from city ad valorem taxes to city residents' homesteads.

STATUS: This amendment was stricken from the Constitution and replaced by a later amendment found at Ga. L. 1982, p. 2610.

- (2) CITE: Ga. L. 1982, p. 2610.

DESCRIPTION: Provides that the mayor and council of the City of Doraville may grant a homestead exemption of up to \$50,000.00 to each resident of the city.

COMMENTS: Article VII, Section II, Paragraph IV continues in effect as statutory law those types of exemptions from ad valorem taxation provided for by law on June 30, 1983. It is not clear, however, that this general provision of the Constitution would continue the authority of the municipal governing authority to grant and fix the amount of the homestead exemption.

STATUS: The amendment was not specifically continued.

- (3) See Ga. L. 1966, p. 828, under DeKalb County for amendment affecting Doraville.

- (4) See Ga. L. 1978, p. 2468, under DeKalb County for amendment affecting Doraville.

LITHONIA

- (1) CITE: Ga. L. 1978, p. 2375.

DESCRIPTION: Provides a \$2,000.00 homestead exemption from city ad valorem taxes for all residents and an additional \$2,000.00 homestead exemption for residents who are 65 years of age or older or who are totally disabled if specified income is not more than \$4,000.00.

STATUS: Article VII, Section II, Paragraph IV continues in effect as statutory law those types of exemptions from ad valorem taxation provided for by law on June 30, 1983.

- (2) See Ga. L. 1966, p. 828, under DeKalb County for amendment affecting Lithonia.
(3) See Ga. L. 1978, p. 2468, under DeKalb County for amendment affecting Lithonia.

PINE LAKE

- (1) CITE: Ga. L. 1982, p. 2590.

DESCRIPTION: Provides that the mayor and council of the City Of Pine Lake may grant a homestead exemption of up to \$4,000.00 to each resident of the city.

COMMENTS: Article VII, Section II, Paragraph IV continues in effect as statutory law those types of exemptions from ad valorem taxation provided for by law on June 30, 1983. It is not clear, however, that this general constitutional provision would continue the authority of the municipal governing authority to grant and fix the amount of the homestead exemption.

STATUS: The amendment was not specifically continued.

- (2) See Ga. L. 1966, p. 828, under DeKalb County for amendment affecting Pine Lake.
(3) See Ga. L. 1978, p. 2468, under DeKalb County for amendment affecting Pine Lake.

STONE MOUNTAIN

- (1) CITE: Ga. L. 1941, p. 166.

DESCRIPTION: Authorizes the City of Stone Mountain to issue bonds to refund and retire bonds which were outstanding and past due on January 1, 1950.

COMMENTS: This amendment constitutes a one-time authority to issue refunding bonds for a specific series of bonds in default on January 1, 1950. The authority so granted has expired and has no current applicability.

STATUS: Not continued. Repealed by Article XI, Section I, Paragraph IV.

- (2) See Ga. L. 1966, p. 828, under DeKalb County for amendment affecting Stone Mountain.
- (3) See Ga. L. 1978, p. 2468, under DeKalb County for amendment affecting Stone Mountain.

DODGE COUNTY

- (1) CITE: Ga. L. 1941, p. 70.

DESCRIPTION: Authorizes the county to issue bonds to retire all indebtedness of the county as it existed on January 1, 1942, and requires the county thereafter to operate on a cash basis and prohibits the county from issuing delayed warrants and payment orders.

COMMENTS: The provision relating to issuing bonds to retire indebtedness was a one-time authority and has no current applicability. The provision requiring the county to operate on a cash basis is probably not necessary because Article IX, Section V places limitations on the manner in which counties may incur debt through the issuance of bonds and by making temporary loans. The practice of issuing delayed warrants and payment orders beyond the fiscal year is not contemplated or authorized.

STATUS: Not continued. Repealed by Article XI, Section I, Paragraph IV.

- (2) CITE: Ga. L. 1968, p. 1693.

DESCRIPTION: Creates the Dodge County-Eastman Development Authority.

STATUS: Continued, Ga. L. 1986, p. 4534.

- (3) CITE: Ga. L. 1976, p. 1787.

DESCRIPTION: Authorizes the governing authority of the county or any municipal corporation in the county to exempt from ad valorem taxation tangible personal property in transit to a destination outside of the state.

COMMENTS: The current general provisions of the Constitution and general law concerning the "freeport exemption" provide similar authority, but the authority afforded by general law is not as broad as the authority granted by the local amendment. For example, any exemption granted under the general provisions must be approved at a referendum; but no referendum is required in order to grant an exemption under the local amendment.

STATUS: Article VII, Section II, Paragraph IV continues in effect those types of exemptions from ad valorem taxation provided for by law on June 30, 1983. While this

provision would continue any exemption granted under the local amendment as of that date, the power of the affected governing authorities to grant such exemptions thereafter might be lost if the local amendment is not continued. The amendment was not specifically continued. It is not clear whether this amendment was intended to apply to, or has been interpreted as applying to, Dodge County school district taxes.

CHAUNCEY

- (1) See Ga. L. 1976, p. 1787, under Dodge County for amendment affecting Chauncey.

CHESTER

- (1) See Ga. L. 1976, p. 1787, under Dodge County for amendment affecting Chester.

EASTMAN

- (1) CITE: Ga. L. 1927, p. 127; Ga. L. 1935, p. 1234; Ga. L. 1937, pp. 1132, 1137, 1139.

DESCRIPTION: Zoning and planning.

COMMENTS: The 1927 amendment to Art. III, Sec. VII, Para. XXV of the 1877 Constitution included Albany, Athens, Atlanta, Augusta, Brunswick, Columbus, Darien, Decatur, Dublin, East Thomaston, LaGrange, Macon, Newnan, Rome, Savannah, Thomaston, Valdosta, Waycross, and cities with a population of 25,000 or more according to the decennial census of 1920. The 1935 amendment added Moultrie. The first 1937 amendment added Carrolton, Cordele, Eastman, Forsyth, Fort Valley, McRae, and Milledgeville. The second 1937 amendment added Dalton. The third 1937 amendment added Quitman. Art. III, Sec. VII, Para. XXIII of the Constitution of 1945 (the revised counterpart of old Para. XXV) contained a direct grant of authority to the General Assembly to grant authority to cities and counties to pass zoning and planning laws. Amendment 19 (which included among other things, Art. XV, Sec. II-A, Para. III) granted some zoning and planning power directly to counties and was held to have impliedly repealed Para. XXIII insofar as it applied to unincorporated areas. Art. IX, Sec. IV, Para. II(15) conferred zoning and planning power in cities and counties.

STATUS: Not continued. Repealed, Article XI, Section I, Paragraph IV.

- (2) CITE: Ga. L. 1937-38, Ex. Sess., p. 24.

DESCRIPTION: Authorizes the city to issue bonds to refund and retire bonds which were outstanding up to December 31, 1956.

COMMENTS: This amendment Constitutes a one-time authority to issue refunding bonds for a specific series of bonds up to December 31, 1956. The authority so granted has expired and has no current applicability.

STATUS: Not continued. Repealed by Article XI, Section I, Paragraph IV.

(3) See Ga. L. 1968, p. 1693, under Dodge County for amendment affecting Eastman.

(4) See Ga. L. 1976, p. 1787, under Dodge County for amendment affecting Eastman.

PLAINFIELD

(1) See Ga. L. 1976, p. 1787, under Dodge County for amendment affecting Plainfield.

RHINE

(1) See Ga. L. 1976, p. 1787, under Dodge County for amendment affecting Rhine.

DOOLY COUNTY

(1) CITE: Ga. L. 1962, p. 803.

DESCRIPTION: Authorizes Dooly County to issue revenue bonds to fund the purchase, etc., of facilities for use by industry or commercial enterprise.

COMMENTS: An amendment which was identical to this one (Ga. L. 1960, p. 1400, relating to Telfair County) was declared to be in violation of the due process and equal protection clauses of the Fourteenth Amendment to the United States Constitution in the case of *Smith v. State of Georgia*, 222 Ga. 552 (1966). In view of this and the 1968 amendment to the Constitution establishing the Dooly County Industrial Development Authority (Ga. L. 1968, p. 1768), this amendment appears to be obsolete.

STATUS: Not continued. Repealed by Article XI, Section I, Paragraph IV.

(2) CITE: Ga. L. 1968, p. 1768.

DESCRIPTION: Creates the Dooly County Industrial Development Authority.

STATUS: Continued, Ga. L 1987, p. 3514.

(3) CITE: Ga. L. 1979, p. 1796.

DESCRIPTION: Relates to jurisdiction, practice, and procedures in justice of the peace courts.

COMMENTS: The 1983 Georgia Constitution abolishes all justice of the peace courts and establishes a system of magistrate courts. Chapter 10 of Title 15 governs all magistrate courts

and sets uniform jurisdiction, practice, and procedures for these courts. This amendment no longer has any applicability to an existing court.

STATUS: Not continued. Repealed by Article XI, Section I, Paragraph IV.

UNADIILLA

(1) CITE: Ga. L. 1941, p. 174.

DESCRIPTION: Authorizes the City of Unadilla to issue bonds to refund and retire bonds which were outstanding up to January 1, 1944.

COMMENTS: This amendment constitutes a one-time authority, to issue refunding bonds for a specific series of bonds up to January 1, 1944. The authority so granted has expired and has no current applicability.

STATUS: Not continued. Repealed by Article XI, Section I, Paragraph IV.

DOUGHERTY COUNTY

(1) CITE: Ga. L. 1950, p. 465.

DESCRIPTION: Provides detailed law and authority to the General Assembly relative to the merger of the City of Albany and Dougherty County.

COMMENTS: This amendment provides varied authority and limitations relative to the enactment of local statutes pertaining to the Dougherty County school systems.

STATUS: Continued, Ga. L. 1987, p. 3831.

(2) CITE: Ga. L. 1955, p. 675.

DESCRIPTION: Authorizes the governing authority of Dougherty County to establish fire protection districts within the unincorporated area of the county and provides for the levy of taxes with such districts for such purposes. Authorizes the governing authority to contract with municipal corporations for the furnishing of fire protection services to such districts.

COMMENTS: Counties and municipalities are now authorized to provide these services under Article IX, Section II, Paragraph III, and public funds may be expended therefor under Article IX, Section IV, Paragraph II. Special districts for government services and special taxes within those districts are now authorized by Article IX, Section II, Paragraph VI. Article IX, Section III, Paragraph I currently authorizes counties and municipal corporations to enter into contracts for fire protection services and other governmental services. See also a local

amendment on the same subject at Ga. L. 1962, p. 1122, which may have been intended to supersede this amendment.

STATUS: Not continued. Repealed by Article XI, Section I, Paragraph IV.

(3) CITE: Ga. L. 1956, p. 119.

DESCRIPTION: Authorizes the issuance of building permits and the adoption of building codes.

COMMENTS: Under Article IX, Section II, Paragraph III(12), and the provisions of Chapter 13 of Title 36, counties have the powers provided by this amendment.

STATUS: Not continued. Repealed by Article XI, Section I, Paragraph IV.

(4) CITE: Ga. L. 1956, p. 139.

DESCRIPTION: Authorizes the governing authority of Dougherty County to provide for construction and maintenance of streets, sidewalks, and curbing in the urban areas of the county outside the corporate limits of any municipality in the county and to assess abutting property owners for the cost thereof.

COMMENTS: Cities and counties are authorized under Article IX, Section II, Paragraph III to provide these services and may levy taxes in support of such services under Article IX, Section IV, Paragraphs I and II.

STATUS: Not continued. Repealed by Article XI, Section I, Paragraph IV.

(5) CITE: Ga. L. 1956, pp. 424, 467.

DESCRIPTION: Authorizes the governing authority of Dougherty County to issue revenue anticipation certificates or general obligation bonds for the purpose of constructing and maintaining a sewer system in said county. This debt is in addition to the debt limitation of the Constitution which at the time this amendment was ratified was 7 percent of the assessed value of taxable property.

COMMENTS: The present Constitution limits general obligation debt to 10 percent of the assessed value of taxable property. It is unclear whether this amendment authorizes general obligation debt in excess of the limitation which existed at the time the amendment was ratified or whether it authorizes general obligation debt in excess of the present constitutional limitation.

STATUS: Continued, Ga. L. 1987, pp. 3839, 3841.

(6) CITE: Ga. L. 1958, p. 444.

DESCRIPTION: Creates the Albany Dougherty Payroll Development Authority.

STATUS: Continued, Ga. L. 1985, p. 3904.

(7) CITE: Ga. L. 1960, p. 1392.

DESCRIPTION: Authorizes the board of commissioners to regulate and assess license taxes on businesses in unincorporated areas of county, except those subject to Public Service Commission regulation, with violation of such regulations constituting a misdemeanor. The General Assembly is authorized to modify or limit these powers.

COMMENTS: Article IX, Section IV, Paragraph I(a) authorizes local laws granting to counties the power to levy and collect license taxes only in the unincorporated area of the county. Article IX, Section II, Paragraph I provides for general home rule powers which are likely broad enough to authorize counties to enforce licensing ordinances, and Code Section 36-1-20 authorizes counties to enforce ordinances which could include licensing ordinances by imposing a maximum punishment not to exceed a fine of \$500.00 or imprisonment for 60 days, or both, for such ordinance violations with such violations triable in the magistrate's court.

STATUS: Not continued. Repealed by Article XI, Section I, Paragraph IV.

(8) CITE: Ga. L. 1962, p. 1122.

DESCRIPTION: Authorizes the governing authority of Dougherty County to establish fire protection districts in the unincorporated areas of the county and to levy taxes therein.

COMMENTS: Counties and municipalities are now authorized to provide these services under Article IX, Section II, Paragraph III, and public funds may be expended therefor under Article IX, Section IV, Paragraph II. Article IX, Section II, Paragraph VI currently authorizes counties to establish special services districts for the provision of governmental services and authorizes the levy of taxes, fees, and assessments within such districts for such purposes. The local constitutional amendment contains several provisions not found in the current general constitutional provision. For example, under the local amendment special district taxes do not apply to livestock, under the local amendment homestead exemptions do not apply to special district taxes, and under the local amendment there is a petition and referendum procedure for the discontinuation of fire protection services.

STATUS: Not continued. Repealed by Article XI, Section I, Paragraph IV.

(9) CITE: Ga. L. 1970, p. 1126.

DESCRIPTION: Authorizes the General Assembly to create a board of registrars of Dougherty County or a joint board of registrars for Dougherty County and the City of Albany.

COMMENTS: The amendment provides for an exception to former Code Section 21-2-211 (now Code Section 21-2-212) establishing a board of registrars in each county.

STATUS: Not continued. Repealed by Article XI, Section I, Paragraph IV.

(10) CITE: Ga. L. 1970, p. 1127.

DESCRIPTION: Establishes a board of elections in Dougherty County and provides for its powers and duties.

COMMENTS: Code Section 21-2-40 currently permits the creation of a board of elections in any county by local Act. This board was abolished by Ga. L. 1986, p. 3831.

STATUS: Not continued. Repealed by Article XI, Section I, Paragraph IV.

(11) CITE: Ga. L. 1974, p. 1654.

DESCRIPTION: Abolishes the office of tax commissioner as of December 31, 1976, and authorizes the governing authority of Dougherty County by resolution to combine the board of tax assessors, office of tax commissioner, and any other offices and functions respecting the return and assessment of property for taxation.

COMMENTS: The amendment grants unique powers to the governing authority of Dougherty County.

STATUS: Continued, Ga. L. 1987, p. 3835.

(12) CITE: Ga. L. 1974, p. 1770.

DESCRIPTION: Authorizes the governing authority of Dougherty County to regulate and exercise police powers over the collection of garbage in the unincorporated area of the county. Authorizes the county governing authority to issue exclusive franchises for garbage collection and to collect franchise fees therefor.

COMMENTS: Code Section 36-1-20 now authorizes all county governing authorities to exercise police powers over their unincorporated areas; and this provision appears to make the local constitutional amendment's grant of police powers unnecessary.

STATUS: Continued, Ga. L. 1987, p. 3833.

ALBANY

- (1) CITE: Ga. L. 1927, p. 127; Ga. L. 1935, p. 1234; Ga. L. 1937, pp. 1132, 1137, 1139.

DESCRIPTION: Zoning and planning.

COMMENTS: The 1927 amendment to Art. III, Sec. VII, Para. XXV of the 1877 Constitution included Albany, Athens, Atlanta, Augusta, Brunswick, Columbus, Darien, Decatur, Dublin, East Thomaston, LaGrange, Macon, Newnan, Rome, Savannah, Thomaston, Valdosta, Waycross, and cities with a population of 25,000 or more according to the decennial census of 1920. The 1935 amendment added Moultrie. The first 1937 amendment added Carrolton, Cordele, Eastman, Forsyth, Fort Valley, McRae, and Milledgeville. The second 1937 amendment added Dalton. The third 1937 amendment added Quitman. Art. III, Sec. VII, Para. XXIII of the Constitution of 1945 (the revised counterpart of old Para. XXV) contained a direct grant of authority to the General Assembly to grant authority to cities and counties to pass zoning and planning laws. Amendment 19 (which included among other things, Art. XV, Sec. II-A, Para. III) granted some zoning and planning power directly to counties and was held to have impliedly repealed Para. XXIII insofar as it applied to unincorporated areas. Art. IX, Sec. IV, Para. II(15) conferred zoning and planning power in cities and counties.

STATUS: Not continued. Repealed, Article XI, Section I, Paragraph IV.

- (2) CITE: Ga. L. 1937, p. 7.

DESCRIPTION: Authorizes the city to incur limited bonded indebtedness for waterworks purposes. This debt is in addition to the debt limitation of the Constitution which, at the time this amendment was ratified, was 7 percent of the assessed value of taxable property.

COMMENTS: The present Constitution limits general obligation debt to 10 percent of the assessed value of taxable property. It is unclear whether this amendment authorizes general obligation debt in excess of the limitation which existed at the time the amendment was ratified or whether it authorizes general obligation debt in excess of the present constitutional limitation.

STATUS: Continued, Ga. L. 1987, p. 3837.

- (3) CITE: Ga. L. 1956, pp. 424, 467.

DESCRIPTION: Authorizes the City of Albany to incur limited bonded indebtedness for the construction and operation of sanitary and storm sewers. This debt is in addition to the debt limitation of the Constitution which at the time this amendment was ratified was 7 percent of the assessed value of taxable property.

COMMENTS: The present Constitution limits general obligation debt to 10 percent of the assessed value of taxable property. It is unclear whether this amendment authorizes general

obligation debt in excess of the limitation which existed at the time the amendment was ratified or whether it authorizes general obligation debt in excess of the present constitutional limitation.

STATUS: Continued, Ga. L. 1987, pp. 3839, 3841.

- (4) See Ga. L. 1950, p. 465, under Dougherty County for amendment affecting Albany.
- (5) See Ga. L. 1958, p. 444, under Dougherty County for amendment affecting Albany.
- (6) See Ga. L. 1970, p. 1126, under Dougherty County for amendment affecting Albany.

DOUGLAS COUNTY

- (1) CITE: Ga. L. 1955, p. 463.

DESCRIPTION: Provides for the board of education of Douglas County to be elected and provides for eligibility and compensation of board members.

COMMENTS: The provisions of the amendment which relate to the structure of education districts have been superseded by a local Act found at Ga. L. 1982, p. 4786. However, the provisions which address eligibility and compensation of board members have not been superseded and are exceptions to the compensation and eligibility provisions of Code Sections 20-2-51 and 20-2-55.

STATUS: Continued, Ga. L. 1987, p. 3645.

- (2) CITE: Ga. L. 1958, p. 598.

DESCRIPTION: Changes debt limitation incurred by Douglas County from 7 percent of assessed value of property to 10 percent of assessed value of property.

COMMENTS: Article IX, Section V, Paragraph I provides for a debt limitation not to exceed 10 percent of the assessed value of all taxable property within such county, the same as the local amendment.

STATUS: Continued, Ga. L. 1987, p. 3655.

- (3) CITE: Ga. L. 1962, p. 969.

DESCRIPTION: Authorizes the governing authority of Douglas county to levy and collect business and occupational license fees and to adopt ordinances and provides that violations of such ordinances shall constitute a misdemeanor.

COMMENTS: Article IX, Section IV, Paragraph I(a) authorizes local laws granting to counties the power to levy and collect license taxes only in the unincorporated area of the county. Article IX, Section II, Paragraph I provides for general home rule powers which are likely broad enough to authorize counties to enforce licensing ordinances, and Code Section 36-1-20 authorizes counties to enforce ordinances which could include licensing ordinances by imposing a maximum punishment not to exceed a fine of \$500.00 or imprisonment for 60 days, or both, for such ordinance violations with such violations triable in the magistrate's court.

STATUS: Continued, Ga. L. 1987, p. 3647.

(4) CITE: Ga. L. 1967, p. 916.

DESCRIPTION: Authorizes the creation of a civil service and retirement system for all Douglas County officers and employees.

COMMENTS: Article IX, Section I, Paragraph IV provides that the General Assembly may by general law authorize the establishment by county governing authorities of civil service systems covering county employees or covering county employees and employees of the elected county officers.

STATUS: Continued, Ga. L. 1987, p. 3649.

(5) CITE: Ga. L. 1968, p. 1791.

DESCRIPTION: Authorizes the governing authority of Douglas County to create districts for the purpose of providing water, sewer, and fire services and to tax and incur limited bonded indebtedness for such purposes, which debt is in addition to the general debt limitation of the Constitution which at the time this amendment was ratified was 7 percent of the assessed value of taxable property.

COMMENTS: Article IX, Section II, Paragraphs III and VI authorize counties to establish special districts and to levy taxes in such districts for services furnished. Since the general debt limitation in Article IX, Section V, Paragraph I was changed after the passage of this amendment, it is unclear as to the exact amount of additional indebtedness which may be incurred by the county pursuant to this amendment. However, this amendment does authorize the county to incur a greater amount of bonded indebtedness than is permitted under the general provisions of the Constitution.

STATUS: Continued, Ga. L. 1987, p. 3651.

- (6) CITE: Ga. L. 1974, p. 1781.

DESCRIPTION: Creates the Douglasville-Douglas County Stadium Authority and authorizes the authority to issue revenue bonds for the construction and operation of a stadium facility and provides for the tax exempt status of such bonds and of the authority.

STATUS: Continued, Ga. L. 1987, p. 3643.

- (7) CITE: Ga. L. 1975, p. 1677.

DESCRIPTION: Provides a method for recalling the clerk of the superior court, judge of the probate court, coroner, sheriff, tax commissioner, or any member of the county board of education.

COMMENTS: Article II, Section II, Paragraph IV authorizes the General Assembly by general law to provide for the recall of elected public officers. Chapter 4 of Title 21 establishes the procedure for recalling all elected public officers.

STATUS: Continued, Ga. L. 1987, p. 3653.

- (8) CITE: Ga. L. 1979, p. 1808.

DESCRIPTION: Provides a homestead exemption from county school district ad valorem taxes in the amount of 50 percent of value for residents 65 years of age or over, regardless of income, and in the amount of the full value for residents 70 years of age or over.

STATUS: Article VII, Section II, Paragraph IV continues in effect as statutory law those types of exemptions from ad valorem taxation provided for by law on June 30, 1983.

DOUGLASVILLE

- (1) CITE: Ga. L. 1978, p. 2320.

DESCRIPTION: Grants a \$4,000.00 homestead exemption from ad valorem taxation to each resident of the city who is 65 years of age or over and has specified income not exceeding \$6,000.00 per year.

STATUS: Article VII, Section II, Paragraph IV continues in effect as statutory law those types of exemptions from ad valorem taxation provided for by law on June 30, 1983.

- (2) See Ga. L. 1974, p. 1781, under Douglas County for amendment affecting Douglasville.

EARLY COUNTY

- (1) CITE: Ga. L. 1960, p. 1341.

DESCRIPTION: Authorizes Early County to issue revenue bonds to fund the purchase, etc., of facilities for use by industry or commercial enterprise.

COMMENTS: An amendment which was identical to this one (Ga. L. 1960, p. 1400, relating to Telfair County) was declared to be in violation of the due process and equal protection clauses of the Fourteenth Amendment to the U.S. Constitution in the case of Smith v. State of Georgia, 222 Ga. 552 (1966).

STATUS: Not continued. Repealed, Article XI, Section I, Paragraph IV.

- (2) CITE: Ga. L. 1962, p. 808.

DESCRIPTION: Provides an exemption from county, school, and municipal ad valorem taxes for five years for new manufacturing and processing plants and equipment established in the county by natural and artificial residents of the state.

STATUS: Article VII, Section II, Paragraph IV continues in effect as statutory law those types of exemptions from ad valorem taxation provided for by law on June 30, 1983.

- (3) CITE: Ga. L. 1968, p. 1608.

DESCRIPTION: Creates the Early County Industrial Development Authority.

STATUS: Continued, Ga. L. 1986, p. 4618.

BLAKELY

- (1) See Ga. L. 1962, p. 808, under Early County for amendment affecting Blakely.
(2) See Ga. L. 1968, p. 1608, under Early County for amendment affecting Blakely.

DAMASCUS

- (1) See Ga. L. 1962, p. 808, under Early County for amendment affecting Damascus.

HILTON

- (1) See Ga. L. 1962, p. 808, under Early County for amendment affecting Hilton.

JAKIN

- (1) See Ga. L. 1962, p. 808, under Early County for amendment affecting Jakin.

ECHOLS COUNTY

- (1) CITE: Ga. L. 1962, p. 793; Ga. L. 1965, p. 750.

DESCRIPTION: Creates the Echols County Board of Education and provides for the appointment of the members of the board by the grand jury from militia districts.

COMMENTS: A local Act found at Ga. L. 1968, p. 3514, provides for an elected board of education for Echols County and defines the education districts from which members are elected. The provisions of both of the constitutional amendments have been superseded entirely by the local Act.

STATUS: Not continued. Repealed, Article XI, Section I, Paragraph IV.

- (2) CITE: Ga. L. 1965, p. 710.

DESCRIPTION: Creates the Echols County Development Authority.

STATUS: Continued, Ga. L. 1987, p. 3827.

- (3) CITE: Ga. L. 1976, p. 1821.

DESCRIPTION: Takes the judge of the probate court off the fee system of compensation and establishes the judge's salary, makes the judge of the County Court of Echols County, authorizes certain salary increases, and provides for other matters relative to the probate court.

COMMENTS: The salary of the probate judge may be set by local law or pursuant to Code Section 15-9-63. The county court has become a magistrate's court under Article VI of the Constitution and Chapter 10 of Title 15 sets forth procedures for designating the probate judge as a magistrate court judge and for setting the judge's compensation as such.

STATUS: Continued, Ga. L. 1987, p. 3829.

EFFINGHAM COUNTY

- (1) CITE: Ga. L. 1941, p. 75.

DESCRIPTION: Authorizes the county to issue bonds to refund and retire debts which were outstanding and past due on November 1, 1941.

COMMENTS: This amendment constitutes a one-time authority to issue refunding bonds for a specific debt in default on November 1, 1941. The authority so granted has expired and has no current applicability.

STATUS: Not continued. Repealed, Article XI, Section I, Paragraph IV.

- (2) CITE: Ga. L. 1952, p. 613.

DESCRIPTION: Directs the board of education of Effingham County to divide the Effingham County school district into "local schoolhouse districts" and authorizes the board to incur bonded indebtedness on behalf of any particular "local schoolhouse district."

COMMENTS: The amendment contains unique authority regarding the issuance and repayment of bonds on behalf of any particular education district.

STATUS: Not continued. Repealed, Article XI, Section I, Paragraph IV.

- (3) CITE: Ga. L. 1955, p. 405.

DESCRIPTION: Provides an elected board of education of Effingham County.

COMMENTS: All of the provisions of the amendment regarding the election of the board of education of Effingham County, except the residency requirement and general qualifications of members of the board, have been superseded by a local Act found at Ga. L. 1982, p. 3542. If retention of these provisions is desired, the amendment should be continued unless the local Act is amended prior to July 1, 1987.

STATUS: Not continued. Repealed, Article XI, Section I, Paragraph IV.

- (4) CITE: Ga. L. 1968, p. 1733.

DESCRIPTION: Creates the Effingham County Industrial Development Authority.

STATUS: Continued, Ga. L. 1986, p. 3886.

- (5) CITE: Ga. L. 1972, p. 1474.

DESCRIPTION: Authorizes the governing authority of Effingham County to engage in business licensing and to levy business license fees and taxes in the unincorporated area of the county.

COMMENTS: Article IX, Section IV, Paragraph I(a) authorizes local laws granting to counties the power to levy and collect license taxes only in the unincorporated area of the county. Article IX, Section II, Paragraph I provides for general home rule powers which are likely broad enough to authorize counties to enforce licensing ordinances, and Code Section 36-1-20 authorizes counties to enforce ordinances which could include licensing ordinances by imposing a maximum punishment not to exceed a fine of \$500.00 or imprisonment for 60 days, or both, for such ordinance violations with such violations triable in the magistrate's court.

STATUS: Not continued. Repealed, Article XI, Section I, Paragraph IV.

- (6) CITE: Ga. L. 1982, p. 2634.

DESCRIPTION: Grants an additional \$2,000.00 homestead exemption from all county school district ad valorem taxes to those residents 65 years of age or older.

STATUS: Article VII, Section II, Paragraph IV continues in effect as statutory law those types of exemptions from ad valorem taxation provided for by law on June 30, 1983.

GUYTON

- (1) See Ga. L. 1968, p. 1733, under Effingham County for amendment affecting Guyton.

RINCON

- (1) See Ga. L. 1968, p. 1733, under Effingham County for amendment affecting Rincon.

SPRINGFIELD

- (1) See Ga. L. 1968, p. 1733, under Effingham County for amendment affecting Springfield.

ELBERT COUNTY

- (1) CITE: Ga. L. 1962, p. 965.

DESCRIPTION: Repeals an earlier constitutional amendment found at Ga. L. 1958, p. 717, and provides for an elected board of education for Elbert County.

COMMENTS: The amendment was superseded by Ga. L. 1986, p. 3578, as amended.

STATUS: Not continued. Repealed by Article XI, Section I, Paragraph IV.

(2) CITE: Ga. L. 1968, p. 1600.

DESCRIPTION: Creates the Elbert County Industrial Development Authority.

STATUS: Not continued. Repealed by Article XI, Section I, Paragraph IV.

ELBERTON

(1) CITE: Ga. L. 1929, p. 125.

DESCRIPTION: Authorizes the city to incur \$200,000.00 in general obligation debt for an electrical system without regard to the general obligation debt limitation of the Constitution.

COMMENTS: Article 3 of Chapter 82 of Title 36 currently authorizes municipalities to issue revenue bonds for electrical generating and distribution systems.

STATUS: Not continued. Repealed by Article XI, Section I, Paragraph IV.

EMANUEL COUNTY

(1) CITE: Ga. L. 1941, p. 13.

DESCRIPTION: Authorizes the Adrian (1st) consolidated school district of Emanuel, Johnson, and Treutlen counties to issue bonds to refund and retire bonds which were outstanding and past due on January 1, 1941, and which became due by January 1, 1942.

COMMENTS: This amendment constitutes a one-time authority to issue refunding bonds for a specific series of bonds in default on January 1, 1941, and which became due by January 1, 1942. The authority so granted has expired and has no current applicability.

STATUS: Not continued. Repealed by Article XI, Section I, Paragraph IV.

(2) CITE: Ga. L. 1962, p. 758.

DESCRIPTION: Creates the Emanuel County Development Authority.

STATUS: Continued, Ga. L. 1986, p. 4741.

SWAINSBORO

- (1) CITE: Ga. L. 1937, p. 34.

DESCRIPTION: Authorizes the city to issue bonds and notes to refund and retire bonds and debts outstanding on January 1, 1937, and May 1, 1938, which are past due and authorizes the city to incur debt by making temporary loans.

COMMENTS: The provisions relating to issuing refunding bonds constitute a one-time authority to issue refunding bonds for a specific series of bonds in default on January 1, 1937, and May 1, 1938. This authority has expired and has no current applicability. The provisions relating to temporary loans is obsolete because Article IX, Section V, Paragraph V authorizes counties to incur debt by making temporary loans.

STATUS: Not continued. Repealed by Article XI, Section I, Paragraph IV.

EVANS COUNTY

- (1) CITE: Ga. L. 1914, p. 33; Ga. L. 1919, p. 116.

DESCRIPTION: Creates Evans County and describes the boundary thereof.

COMMENTS: Following the adoption of the 1877 Constitution, 16 counties were created by local constitutional amendment. Each amendment provided a metes and bounds description of the county boundary and designated the county site.

STATUS: Article IX, Section I, Paragraph II(b) grandfathers in force and effect the boundary description of each of the 159 counties, as well as the county site, that existed as of June 30, 1983, and provides further that subsequent changes may be accomplished only under the operation of a general law.

- (2) CITE: Ga. L. 1941, p. 39.

DESCRIPTION: Authorizes the Claxton school district of Evans County to issue bonds to refund and retire bonds which were outstanding and past due on January 1, 1941, and which became due by July 1, 1941.

COMMENTS: This amendment constitutes a one-time authority to issue refunding bonds for a specific series of bonds in default on January 1, 1941, and which became due by July 1, 1941. The authority so granted has expired and has no current applicability.

STATUS: Not continued. Repealed by Article XI, Section I, Paragraph IV.

(3) CITE: Ga. L. 1941, p. 78.

DESCRIPTION: Authorizes the county to issue bonds to retire all indebtedness of the county as it existed on January 1, 1942, and requires the county thereafter to operate on a cash basis and prohibits the county from issuing delayed warrants and payment orders.

COMMENTS: The provision relating to issuing bonds to retire indebtedness was a one-time authority and has no current applicability. The provision requiring the county to operate on a cash basis is probably not necessary because Article IX, Section V places limitations on the manner in which counties may incur debt through the issuance of bonds and by making temporary loans. The practice of issuing delayed warrants and payment orders beyond the fiscal year is not contemplated or authorized.

STATUS: Not continued. Repealed by Article XI, Section I, Paragraph IV.

(4) CITE: Ga. L. 1968, p. 1556.

DESCRIPTION: Creates the Evans County Industrial Development Authority.

STATUS: Continued, Ga. L. 1985, p. 4232.

CLAXTON

(1) CITE: Ga. L. 1941, p. 41.

DESCRIPTION: Authorizes the city to issue bonds to refund and retire bonds which were outstanding and past due on July 1, 1941, and which became due by January 1, 1943.

COMMENTS: This amendment constitutes a one-time authority to issue refunding bonds for a specific series of bonds in default on July 1, 1941, and which became due by January 1, 1943. The authority so granted has expired and has no current applicability.

STATUS: Not continued. Repealed by Article XI, Section I, Paragraph IV.

FANNIN COUNTY

(1) CITE: Ga. L. 1937-38, Ex. Sess., p. 26.

DESCRIPTION: Authorizes Fannin County to incur limited debt by making temporary loans.

COMMENTS: Article IX, Section V, Paragraph V authorizes counties to incur debt by making temporary loans.

STATUS: Not continued. Repealed by Article XI, Section I, Paragraph IV.

- (2) CITE: Ga. L. 1952, p. 536; Ga. L. 1965, p. 762.

DESCRIPTION: Provides for an elected board of education of Fannin County and for an elected school superintendent.

STATUS: Not continued. Repealed by Article XI, Section I, Paragraph IV.

BLUE RIDGE

- (1) CITE: Ga. L. 1937-38, Ex. Sess., p. 15.

DESCRIPTION: Authorizes the city to incur limited bonded indebtedness without regard to the general obligation debt limitation of the Constitution for the purpose of retiring any debt which may exist against the city.

STATUS: Not continued. Repealed by Article XI, Section I, Paragraph IV.

FAYETTE COUNTY

- (1) CITE: Ga. L. 1962, p. 795; Ga. L. 1970, p. 979.

DESCRIPTION: Provides for an elected board of education of Fayette County.

COMMENTS: The amendment contains the current law relative to the board of education of Fayette County

STATUS: Continued, Ga. L. 1987, p. 3736.

- (2) CITE: Ga. L. 1962, p. 957.

DESCRIPTION: Creates the Fayette County Industrial Building Authority.

STATUS: Repealed, home rule ordinance, Ga. L. 1987, p. 5530.

- (3) CITE: Ga. L. 1968, p. 1517.

DESCRIPTION: Authorizes the governing authority of Fayette County to create districts for the purpose of providing water, sewer, and fire services, and to tax and incur limited bonded indebtedness for such purposes, which debt is in addition to the general debt limitation of the Constitution which at the time this amendment was ratified was 7 percent of the assessed value of taxable property.

COMMENTS: Article IX, Section II, Paragraphs III and IV authorize counties to establish special districts and to levy taxes in such districts for services furnished. Since the general debt limitation in Article IX, Section V, Paragraph I was changed after the passage of this amendment, it is unclear as to the exact amount of additional indebtedness which may be incurred by the county pursuant to this amendment. However, this amendment does authorize the county to incur a greater amount of bonded indebtedness than is permitted under the general provisions of the Constitution.

STATUS: Not continued. Repealed by Article XI, Section I, Paragraph IV.

(4) CITE: Ga. L. 1970, p. 1002.

DESCRIPTION: Authorizes the grand jury to recommend to the governing authority or the General Assembly salary increases for elected county officers.

COMMENTS: The amendment provides for additional duties of the grand jury in Fayette County than otherwise set by general law.

STATUS: Not continued. Repealed by Article XI, Section I, Paragraph IV.

(5) CITE: Ga. L. 1976, p. 1883.

DESCRIPTION: Authorizes the board of commissioners of Fayette County to engage in business licensing and to levy business license fees and taxes in the unincorporated area of the county.

COMMENTS: Article IX, Section IV, Paragraph I(a) authorizes local laws granting to counties the power to levy and collect license taxes only in the unincorporated area of the county. Article IX, Section II, Paragraph I provides for general home rule powers which are likely broad enough to authorize counties to enforce licensing ordinances, and Code Section 36-1-20 authorizes counties to enforce ordinances which could include licensing ordinances by imposing a maximum punishment not to exceed a fine of \$500.00 or imprisonment for 60 days, or both, for such ordinance violations with such violations triable in the magistrate's court.

STATUS: Not continued. Repealed by Article XI, Section I, Paragraph IV.

PEACHTREE CITY

(1) CITE: Ga. L. 1962, p. 1033.

DESCRIPTION: Creates the Peachtree City Industrial Building Authority.

STATUS: Not continued. Repealed by Article XI, Section I, Paragraph IV.

FLOYD COUNTY

- (1) CITE: Ga. L. 1937-38, Ex. Sess., p. 30.

DESCRIPTION: Authorizes Floyd County to levy an additional tax for high school purposes upon the approval of the voters of the county.

COMMENTS: Article VIII, Section VI authorizes boards of education to levy ad valorem taxes for school purposes generally not to exceed 20 mills and provides for the increase or removal of the 20 mill limit upon approval of the voters in a referendum. In light of the constitutional provisions, the additional tax for high school purposes contained in this amendment is of questionable utility.

STATUS: Not continued. Repealed by Article XI, Section I, Paragraph IV.

- (2) CITE: Ga. L. 1939, p. 83.

DESCRIPTION: Temporary loans.

STATUS: Continued, Ga. L. 1987, p. 4118.

- (3) CITE: Ga. L. 1945, p. 110.

DESCRIPTION: Water and sewerage systems.

STATUS: Not continued. Repealed by Article XI, Section I, Paragraph IV.

- (4) CITE: Ga. L. 1952, p. 605; Ga. L. 1968, p. 1798.

DESCRIPTION: Provides for an elected board of education of Floyd County and an appointed school superintendent.

COMMENTS: The amendment contains the current school board law for Floyd County. An Act to create a new board and repeal this board, Ga. L. 1987, p. 4994, failed and was not ratified.

STATUS: Continued, Ga. L. 1987, p. 3518.

- (5) CITE: Ga. L. 1956, p. 474.

DESCRIPTION: Repeals an earlier amendment found at Ga. L. 1945, p. 110, and authorizes the governing authority of Floyd County to establish and administer a system of street lights, sewerage, and water and to levy taxes for the support of such system.

COMMENTS: The authority provided for in this amendment is now granted under Article IX, Section II, Paragraph III, supplementary home rule powers, and Article IX, Section II, Paragraph VI, which authorizes the creation of special districts for local government services.

STATUS: Not continued. Repealed by Article XI, Section I, Paragraph IV.

(6) CITE: Ga. L. 1962, p. 1067.

DESCRIPTION: Creates the Rome-Floyd County Development Authority.

STATUS: Continued, Ga. L. 1985, p. 4877.

(7) CITE: Ga. L. 1964, p. 984.

DESCRIPTION: Authorizes the General Assembly to provide for consolidation of the Floyd County school system and independent school systems in Floyd County upon approval of a majority of the voters voting in a referendum.

COMMENTS: Article VIII, Section VI Paragraph I provides for consolidation of school systems by a local Act conditioned upon approval in a referendum. The amendment allows the board of education of the respective systems to be merged in accordance with a plan designed by the board if approved in a referendum. An Act creating a new board of education and repealing this amendment, Ga. L. 1987, p. 4994, failed and was not ratified.

STATUS: Not continued. Repealed by Article XI, Section I, Paragraph IV.

(8) CITE: Ga. L. 1964, p. 1063.

DESCRIPTION: Authorizes Floyd County, acting independently or jointly with any other local government having similar authority, to establish area schools beyond the twelfth grade. Authorizes any jurisdiction participating in the establishment of such a school to levy taxes for its support and to issue for its support bonded debt up to 3 percent of the assessed value of the taxable property within the jurisdiction, such bonded debt to be in addition to any other authorized indebtedness. Authorizes the General Assembly to enact local laws pursuant to, but not in conflict with, the terms of the constitutional amendment. The authority to incur debt for the purpose outlined in this amendment is not covered by other provisions of this Constitution or general law. This local constitutional amendment appears to be the basis for Ga. L. 1969, p. 3710, relating to the Coosa Valley Area Vocational Technical School System.

STATUS: Continued, Ga. L. 1987, p. 3516.

(9) CITE: Ga. L. 1966, p. 752.

DESCRIPTION: Authorizes the governing authority of Floyd County to create districts for the purpose of providing water, sewer, and fire services, and to tax and incur limited bonded

indebtedness for such purposes, which debt is in addition to the general debt limitation of the Constitution which at the time this amendment was ratified was 7 percent of the assessed value of taxable property.

COMMENTS: Article IX, Section II, Paragraphs III and IV authorize counties to establish special districts and to levy taxes in such districts for services furnished. Since the general debt limitation in Article IX, Section V, Paragraph I was changed after the passage of this amendment, it is unclear as to the exact amount of additional indebtedness which may be incurred by the county pursuant to this amendment. However, this amendment does authorize the county to incur a greater amount of bonded indebtedness than is permitted under the general provisions of the Constitution.

STATUS: Not continued. Repealed by Article XI, Section I, Paragraph IV.

(10) CITE: Ga. L. 1966, p. 906.

DESCRIPTION: Authorizes the governing authority of Floyd County to construct and improve streets, curbing, street lights, and sidewalks and to assess the abutting property owners for the cost of such services upon approval by a majority of such property owners.

COMMENTS: Cities and counties are authorized under Article IX, Section II, Paragraph III to provide these services and may levy taxes in support of such services under Article IX, Section IV, Paragraphs I and II.

STATUS: Not continued. Repealed by Article XI, Section I, Paragraph IV.

(11) CITE: Ga. L. 1967, p. 930.

DESCRIPTION: Authorizes the General Assembly to create a merit system of employment for all employees of Floyd County.

COMMENTS: Article IX, Section I, Paragraph IV authorizes the General Assembly by general law to authorize the establishment by county governing authorities of civil service systems covering both county employees and employees of county officers.

STATUS: Not continued. Repealed by Article XI, Section I, Paragraph IV.

(12) CITE: Ga. L. 1968, p. 1584.

DESCRIPTION: Authorizes the board of education of Floyd County to establish and participate in the cost of maintaining insurance, workmen's compensation, and hospital programs for the benefit of its employees.

COMMENTS: The purpose of the amendment is unclear, given the powers of local boards of education generally.

STATUS: Not continued. Repealed by Article XI, Section I, Paragraph IV.

(13) CITE: Ga. L. 1971, p. 968.

DESCRIPTION: Provides a method for recalling the clerk of the superior court, coroner, ordinary, sheriff, tax commissioner, or member of the county board of education.

COMMENTS: Article II, Section II, Paragraph IV authorizes the General Assembly by general law to provide for the recall of elected public officials. Chapter 4 of Title 21 establishes the procedure for recalling all elected public officers.

STATUS: Not continued. Repealed by Article XI, Section I, Paragraph IV.

(14) CITE: Ga. L. 1976, p. 1887.

DESCRIPTION: Authorizes the governing authority of Floyd County to include within any retirement system employees, except elected county officers, whose compensation or at least 50 percent thereof is paid by the county.

COMMENTS: Article IX, Section II, Paragraph III(a)(14) authorizes cities and counties to maintain and modify existing pension or retirement systems, and Article III, Section X, Paragraphs I and II authorize the expenditure of public funds for such purposes.

STATUS: Not continued. Repealed by Article XI, Section I, Paragraph IV.

(15) CITE: Ga. L. 1979, p. 1819.

DESCRIPTION: Provides a \$4,000.00 homestead exemption from county ad valorem taxes for residents who are 65 years of age or over and whose specified income does not exceed \$4,000.00, and provides that both spouses may claim their proportional share of the exemption even though only one spouse is 65 or over.

STATUS: Article VII, Section II, Paragraph IV continues in effect as statutory law those types of exemptions from ad valorem taxation provided for by law on June 30, 1983. The 1981 amendment to Code Section 48-5-40(3)(H) now authorizes any joint owner/occupant to claim full amount of exemption.

(16) CITE: Ga. L. 1979, p. 1822.

DESCRIPTION: Provides an additional homestead exemption from county school district ad valorem school taxes, in the same amount as provided by general law, for residents who are 62 years of age or over and whose specified income does not exceed \$8,000.00, and provides that both spouses may claim their proportional share of the exemption even though only one spouse is 62 or over.

STATUS: Article VII, Section II, Paragraph IV continues in effect as statutory law those types of exemptions from ad valorem taxation provided for by law on June 30, 1983. The 1981 amendment to Code Section 48-5-40(3)(H) now authorizes any joint owner/occupant to claim full amount of exemption.

(17) CITE: Ga. L. 1980, p. 2176.

DESCRIPTION: Relates to jurisdiction, practice, and procedures in justice of the peace courts.

COMMENTS: The 1983 Georgia Constitution abolishes all justice of the peace courts and establishes a system of magistrate courts. Chapter 10 of Title 15 governs all magistrate courts and sets uniform jurisdiction, practice, and procedures for these courts.

STATUS: Not continued. Repealed by Article XI, Section I, Paragraph IV.

(18) CITE: Ga. L. 1980, p. 2200.

DESCRIPTION: Authorizes a local law regarding election of the juvenile court judge.

COMMENTS: Code Section 15-11-3 provides that juvenile court judges are appointed, unless otherwise provided in a local Act or unless a different mode of selection was in place on July 1, 1983.

STATUS: Continued, Ga. L. 1987, p. 3520.

(19) CITE: Ga. L. 1980, p. 2202.

DESCRIPTION: Authorizes the General Assembly to stagger the terms of the board of commissioners of Floyd County, shorten the terms of any commissioners in office in 1981 without the necessity of a referendum, and provide for terms of less than four years.

COMMENTS: The purpose of this amendment appears to be to authorize the General Assembly by local Act to shorten the terms of office of any commissioners in office in 1981 without a referendum. Enabling legislation found at Ga. L. 1981, p. 3023 has been adopted to carry out the provisions of this amendment.

STATUS: Not continued. Repealed by Article XI, Section I, Paragraph IV.

(20) See Ga. L. 1910, p. 42, under Chatham County for amendment affecting Floyd County.

(21) See Ga. L. 1939, p. 83, under Fulton County for amendment affecting Floyd County.

ROME

- (1) CITE: Ga. L. 1927, p. 127; Ga. L. 1935, p. 1234; Ga. L. 1937, pp. 1132, 1137, 1139.

DESCRIPTION: Zoning and planning.

COMMENTS: The 1927 amendment to Art. III, Sec. VII, Para. XXV of the 1877 Constitution included Albany, Athens, Atlanta, Augusta, Brunswick, Columbus, Darien, Decatur, Dublin, East Thomaston, LaGrange, Macon, Newnan, Rome, Savannah, Thomaston, Valdosta, Waycross, and cities with a population of 25,000 or more according to the decennial census of 1920. The 1935 amendment added Moultrie. The first 1937 amendment added Carrolton, Cordele, Eastman, Forsyth, Fort Valley, McRae, and Milledgeville. The second 1937 amendment added Dalton. The third 1937 amendment added Quitman. Art. III, Sec. VII, Para. XXIII of the Constitution of 1945 (the revised counterpart of old Para. XXV) contained a direct grant of authority to the General Assembly to grant authority to cities and counties to pass zoning and planning laws. Amendment 19 (which included among other things, Art. XV, Sec. II-A, Para. III) granted some zoning and planning power directly to counties and was held to have impliedly repealed Para. XXIII insofar as it applied to unincorporated areas. Art. IX, Sec. IV, Para. II(15) conferred zoning and planning power in cities and counties.

STATUS: Not continued. Repealed, Article XI, Section I, Paragraph IV.

- (2) CITE: Ga. L. 1979, p. 1825.

DESCRIPTION: Provides an additional homestead exemption from city school ad valorem taxes in the same amount as provided by general law for residents who are 62 years of age or over and whose specified income does not exceed \$8,000.00, and provides that both spouses may claim their proportional share of the exemption even though only one spouse is 62 or over.

STATUS: Article VII, Section II, Paragraph IV continues in effect as statutory law those types of exemptions from ad valorem taxation provided for by law on June 30, 1983. The 1981 amendment to Code Section 48-5-40(3)(H) now authorizes any joint owner/occupant to claim full amount of exemption.

- (3) See Ga. L. 1962, p. 1067, under Floyd County for amendment affecting Rome.

FORSYTH COUNTY

- (1) CITE: Ga. L. 1950, p. 485.

DESCRIPTION: Authorizes Forsyth County to issue bonds to retire all indebtedness of the county as it existed on January 1, 1951, requires the county thereafter to operate on a cash basis, and prohibits the county from issuing delayed warrants and payment orders.

COMMENTS: The provision relating to issuing bonds to retire indebtedness was a one-time authority and has no current applicability. The provision requiring the county to operate on a cash basis is probably not necessary because Article IX, Section V places limitations on the manner in which counties may incur debt through the issuance of bonds and by making temporary loans. The practice of using delayed warrants and payment orders beyond the fiscal year is not contemplated or authorized.

STATUS: Not continued. Repealed, Article XI, Section I, Paragraph IV.

- (2) CITE: Ga. L. 1964, p. 975.

DESCRIPTION: Provides for an elected board of education of Forsyth County.

STATUS: Initially continued, Ga. L. 1985, p. 3704, but subsequently repealed, Ga. L. 1992, p. 5052.

- (3) CITE: Ga. L. 1976, p. 1796.

DESCRIPTION: Authorizes the General Assembly to provide for a merit system for all Forsyth County employees, other than elected officials, whose salaries are paid from county funds.

COMMENTS: Article IX, Section I, Paragraph IV provides that the General Assembly may by general law authorize the establishment by county governing authorities of civil service systems covering county employees or covering county employees and employees of the elected county officers.

STATUS: Continued, Ga. L. 1986, p. 4573.

FRANKLIN COUNTY

- (1) CITE: Ga. L. 1941, p. 158.

DESCRIPTION: Authorizes the Sandy Cross consolidated school district of Franklin County to issue bonds to refund and retire bonds which were outstanding and past due on January 1, 1941, and which became due by June 1, 1949.

COMMENTS: This amendment constitutes a one-time authority to issue refunding bonds for a specific series of bonds in default on January 1, 1941, and which became due by June 1, 1949. The authority so granted has expired and has no current applicability.

STATUS: Not continued. Repealed, Article XI, Section I, Paragraph IV.

- (2) CITE: Ga. L. 1962, p. 1103.

DESCRIPTION: Creates the Franklin County Industrial Building Authority.

STATUS: Continued, home rule ordinance Ga. L. 1985, p. 5186 and also by Ga. L. 1987, p. 3582.

FULTON COUNTY

- (1) CITE: Ga. L. 1927, p. 122, as amended by Ga. L. 1943, p. 26.

DESCRIPTION: Authorizes Chatham County, Fulton County, and Richmond County to make temporary loans.

COMMENTS: It appears that this amendment is obsolete in that Article IX, Section V, Paragraph V authorizes counties to incur debt by making temporary loans.

STATUS: Not continued. Repealed, Article XI, Section I, Paragraph IV.

- (2) CITE: Ga. L. 1929, p. 135.

DESCRIPTION: Authorizes the governing authority of Fulton County to establish sewerage, water, and fire prevention systems and parks and to levy taxes in support of such services.

COMMENTS: Cities and counties are authorized under Article IX, Section II, Paragraph III to provide these services and may levy taxes in support of such services under Article IX, Section IV, Paragraphs I and II.

STATUS: Continued, Ga. L 1986, p. 4422.

(3) CITE: Ga. L. 1939, p. 28.

DESCRIPTION: Requires the board of education of Fulton County to assume and pay all bonded indebtedness of the school districts of East Point and College Park outstanding on January 1, 1941.

COMMENTS: This amendment constituted one-time authority to assume the indebtedness of certain school districts as such existed on January 1, 1941. The authority so granted has expired and has no current applicability.

STATUS: Not continued. Repealed, Article XI, Section I, Paragraph IV.

(4) CITE: Ga. L. 1939, p. 33.

DESCRIPTION: Authorizes the General Assembly to provide that the ordinary, sheriff, clerk of the superior court, tax receiver, tax collector or tax commissioner, and county treasurer in Fulton County shall be required to appoint a chief clerk, chief assistant, or chief deputy.

COMMENTS: The purpose of this amendment appears to be to allow the General Assembly to require that certain elected county officers appoint a chief assistant and to permit vacancies in such offices to be filled by such chief assistants. The amendment provides for an exception to general law regarding the filling of vacancies in certain elected county offices and mandates the appointment of assistants. A later constitutional amendment found at Ga. L. 1952, p. 514, supersedes the provisions in this amendment regarding the tax commissioner.

STATUS: Continued, Ga. L. 1986, p. 4774.

(5) CITE: Ga. L. 1939, p. 36.

DESCRIPTION: Authorizes enactment of laws to create civil service system and commission for certain county employees and employees and deputies of county officers.

COMMENTS: Article IX, Section I, Paragraph IV authorizes the General Assembly by general law to authorize the establishment by county governing authorities of civil service systems covering both county employees and employees of county officers.

STATUS: Continued, Ga. L. 1986, p. 4420.

(6) CITE: Ga. L. 1939, p. 39.

DESCRIPTION: Authorizes the enactment of laws to give to the county and county school board the power to create a retirement system for county and county school employees and to levy taxes therefor.

COMMENTS: Article IX, Section II, Paragraph III(a)(14) now authorizes counties and municipalities to maintain and modify existing retirement or pension systems and to create and maintain retirement or pension systems for elected or appointed officers and employees whose compensation is paid in whole or in part from county or municipal funds. Article III, Section X, Paragraph I now authorizes the expenditure of public funds for retirement and pension systems for public officers and employees.

Code Section 48-5-220(17) also authorizes counties to tax to pay for teacher pension or retirement systems. This amendment was to have been repealed if the 1978 revision of the article on retirement (Ga. L. 1978, p. 2510) had been ratified in 1978.

STATUS: Continued, Ga. L. 1987, p. 3703.

(7) CITE: Ga. L. 1939, p. 83.

DESCRIPTION: Authorizes the boards of education of Fulton County, Floyd County, and DeKalb County to incur debt by making temporary loans and sets out the procedures for the formula to be used in computing such loans.

COMMENTS: Article IX, Section V, Paragraph V authorizes school districts to make temporary loans. However, the procedures and formula for making temporary loans under this local amendment differ from that set forth in the general provision of the Constitution.

STATUS: Continued, Ga. L. 1987, p. 4118.

(8) CITE: Ga. L. 1943, p. 18.

DESCRIPTION: Hospitals; joint contracts; taxation with City of Atlanta and DeKalb County.

STATUS: Continued, Ga. L. 1986, p. 4783.

(9) CITE: Ga. L. 1943, p. 24.

DESCRIPTION: Empowers the county and city governing authorities to spend funds not derived from taxation to advertise and promote the agricultural, industrial, historic, recreational, and natural resources, facilities, and assets of the county and city, to encourage the location of industry therein, and to attract tourists and visitors thereto.

COMMENTS: There is neither a general constitutional provision nor general law which would authorize expenditures for these purposes. A local law so authorizing would require a determination as to whether these purposes are public services or public functions for which public funds may be expended pursuant to Article IX, Section IV, Paragraph II.

STATUS: Continued, Ga. L. 1986, p. 4029.

(10) CITE: Ga. L. 1947, p. 1749.

DESCRIPTION: Authorizes certain employees whose wages are paid wholly or partially out of funds of Fulton County, officers and employees of the County Welfare Department, and certain pension system officers and employees and employees of the county board of education to participate in the pension system established for county employees.

COMMENTS: Article IX, Section II, Paragraph III(a)(14) now authorizes counties and municipalities to maintain and modify existing retirement or pension systems and to create and maintain retirement or pension systems for elected or appointed officers and employees whose compensation is paid in whole or in part from county or municipal funds. Article III, Section X, Paragraph I now authorizes the expenditure of public funds for retirement and pension systems for public officers and employees. This amendment was to have been repealed if the 1978 revision of the article on retirement (Ga. L. 1978, p. 2510) had been ratified in 1978.

STATUS: Continued, Ga. L. 1986, p. 4039.

(11) CITE: Ga. L. 1947, p. 1757.

DESCRIPTION: Authorizes governing authority to levy tax or assessment on real property in unincorporated areas of county for garbage disposal services and to divide such area into garbage disposal districts without regard to uniformity.

COMMENTS: Counties and municipalities are now authorized to provide these services under Article IX, Section II, Paragraph III, and public funds may be expended therefor under Article IX, Section IV, Paragraph II. Special districts for government services and special taxes within those districts are now authorized by Article IX, Section II, Paragraph VI.

STATUS: Continued, Ga. L. 1986, p. 4454.

(12) CITE: Ga. L. 1947, p. 1759.

DESCRIPTION: Authorizes Fulton County, DeKalb County, the City of Atlanta, and any public corporations created by them to issue revenue anticipation obligations (now called revenue bonds) to construct grandstands and stadiums.

COMMENTS: It appears that the Revenue Bond Law, Code Sections 36-82-60, et seq., authorizes cities and counties to exercise the powers authorized in this local amendment. Also see Article IX, Section III, Paragraph I and Article IX, Section VI, Paragraph I.

STATUS: Continued, Ga. L. 1986, p. 4786.

(13) CITE: Ga. L. 1947, p. 1773.

DESCRIPTION: Authorizes governing authority to assess and collect license fees and taxes on businesses in unincorporated areas of county, including taxicabs, and to classify and assess different fees and taxes against different classes of business and to regulate all such business with violation of such regulation constituting a misdemeanor.

COMMENTS: Article IX, Section IV, Paragraph I(a) authorizes local laws granting to counties the power to levy and collect license taxes only in the unincorporated area of the county. Article IX, Section II, Paragraph I provides for general home rule powers which are likely broad enough to authorize counties to enforce licensing ordinances, and Code Section 36-1-20 authorizes counties to enforce ordinances which could include licensing ordinances by imposing a maximum punishment not to exceed a fine of \$500.00 or imprisonment for 60 days, or both, for such ordinance violations with such violations triable in the magistrate's court.

STATUS: Not continued. Repealed, Article XI, Section I, Paragraph IV.

(14) CITE: Ga. L. 1947, p. 1776.

DESCRIPTION: Authorizes the General Assembly to include in Civil Service/Merit System of Fulton County persons, other than elected officers, who are paid out of county funds, and prior extensions of coverage by system is ratified.

COMMENTS: Article IX, Section I, Paragraph IV authorizes the General Assembly by general law to authorize the establishment by county governing authorities of civil service systems covering both county employees and employees of county officers.

STATUS: Continued, Ga. L. 1986, p. 4452.

(15) CITE: Ga. L. 1950, p. 441.

DESCRIPTION: Authorizes the General Assembly to require or permit the tax receiver, tax collector, or tax commissioner of Fulton County to receive the returns and collect taxes due to the City of Atlanta and to permit the retention of a percentage of such collections as compensation for such services.

COMMENTS: Article IX, Section I, Paragraph III requires the qualifications, powers, and duties, of the tax commissioner to be provided by general law. The amendment provides an exception to this provision by permitting the General Assembly by local law to provide for certain duties of the Fulton County tax commissioner.

STATUS: Continued, Ga. L. 1986, p. 4037.

(16) Ga. L. 1950, p. 453.

DESCRIPTION: Provides that the county governing authority may spend county funds to support any institution within the county which is owned by the state or an agency of the state.

COMMENTS: There is neither a general constitutional provision nor general law which would authorize expenditures for these purposes. A local law so authorizing would require a determination as to whether these purposes are public services or public functions for which public funds may be expended pursuant to Article IX, Section IV, Paragraph II.

STATUS: Continued, Ga. L. 1986, p. 4450.

(17) CITE: Ga. L. 1950, p. 455.

DESCRIPTION: Changes debt limitation incurred by the Fulton County Board of Education from 7 percent of assessed value of property to 10 percent of assessed value of property.

COMMENTS: Since Article IX, Section V, Paragraph I provides for a debt limitation not to exceed 10 percent of the assessed value of all taxable property within such county, the same as the local amendment, this amendment is obsolete.

STATUS: Not continued. Repealed, Article XI, Section I, Paragraph IV.

(18) CITE: Ga. L. 1950, p. 458.

DESCRIPTION: Annexed territory incorporated into Atlanta school system.

COMMENTS: Continued, Ga. L. 1986, p. 4812.

(19) CITE: Ga. L. 1950, p. 488.

DESCRIPTION: Authorizes the General Assembly to vest the planning and zoning powers in an independent governmental authority for the City of Atlanta and the unincorporated areas of Fulton County.

COMMENTS: Subsequent changes in the general provisions of the Constitution, beginning in 1972, have superseded the authority provided by this amendment. Under Article IX, Section II, Paragraph IV of the new Constitution, the power to plan and zone is vested directly in the counties and municipalities.

STATUS: Not continued. Repealed, Article XI, Section I, Paragraph IV.

(20) CITE: Ga. L. 1951, p. 828, as amended by Ga. L. 1953, Nov.-Dec. Sess., p. 144.

DESCRIPTION: Authorizes the General Assembly to provide by general or local law all the powers, responsibilities, and limitations of the governing authority of Fulton County in the incorporated and unincorporated areas.

COMMENTS: Although subsequent changes in the Constitution have rendered the amendment largely obsolete, there may be certain governmental functions currently being performed pursuant to the amendment.

STATUS: Continued, Ga. L. 1986, p. 4442.

(21) CITE: Ga. L. 1951, p. 874.

DESCRIPTION: Gives the General Assembly broad powers relative to ad valorem taxation by Fulton County and the political subdivisions located wholly or in part in Fulton County, including the power to prescribe the date of tax assessments and levies, to prescribe the form of tax bills, to prescribe tax due dates, to authorize partial payments of taxes, to provide for appraisals, to prescribe the location of tax offices, and to provide for forms, records, and equipment.

COMMENTS: This amendment gives the General Assembly broad power to enact local legislation otherwise preempted by general law. While no attempt has been made to identify all local laws based on this authority, two examples of such local laws may be found at Ga. L. 1951, p. 2506 (collection of Atlanta taxes by Fulton County) and Ga. L. 1951, p. 3131 (date of fixing millage for Fulton County).

STATUS: Continued, Ga. L. 1986, p. 4432.

(22) CITE: Ga. L. 1951, p. 881; Ga. L. 1960, p. 1441.

DESCRIPTION: School district indebtedness assumed by City of Atlanta.

STATUS: Continued, Ga. L. 1986, p. 4818.

(23) CITE: Ga. L. 1952, p. 514.

DESCRIPTION: Authorizes the General Assembly to provide the method of selection of the tax commissioner of Fulton County and to provide for the appointment of a chief deputy.

COMMENTS: Article IX, Section I, Paragraph III provides that tax commissioners are county officers and are elected to four-year terms of office.

STATUS: Continued, Ga. L. 1986, pp. 4440, 4774.

(24) CITE: Ga. L. 1953, Nov.-Dec. Sess., p. 147.

DESCRIPTION: Provides that the general \$2,000.00 homestead exemption from ad valorem taxes shall not apply to Fulton County School District taxes.

STATUS: Article VII, Section II, Paragraph IV continues in effect as statutory law those types of exemptions from ad valorem taxation provided for by law on June 30, 1983. It is not clear, however, that this constitutional provision would continue the exception provided by this local amendment. This amendment was not specifically continued in effect.

(25) CITE: Ga. L. 1953, Nov.-Dec. Sess., p. 149.

DESCRIPTION: Changes debt limitation incurred by the Fulton County Board of Education from 7 percent of assessed value of property to 10 percent of assessed value of property.

COMMENTS: Since Article IX, Section V, Paragraph I provides for a debt limitation not to exceed 10 percent of the assessed value of all taxable property within such county, the same as the local amendment, this amendment is no longer necessary.

STATUS: Not continued. Repealed, Article XI, Section I, Paragraph IV.

(26) CITE: Ga. L. 1963, p. 693.

DESCRIPTION: Grants the governing authority of Fulton County full authority regarding street improvements in the unincorporated area of Fulton County.

COMMENTS: The authority granted by this amendment is currently authorized under Article IX, Section II, Paragraph III as a supplementary home rule power of counties and municipalities. Article IX, Section IV, Paragraph II authorizes the levy of taxes in support of such services.

STATUS: Continued, Ga. L. 1986, p. 4033.

(27) CITE: Ga. L. 1964, p. 872.

DESCRIPTION: Authorizes the General Assembly to abolish the office of coroner in Fulton County and to create the office of medical examiner and prescribe the powers, duties, and functions of such office.

COMMENTS: The amendment abolishes the office of coroner which is provided under Chapter 16 of Title 45 and establishes the office of medical examiner.

STATUS: Continued, Ga. L. 1986, p. 4031.

(28) CITE: Ga. L. 1964, p. 891.

DESCRIPTION: Authorizes Fulton County to cooperate with the City of Atlanta to construct a stadium and to contract with the city for the purpose of retiring the financial obligations.

COMMENTS: The amendment authorizes Fulton County to contract with the City of Atlanta and any authority created for the purpose of paying up to one-third of the amount necessary to retire the principal and interest of any obligations used to finance the construction of a stadium and related facilities.

STATUS: Continued, Ga. L. 1986, p. 4047.

(29) CITE: Ga. L. 1964, p. 1008.

DESCRIPTION: Authorizes the creation of MARTA and grants all powers of the authority.

STATUS: This amendment is automatically continued in force by Article XI, Section I, Paragraph IV(d).

(30) CITE: Ga. L. 1966, p. 909.

DESCRIPTION: Authorizes Fulton County to levy and collect business license taxes in the unincorporated area.

COMMENTS: Article IX, Section IV, Paragraph I(b)(1) authorizes county governing authorities by local law to levy business license taxes. A local law found at Ga. L. 1984, p. 4148 has been enacted.

STATUS: Continued, Ga. L. 1986, p. 4045.

(31) CITE: Ga. L. 1966, p. 924.

DESCRIPTION: Authorizes Fulton County to conduct recreational programs in cities of not more than 5,000 persons provided the city contributes one-half of the cost of such programs and provided that the cost to Fulton County does not exceed \$5,000.00 per year.

COMMENTS: Article IX, Section II, Paragraph III authorizes cities and counties to provide for the services authorized by this 1966 local amendment. A constitutional amendment found at Ga. L. 1982, p. 2504, authorizes Fulton County to make one-time grants of not more than \$5,000.00 to cities within the county for recreational purposes. In light of the constitutional provision and the 1982 amendment, the purpose of the 1966 amendment is unclear.

STATUS: Continued, Ga. L. 1986, p. 4035.

(32) CITE: Ga. L. 1966, p. 925.

DESCRIPTION: Authorizes the governing authority of Fulton County to operate landfills.

COMMENTS: Article IX, Section II, Paragraph III authorizes cities and counties to provide the services authorized by this amendment. Consequently, the amendment is obsolete.

STATUS: Continued, Ga. L. 1986, p. 4418.

(33) CITE: Ga. L. 1967, p. 941.

DESCRIPTION: Makes certain provisions for the Criminal Court of Fulton County.

COMMENTS: If this court is now the State Court of Fulton County and is covered under the state court provisions of the new Constitution and general laws relating to state courts, this amendment would appear to be obsolete.

STATUS: Not continued. Repealed, Article XI, Section I, Paragraph IV.

(34) CITE: Ga. L. 1967, p. 969.

DESCRIPTION: Authorizes the governing authority to regulate traffic in the unincorporated area of the county and to establish penalties for violating such regulations.

COMMENTS: This amendment has been effectively superseded by a later constitutional amendment found at Ga. L. 1976, p. 1880

STATUS: Not continued. Repealed, Article XI, Section I, Paragraph IV.

(35) CITE: Ga. L. 1968, p. 1571.

DESCRIPTION: Authorizes Fulton County to indemnify tax commissioner for uncollectible checks for automobile license tags.

COMMENTS: Although under Code Section 48-2-32 the state revenue commissioner may receive in payment of license fees and taxes personal and company checks, 1968 Op. Atty. Gen. 68-215 determined that a tax commissioner accepted such checks at the tax commissioner's own risk. Code Section 48-5-146 removes personal liability of tax commissioners for unpaid checks or money orders received in payment of taxes and license fees when authorized by the county governing authority and received according to other requirements. If Fulton County were so to authorize, the necessity for continuation of this amendment might be eliminated.

STATUS: Continued, Ga. L. 1986, p. 4049.

(36) CITE: Ga. L. 1969, p. 1154.

DESCRIPTION: Authorizes Fulton County to issue general obligation bonds for certain public improvements without the vote of the people.

COMMENTS: The authority to issue bonds for such purposes as provided in this amendment without the necessity of a referendum is not permitted under other provisions of this Constitution or general law.

STATUS: Continued, Ga. L. 1986, p. 4444.

(37) CITE: Ga. L. 1972, p. 1437.

DESCRIPTION: Authorizes the governing authority of Fulton County to construct and maintain a system of public libraries and to levy taxes in support of such library system.

COMMENTS: Cities and counties are authorized to establish and maintain library systems under Article IX, Section II, Paragraph III(10) and may levy taxes in support of such service under Article IX, Section IV, Paragraphs I and II. A later constitutional amendment found at Ga. L. 1982, p. 2547, authorized the General Assembly to provide a county-wide library system for Fulton County and all municipalities located therein, and enabling legislation has been adopted.

STATUS: Not continued. Repealed, Article XI, Section I, Paragraph IV.

(38) CITE: Ga. L. 1972, p. 1439.

DESCRIPTION: Authorizes the governing authority of Fulton County to maintain and operate detention facilities inside or outside the boundaries of the county for the confinement of all persons, including juveniles, and provides that the facilities shall be under the control of such person as may be designated by the governing authority and need not be used exclusively for any one class of prisoner.

COMMENTS: The amendment permits Fulton County to operate and maintain detention facilities for juveniles and all other persons subject to confinement, incarceration, or detention under state law or county or city ordinances.

STATUS: Continued, Ga. L. 1986, p. 4428.

(39) CITE: Ga. L. 1972, p. 1477.

DESCRIPTION: Authorizes Fulton County, with the consent of the city involved, to operate recreational programs in any city within the county having a population of 5,000 or less.

COMMENTS: Article IX, Section II, Paragraph III authorizes cities and counties to operate parks and recreational programs and facilities and permits cities and counties to contract for the provision of such services by one jurisdiction within the boundaries of the other.

STATUS: Continued, Ga. L. 1986, p. 4446.

(40) CITE: Ga. L. 1972, p. 1481.

DESCRIPTION: Authorizes the governing authority of Fulton County to divide the county into districts for the purpose of providing any or all services which the county is authorized to provide and to levy taxes or assessments to defray the cost of such services without the necessity of uniformity of taxation between such districts.

COMMENTS: Article IX, Section II, Paragraph VI expands the provisions of the Constitution of 1976 by providing that special services districts may be created for delivery of any services and that taxes may be levied therefor within the districts without uniformity. The restrictions of former Article IX, Section V, Paragraph III of the Constitution of 1976 were omitted in the new Constitution.

STATUS: Continued, Ga. L. 1986, p. 1481.

(41) CITE: Ga. L. 1974, p. 1809.

DESCRIPTION: Authorizes the county governing authority to increase retirement benefits but prohibits increases for any person receiving in excess of \$150.00 per month until every retiree receives at least \$150.00 per month. Also prohibits current retirees from receiving greater benefits than those to be received by employees not yet retired.

COMMENTS: Article IX, Section II, Paragraph III(a)(14) and Article III, Section X, Paragraph II now provide general authorization for maintaining retirement systems and expending public funds for increasing benefits in systems wholly or partially supported by public funds. It appears that under such current general provisions of the Constitution that the need for this local amendment no longer exists. This amendment was to have been repealed if the 1978 revision of the article on retirement (Ga. L. 1978, p. 2510) had been ratified in 1978.

STATUS: Not continued. Repealed, Article XI, Section I, Paragraph IV.

(42) CITE: Ga. L. 1976, p. 1864.

DESCRIPTION: Provides that for purposes of determining eligibility for homestead exemption from local county, city, and school ad valorem taxes in Fulton County a "homestead" shall include property held under an occupancy agreement as a stockholder of a nonprofit cooperative ownership housing corporation.

COMMENTS: Article VII, Section II, Paragraph IV continues in effect as statutory law those types of exemptions from ad valorem taxation provided for by law on June 30, 1983. Because this general provision of the Constitution continues in effect this expansion of homestead eligibility, it is not necessary that this local amendment be specifically continued in order for this expansion of eligibility to continue to apply.

STATUS: Continued, Ga. L. 1986, p. 4448.

(43) CITE: Ga. L. 1976, p. 1880.

DESCRIPTION: Authorizes Fulton County to adopt ordinances for the unincorporated areas of the county.

COMMENTS: Article IX, Section II, Paragraph I and Code Section 36-1-20 authorize counties to adopt ordinances and resolutions, and Article IX, Section IV, Paragraph I authorizes counties to regulate businesses. In view of these provisions, this local amendment may not be necessary. However, the provisions of the Constitution and the general law may be more restrictive as to the subject matter of these local ordinances and resolutions or as to the penalties which may be imposed for violations of the ordinances and resolutions.

STATUS: Continued, Ga. L. 1986, p. 4027.

(44) CITE: Ga. L. 1976, p. 1924.

DESCRIPTION: Supersedes Ga. L. 1974, p. 1657, and grants a \$10,000.00 homestead exemption from Fulton County and Fulton County School District ad valorem taxes to each resident of Fulton County who is 65 years of age or older or disabled who has specified income not exceeding \$8,000.00 per year.

COMMENTS: This amendment has apparently been superseded by an amendment set out at Ga. L. 1978, p. 2367, which grants such an exemption to all such persons whose income does not exceed the maximum authorized to be received under the federal Social Security Act.

STATUS: Article VII, Section II, Paragraph IV continues in effect as statutory law these types of exemptions from ad valorem taxation provided for by law on June 30, 1983.

(45) CITE: Ga. L. 1977, p. 1562, as amended by. Ga. L. 1978, p. 2312.

DESCRIPTION: Authorizes the General Assembly to increase the retirement benefits of teachers and employees of the Fulton County board of education.

COMMENTS: Article III, Section X, Paragraph III vests the authority to establish or modify local retirement systems covering employees of county boards of education in the General Assembly. In addition, Article III, Section X, Paragraph II authorizes increasing the benefits paid to any retirement or pension system supported from public funds.

STATUS: Not continued. Repealed, Article XI, Section I, Paragraph IV.

(46) CITE: Ga. L. 1977, p. 1569.

DESCRIPTION: Establishes Fulton County Industrial District and prohibits governing authority of Fulton County from levying any tax for educational purposes within the district.

COMMENTS: Article IX, Section I, Paragraph IV(d) continues specifically amendments establishing industrial areas. This amendment was not specifically continued. See, however, Ga. L. 1979, p. 1797.

(47) CITE: Ga. L. 1978, p. 2367.

DESCRIPTION: Grants a \$10,000.00 homestead exemption from county and county school district ad valorem taxes to each resident of Fulton County who is disabled or 65 years of age or older and has specified income not exceeding the maximum amount which may be received under the federal Social Security Act.

STATUS: Article VII, Section II, Paragraph IV continues in effect those types of exemptions from ad valorem taxation provided for by law on June 30, 1983.

(48) CITE: Ga. L. 1978, p. 2383.

DESCRIPTION: Authorizes the county governing authority to increase retirement benefits of retirees of any system wholly or partially supported by funds of the county. Such increases may be paid only from general county funds and not from the funds of the Fulton County Teachers Retirement Fund.

COMMENTS: Article IX, Section II, Paragraph III(a)(14) and Article III, Section X, Paragraph II now provide general authorization for maintaining retirement systems and expending public funds for increasing benefits in systems wholly or partially supported by public funds. However, increases for retirees under the teachers retirement fund would ordinarily be paid from funds of the school board and not from county funds as contemplated under this amendment. This amendment was to have been repealed if the 1978 revision of the article on retirement (Ga. L. 1978, p. 2510) had been ratified in 1978.

STATUS: Continued, Ga. L. 1986, p. 4041.

(49) CITE: Ga. L. 1978, p. 2411.

DESCRIPTION: Provides for the membership of the Fulton County Planning Commission.

STATUS: Not continued. Repealed, Article XI, Section I, Paragraph IV.

(50) CITE: Ga. L. 1978, p. 2426.

DESCRIPTION: Authorizes the governing authority of Fulton County to establish no more than two branch offices for the conduct of county business and authorizes the board of education to establish branch offices for the conduct of official business on educational matters.

STATUS: Continued, Ga. L. 1986, p. 4043.

(51) CITE: Ga. L. 1979, p. 1797.

DESCRIPTION: Establishes the Fulton County Industrial District and prohibits the governing authority of Fulton County from levying any tax for educational purposes within the district.

COMMENTS: Article XI, Section I, Paragraph IV(d) specifically continues local constitutional amendments establishing industrial areas.

STATUS: Continued, Ga. L. 1983, p. 4077 and Ga. L. 1986, p. 4438.

(52) CITE: Ga. L. 1980, p. 2048.

DESCRIPTION: Authorizes the General Assembly to control or limit the provision of public safety services by Fulton County and to limit ad valorem taxation for the provision of such services.

STATUS: Not continued. Repealed, Article XI, Section I, Paragraph IV.

(53) CITE: Ga. L. 1980, p. 2053.

DESCRIPTION: Authorizes and directs the governing authority of Fulton County to provide increased retirement benefits for certain employees and officers who retired prior to January 1, 1964, such increased benefits to become effective January 1, 1981.

COMMENTS: Article IX, Section II, Paragraph III(a)(14) now authorizes counties and municipalities to maintain and modify existing retirement or pension systems and to create and maintain retirement or pension systems for elected or appointed officers and employees whose compensation is paid in whole or in part from county or municipal funds. Article III, Section X, Paragraph I now authorizes the expenditure of public funds for retirement and pension systems for public officers and employees.

STATUS: Not continued. Repealed, Article XI, Section I, Paragraph IV.

(54) CITE: Ga. L. 1982, p. 2504.

DESCRIPTION: Authorizes the board of commissioners of Fulton County to make grants not exceeding \$5,000.00 to municipalities located in Fulton County for the conduct of recreational programs.

COMMENTS: Sharing of county revenues with cities is not within the purposes for which counties are authorized to levy taxes by general law. It may be noted, however, that it appears that the county and its cities would be authorized without this amendment to enter into contracts whereby the cities operate recreational programs which are open to all county residents and the county makes payments to the cities.

STATUS: Continued, Ga. L. 1986, p. 4436.

(55) CITE: Ga. L. 1982, p. 2509.

DESCRIPTION: Exempts from city, county, and school ad valorem taxes, for seven years, capital improvements of at least \$1 million in value made to property within the Cabbagetown Historic District.

STATUS: Continued, Ga. L. 1984, p. 4595.

(56) CITE: Ga. L. 1982, p. 2645.

DESCRIPTION: Authorizes the General Assembly to provide by local law for the "freeport exemption" of inventory goods to be applied for purposes of county, county school district, and municipal taxes to urban enterprise zones established by the City of Atlanta.

COMMENTS: Article VII, Section II, Paragraph IV continues in effect as statutory law those types of exemptions from ad valorem taxation provided for by law on June 30, 1983. It is not clear, however, that this constitutional provision would continue the power of the General Assembly by local law to authorize the freeport exemption for urban enterprise zones.

STATUS: The amendment was not specifically continued.

(57) CITE: Ga. L. 1982, p. 2647.

DESCRIPTION: Authorizes the General Assembly by legislation to treat real property in urban enterprise zones in Atlanta as a separate class of property for Atlanta and Fulton County tax purposes.

This amendment provides an exception to the uniformity requirement of Article VI, Section I, Paragraph III. The exception has been implemented by Ga. L. 1983, p. 4097.

STATUS: Continued, Ga. L. 1986, p. 4424.

- (58) See Ga. L. 1910, p. 42, under Chatham County for amendment affecting Fulton County.
- (59) See Ga. L. 1943, p. 18, under Atlanta for amendment affecting Fulton County.
- (60) See Ga. L. 1950, p. 458, under Atlanta for amendment affecting Fulton County.
- (61) See Ga. L. 1951, p. 881, under Atlanta for amendment affecting Fulton County.

ALPHARETTA

- (1) CITE: Ga. L. 1971, p. 955.

DESCRIPTION: Grants a \$2,000.00 homestead exemption from all ad valorem taxation by the City of Alpharetta to residents of the City of Alpharetta who are disabled or age 65 or over who do not have specified income exceeding \$4,000.00 per year.

STATUS: Article VI, Section II, Paragraph IV continues in effect as statutory law those types of exemptions from ad valorem taxation provided for by law on June 30, 1983.

- (2) CITE: Ga. L. 1927, p. 127.

DESCRIPTION: Zoning and planning legislation and regulations.

STATUS: Not continued. Repealed, Article XI, Section I, Paragraph IV.

- (3) See Ga. L. 1951, p. 874, under Fulton County for amendment affecting Alpharetta.
- (4) See Ga. L. 1976, p. 1864, under Fulton County for amendment affecting Alpharetta.
- (5) See Ga. L. 1982, p. 2504, under Fulton County for amendment affecting Alpharetta.

ATLANTA

- (1) CITE: Ga. L. 1927, p. 127; Ga. L. 1935, p. 1234; Ga. L. 1937, pp. 1132, 1137, 1139.

DESCRIPTION: Zoning and planning.

COMMENTS: The 1927 amendment to Art. III, Sec. VII, Para. XXV of the 1877 Constitution included Albany, Athens, Atlanta, Augusta, Brunswick, Columbus, Darien, Decatur, Dublin, East Thomaston, LaGrange, Macon, Newnan, Rome, Savannah, Thomaston, Valdosta, Waycross, and cities with a population of 25,000 or more according to the decennial census of 1920. The 1935 amendment added Moultrie. The first 1937 amendment added Carrolton, Cordele, Eastman, Forsyth, Fort Valley, McRae, and Milledgeville. The second 1937 amendment added Dalton. The third 1937 amendment added Quitman. Art. III, Sec. VII, Para. XXIII of the Constitution of 1945 (the revised counterpart of old Para. XXV) contained

a direct grant of authority to the General Assembly to grant authority to cities and counties to pass zoning and planning laws. Amendment 19 (which included among other things, Art. XV, Sec. II-A, Para. III) granted some zoning and planning power directly to counties and was held to have impliedly repealed Para. XXIII insofar as it applied to unincorporated areas. Art. IX, Sec. IV, Para. II(15) conferred zoning and planning power in cities and counties.

STATUS: Not continued. Repealed, Article XI, Section I, Paragraph IV.

- (2) CITE: Ga. L. 1937, p. 13.

DESCRIPTION: Authorizes the city to issue refunding bonds to retire bonds which were outstanding and past due on January 1, 1937, and January 1, 1938, and authorizes the city to make loans to pay debts existing on January 1, 1938, and authorizes the city to make temporary loans each year in the future.

COMMENTS: It appears as though this amendment is obsolete. Those provisions authorizing the issuance of bonds and the making of temporary loans to retire indebtedness as such existed on January 1, 1937, and January 1, 1938, no longer have any validity. The provision authorizing annual temporary loans is no longer necessary in view of Article IX, Section V, Paragraph V which authorizes municipalities to incur debt by making temporary loans.

STATUS: Not continued. Repealed, Article XI, Section I, Paragraph IV.

- (3) CITE: Ga. L. 1939, p. 8.

DESCRIPTION: Authorizes the city to issue revenue bonds for the purpose of providing for a waterworks system and a sanitation system.

COMMENTS: It appears as though this amendment is no longer necessary. Article 3 of Chapter 82 of Title 36, relating to revenue bonds, currently provides authority to issue revenue bonds for the purposes covered by this amendment.

STATUS: Continued, Ga. L. 1986, p. 4810.

- (4) CITE: Ga. L. 1943, p. 18.

DESCRIPTION: Authorizes the City of Atlanta, Fulton County, and DeKalb County to contract with each other or with any hospital authority to incur indebtedness relative to hospitalization which indebtedness is in addition to the debt limitation of the Constitution which at the time this amendment was ratified was 7 percent of the assessed value of taxable property. Such indebtedness does not require approval of the voters.

COMMENTS: Since the general debt limitation in Article IX, Section V, Paragraph I was changed after the passage of this amendment, it is unclear as to the exact amount of additional

indebtedness which may be incurred by such city or counties pursuant to this amendment. This amendment also authorizes such city and counties to incur bonded indebtedness without the necessity of a referendum and for a purpose not covered by general law.

STATUS: Continued, Ga. L. 1986, p. 4783.

- (5) CITE: Ga. L. 1950, p. 458.

DESCRIPTION: Provides that when the corporate limits of the City of Atlanta are extended into Fulton County, the additional territory becomes a part of the Atlanta independent school system and school property located in the annexed area becomes property of Atlanta.

COMMENTS: Since the amendment merely states what would be the case even if the amendment did not exist, the purpose of the amendment is not clear. If the amendment were allowed to expire, there would be no apparent change in the legal situation between the Atlanta and Fulton County school systems.

STATUS: Continued, Ga. L. 1986, p. 4812.

- (6) CITE: Ga. L. 1951, p. 881, as amended by Ga. L. 1960, p. 1441.

DESCRIPTION: Repeals Ga. L. 1950, p. 456, and provides that the City of Atlanta shall assume a portion of the Fulton County school district's bonded indebtedness when areas of such school district are annexed into the city. Such debt is in addition to the debt limitation of the Constitution.

COMMENTS: Since the general debt limitation in Article IX, Section V, Paragraph I was changed after the passage of this amendment, it is unclear as to the exact amount of additional indebtedness which may be incurred by the city pursuant to this amendment. This amendment also applies to future annexations.

STATUS: Continued, Ga. L. 1986, p. 4814.

- (7) CITE: Ga. L. 1956, p. 360.

DESCRIPTION: Provides that the maximum indebtedness which may be incurred by the City of Atlanta shall be 12 percent of the total tax digest, with a maximum of 8 percent for municipal purposes and a maximum of 4 percent for school purposes.

COMMENTS: Article IX, Section V, Paragraph I provides a general debt limitation of 10 percent of the tax digest.

STATUS: Continued, Ga. L. 1986, p. 4816.

(8) CITE: Ga. L. 1962, p. 1002.

DESCRIPTION: Repeals Ga. L. 1947, p. 664, and Ga. L. 1956, p. 257, and authorizes the City of Atlanta to incur bonded indebtedness for the purpose of constructing and repairing waterworks and solid waste disposal systems. Said debt is in addition to the general debt limitation in the Constitution which at the time this amendment was ratified was 7 percent of the assessed value of taxable property. Said indebtedness does not require approval of the voters.

COMMENTS: Since the general debt limitation in Article IX, Section V, Paragraph I was changed after the passage of this amendment, it is unclear as to the exact amount of additional indebtedness which may be incurred by the city pursuant to this amendment. This amendment also authorizes the city to incur bonded indebtedness without the necessity of a referendum.

STATUS: Continued, Ga. L. 1986, p. 4818.

(9) CITE: Ga. L. 1964, p. 1008.

DESCRIPTION: Authorizes the creation of MARTA and grants all powers of the authority.

STATUS: This amendment is continued in force by Article XI, Section I, Paragraph IV(d).

(10) CITE: Ga. L. 1968, p. 1582.

DESCRIPTION: Provides a procedure whereby the City of Atlanta may issue up to \$4 million per year of general obligation bonds for school purposes without a referendum.

COMMENTS: General obligation bonds may under the general provisions of the Constitution be issued only pursuant to referendum approval.

STATUS: Continued, Ga. L. 1986, p. 4822.

(11) CITE: Ga. L. 1968, p. 1586.

DESCRIPTION: Provides a procedure whereby the City of Atlanta may issue up to \$4 million per year of general obligation bonds for municipal corporate purposes without a referendum.

COMMENTS: General obligation bonds may under the general provisions of the Constitution be issued only pursuant to referendum approval.

STATUS: Continued, Ga. L. 1986, p. 4824.

(12) Ga. L. 1968, p. 1589.

DESCRIPTION: Authorized the City of Atlanta to incur certain bonded indebtedness for school facilities and equipment without a referendum.

COMMENTS: Any indebtedness incurred under this amendment was required by the terms of the amendment to be incurred not later than December 31, 1970. For this reason, the amendment may be obsolete in that no further debt can be issued under the amendment. On the other hand, if any indebtedness incurred under the amendment remains outstanding, it may be necessary to retain the amendment if it is desired that such outstanding indebtedness should not be counted in computing the maximum indebtedness which the city is authorized to have outstanding. That is to say, if outstanding indebtedness under this amendment plus other outstanding indebtedness would exceed the limits specified in the amendment set out at Ga. L. 1956, p. 360, then specific continuation of this amendment may be necessary.

STATUS: Continued, Ga. L. 1986, p. 4564.

(13) CITE: Ga. L. 1968, p. 1826, as amended by Ga. L. 1972, p. 1515.

DESCRIPTION: Authorizes the City of Atlanta to establish historic zones and to enact planning and zoning ordinances.

COMMENTS: Article 2 of Chapter 10 of Title 44 establishes uniform procedures to be used by counties and municipalities in enacting ordinances providing for the protection of districts, sites, buildings, and structures having a special historical, cultural, or esthetic interest or value. The purpose of the amendment is unnecessary, but any ordinances adopted previously would need to be reenacted in accordance with the procedures established by general law.

STATUS: Continued, Ga. L. 1986, p. 4826.

(14) CITE: Ga. L. 1976, p. 1869.

DESCRIPTION: Authorizes the city under certain conditions to levy up to two mills of ad valorem tax for the purpose of paying principal and interest on the city's revenue obligations. Authorizes the city, under certain conditions, to issue revenue obligations binding the city to exercise this power of taxation for such purposes.

COMMENTS: Under general provisions of the Constitution a municipality is prohibited from exercising the power of taxation to pay principal or interest on its revenue bonds.

STATUS: Continued, Ga. L. 1986, p. 4828.

(15) CITE: Ga. L. 1977, p. 1587.

DESCRIPTION: Repeals Ga. L. 1973, p. 1491, which repealed Ga. L. 1950, p. 443, and grants a \$5,000.00 homestead exemption from all ad valorem taxes levied by the city to each resident of the city. Grants a \$10,000.00 exemption to each resident who is 65 years of age or older and has specified income not exceeding \$8,000.00 per year.

STATUS: Article VII, Section II, Paragraph IV continues in effect as statutory law those types of exemptions from ad valorem taxation provided for by law on June 30, 1983.

(16) CITE: Ga. L. 1980, p. 2112.

DESCRIPTION: Authorizes the City of Atlanta to issue revenue bonds for construction of off-street parking facilities.

COMMENTS: Article IX, Section II, Paragraph III(a)(II) and Code Section 36-82-61(4)(G) appear to provide the authority to do those things which are authorized by this local amendment.

STATUS: Continued, Ga. L. 1986, p. 4830.

(17) See Ga. L. 1943, p. 24, under Fulton County for amendment affecting Atlanta.

(18) See Ga. L. 1947, p. 1759, under Fulton County for amendment affecting Atlanta.

(19) See Ga. L. 1950, p. 441, under Fulton County for amendment affecting Atlanta.

(20) See Ga. L. 1950, p. 488, under Fulton County for amendment affecting Atlanta.

(21) See Ga. L. 1951, p. 828, under Fulton County for amendment affecting Atlanta.

(22) See Ga. L. 1951, p. 874, under Fulton County for amendment affecting Atlanta.

(23) See Ga. L. 1964, p. 891, under Fulton County for amendment affecting Atlanta.

(24) See Ga. L. 1966, p. 828, under DeKalb County for amendment affecting Atlanta.

(25) See Ga. L. 1976, p. 1864, under Fulton County for amendment affecting Atlanta.

(26) See Ga. L. 1978, p. 2468, under DeKalb County for amendment affecting Atlanta.

(27) See Ga. L. 1982, p. 2504, under Fulton County for amendment affecting Atlanta.

(28) See Ga. L. 1982, p. 2509, under Fulton County for amendment affecting Atlanta.

- (29) See Ga. L. 1982, p. 2645, under Fulton County for amendment affecting Atlanta.
- (30) See Ga. L. 1982, p. 2647, under Fulton County for amendment affecting Atlanta.

COLLEGE PARK

- (1) CITE: Ga. L. 1980, p. 2071.

DESCRIPTION: Creates the College Park Business and Industrial Development Authority.

STATUS: Continued, home rule ordinance, Ga. L. 1985, p. 5311, and local Act Ga. L. 1987, p. 3713.

- (2) CITE: Ga. L. 1982, p. 2605.

DESCRIPTION: Repeals Ga. L. 1980, p. 2144, which repealed Ga. L. 1974, p. 1768, and grants a \$6,000.00 homestead exemption from city ad valorem taxes to residents under age 65 and grants an \$8,000.00 exemption to residents 65 years of age or older or who are totally disabled.

STATUS: Article VII, Section II, Paragraph IV continues in effect as statutory law those types of exemptions from ad valorem taxation provided for by law on June 30, 1983.

- (3) See Ga. L. 1939, p. 28, under Fulton County for amendment affecting College Park.
- (4) See Ga. L. 1951, p. 874, under Fulton County for amendment affecting College Park.
- (5) See Ga. L. 1976, p. 1864, under Fulton County for amendment affecting College Park.
- (6) See Ga. L. 1982, p. 2504, under Fulton County for amendment affecting College Park.

EAST POINT

- (1) CITE: Ga. L. 1958, p. 493.

DESCRIPTION: Authorizes East Point to issue revenue bonds to provide for off-street parking lots.

COMMENTS: Article IX, Section VI, Paragraph I and Code Section 36-82-61(4)(G) authorize the issuance of revenue bonds for public parking areas and public parking buildings.

STATUS: Not continued. Repealed, Article XI, Section I, Paragraph IV.

(2) CITE: Ga. L. 1958, p. 529.

DESCRIPTION: Funds to promote industry and commerce.

STATUS: Not continued. Repealed, Article XI, Section I, Paragraph IV.

(3) CITE: Ga. L. 1971, p. 959, as amended by Ga. L. 1974, p. 1673.

DESCRIPTION: Grants a \$2,000.00 exemption from municipal ad valorem taxation to each resident of the city. Grants a \$5,000.00 homestead exemption from municipal ad valorem taxation to each resident of the city who is disabled or 65 years of age or over and does not have specified income exceeding \$5,000.00 per year. Grants a \$10,000.00 homestead exemption from municipal ad valorem taxation to each resident of the city who is a disabled veteran.

STATUS: Article VII, Section II, Paragraph IV continues in effect as statutory law those types of exemptions from ad valorem taxation provided for by law on June 30, 1983.

It may be noted that Code Section 48-5-48 now provides a more liberal homestead exemption from municipal taxation for disabled veterans.

(4) CITE: Ga. L. 1973, p. 1495.

DESCRIPTION: Authorizes the city council to increase retirement benefits to persons who retired before January 1, 1975, under retirement systems of the city.

COMMENTS: Article IX, Section II, Paragraph III(a)(14) and Article III, Section X, Paragraph II now provide general authorization for maintaining retirement systems and expending public funds for increasing benefits in systems wholly or partially supported by public funds. This amendment was to have been repealed if the 1978 revision of the article on retirement (Ga. L. 1978, p. 2510) had been ratified in 1978.

STATUS: Not continued. Repealed, Article XI, Section I, Paragraph IV.

(5) CITE: Ga. L. 1975, p. 1705.

DESCRIPTION: Creates the East Point Business and Industrial Development Authority.

STATUS: Continued, Ga. L. 1986, p. 4461.

(6) See Ga. L. 1939, p. 28, under Fulton County for amendment affecting East Point.

(7) See Ga. L. 1951, p. 874, under Fulton County for amendment affecting East Point.

(8) See Ga. L. 1976, p. 1864, under Fulton County for amendment affecting East Point.

- (9) See Ga. L. 1982, p. 2504, under Fulton County for amendment affecting East Point.

FAIRBURN

- (1) See Ga. L. 1951, p. 874, under Fulton County for amendment affecting Fairburn.
(2) See Ga. L. 1976, p. 1864, under Fulton County for amendment affecting Fairburn.
(3) See Ga. L. 1982, p. 2504, under Fulton County for amendment affecting Fairburn.

HAPEVILLE

- (1) CITE: Ga. L. 1971, p. 957; Ga. L. 1974, p. 1686.

DESCRIPTION: Grants a \$2,500.00 homestead exemption from municipal ad valorem taxation to each resident of the city. Grants a \$6,500.00 exemption from municipal taxation to each resident of the city who is disabled or age 65 or over who does not have specified income exceeding \$4,000.00 per year.

STATUS: Article VII, Section II, Paragraph IV continues in effect as statutory law those types of exemptions from ad valorem taxation provided for by law on June 30, 1983.

- (2) CITE: Ga. L. 1982, p. 2524; Ga. L. 1982, p. 2618.

DESCRIPTION: Creates the Hapeville Development Authority.

COMMENTS: There were two 1982 amendments to create the same Hapeville Development Authority. Both a Senate originated bill (Ga. L. 1982, p. 2524) and a House originated bill (Ga. L. 1982, p. 2618) passed the General Assembly and were ratified.

STATUS: Ga. L. 1982, p. 2524 was continued by Ga. L. 1987, p. 4961. (The local advertisement on p. 4961 references the second 1982 amendment, however, the bill's caption and body do not.) Ga. L. 1982, p. 2618 was not continued and is repealed by Article XI, Section I, Paragraph IV.

- (3) See Ga. L. 1951, p. 874, under Fulton County for amendment affecting Hapeville.
(4) See Ga. L. 1976, p. 1864, under Fulton County for amendment affecting Hapeville.
(5) See Ga. L. 1982, p. 2504, under Fulton County for amendment affecting Hapeville.

MOUNTAIN PARK

- (1) See Ga. L. 1951, p. 874, under Fulton County for amendment affecting Mountain Park.

- (2) See Ga. L. 1976, p. 1864, under Fulton County for amendment affecting Mountain Park.
- (3) See Ga. L. 1982, p. 2504, under Fulton County for amendment affecting Mountain Park.

PALMETTO

- (1) Ga. L. 1974, p. 1766; Ga. L. 1981, p. 1928.

DESCRIPTION: Grants an \$8,000.00 homestead exemption from city ad valorem taxes to those residents 65 years of age or older whose specified income does not exceed \$8,000.00.

STATUS: Article VII, Section II, Paragraph IV continues in effect as statutory law those types of exemptions from ad valorem taxation provided for by law on June 30, 1983.

- (2) See Ga. L. 1951, p. 874, under Fulton County for amendment affecting Palmetto.
- (3) See Ga. L. 1975, p. 1700, under Coweta County for amendment affecting Palmetto.
- (4) See Ga. L. 1976, p. 1864, under Fulton County for amendment affecting Palmetto.
- (5) See Ga. L. 1982, p. 2504, under Fulton County for amendment affecting Palmetto.

ROSWELL

- (1) Ga. L. 1978, p. 2430.

DESCRIPTION: Provides a \$2,000.00 homestead exemption from city ad valorem taxes for residents 65 years of age or over.

STATUS: Article VII, Section II, Paragraph IV continues in effect as statutory law those types of exemptions from ad valorem taxation provided for by law on June 30, 1983.

- (2) See Ga. L. 1951, p. 874, under Fulton County for amendment affecting Roswell.
- (3) See Ga. L. 1976, p. 1864, under Fulton County for amendment affecting Roswell.
- (4) See Ga. L. 1982, p. 2504, under Fulton County for amendment affecting Roswell.

UNION CITY

- (1) Ga. L. 1977, p. 1572, as amended by Ga. L. 1982, p. 2597.

DESCRIPTION: Grants a \$4,000.00 homestead exemption from city ad valorem taxes to those residents 65 years of age or older whose specified income does not exceed \$8,000.00.

STATUS: Article VII, Section II, Paragraph IV continues in effect as statutory law those types of exemptions from ad valorem taxation provided for by law on June 30, 1983.

- (2) CITE: Ga. L. 1980, p. 2271.

DESCRIPTION: Grants a \$2,000.00 homestead exemption from all city ad valorem taxes to disabled residents whose specified income does not exceed \$8,000.00.

STATUS: Article VII, Section II, Paragraph IV continues in effect as statutory law those types of exemptions from ad valorem taxation provided for by law on June 30, 1983.

- (3) See Ga. L. 1951, p. 874, under Fulton County for amendment affecting Union City.
(4) See Ga. L. 1976, p. 1864, under Fulton County for amendment affecting Union City.
(5) See Ga. L. 1982, p. 2504, under Fulton County for amendment affecting Union City.

GILMER COUNTY

- (1) CITE: Ga. L. 1953, Nov.-Dec. Sess., p. 544; Ga. L. 1958, p. 469.

DESCRIPTION: Provides for an elected board of education of Gilmer County.

STATUS: Not continued. Repealed, Article XI, Section I, Paragraph IV.

- (2) CITE: Ga. L. 1967, p. 958; Ga. L. 1981, p. 1923.

DESCRIPTION: Creates the Gilmer County Industrial Development Authority.

STATUS: Not continued. Repealed, Article XI, Section I, Paragraph IV.

- (3) Ga. L. 1968, p. 1488.

DESCRIPTION: Authorizes the tax commissioner of Gilmer County to levy and collect all fi. fas. as if done by the sheriff.

COMMENTS: Code Section 48-5-137 authorizes tax commissioners to act as ex officio sheriffs for the collection of taxes by levy and sale upon the consent of the sheriff. The amendment, however, does not require the sheriff's consent.

STATUS: Not continued. Repealed, Article XI, Section I, Paragraph IV.

GLASCOCK COUNTY

- (1) CITE: Ga. L. 1960, p. 1439.

DESCRIPTION: Provides for an elected board of education of Glascock County.

COMMENTS: The amendment contains the current school board law for Glascock County.

STATUS: Continued, Ga. L. 1987, p. 3807.

- (2) CITE: Ga. L. 1962, p. 1065.

DESCRIPTION: Authorizes Glascock County to issue revenue bonds to fund the purchase, etc., of facilities for use by industry or commercial enterprise.

COMMENTS: An amendment which was identical to this one (Ga. L. 1960, p. 1400, relating to Telfair County) was declared to be in violation of the due process and equal protection clauses of the Fourteenth Amendment to the U.S. Constitution in the case of Smith v. State of Georgia, 222 Ga. 552, 1966.

STATUS: Not continued. Repealed, Article XI, Section I, Paragraph IV.

- (3) CITE: Ga. L. 1968, p. 1866.

DESCRIPTION: Creates the Glascock County Industrial Development Authority.

STATUS: Continued, Ga. L. 1987, p. 3809.

- (4) CITE: Ga. L. 1977, p. 1622.

DESCRIPTION: Grants an exemption from Glascock County ad valorem taxation for county purposes for a period of five years to new manufacturing establishments and additions to existing manufacturing establishments costing in excess of \$250,000.00.

STATUS: Article VII, Section II, Paragraph IV continues in effect as statutory law those types of exemptions from ad valorem taxation provided for by law on June 30, 1983.

GLYNN COUNTY

- (1) CITE: Ga. L. 1929, p. 137.

DESCRIPTION: Authorizes the governing authorities of Glynn County and McIntosh County to establish special districts for fire prevention, police protection, or building and improving roads and to issue bonds and levy taxes and assessments upon property served by such districts.

COMMENTS: Article IX, Section II, Paragraph III authorizes cities and counties to provide police and fire protection and road construction and maintenance. Article IX, Section II, Paragraph VI authorizes the creation of special districts by the county governing authority and permits the levy of taxes and assessment upon property within such special districts. The amendment contains a special provision applying only to McIntosh County which requires that bonds issued in connection with such special districts shall not exceed 14 percent of the value of the taxable property within such districts.

STATUS: Not continued. Repealed, Article XI, Section I, Paragraph IV.

- (2) CITE: Ga. L. 1937, p. 24.

DESCRIPTION: Authorizes the General Assembly to grant authority to plan and zone.

COMMENTS: Changes in the general provisions of the Constitution which have been adopted since 1937 make this amendment obsolete. Local governments have direct constitutional authority to plan and zone. (Art. IX, Sec. II, Par. IV).

STATUS: Not continued. Repealed, Article XI, Section I, Paragraph IV.

- (3) CITE: Ga. L. 1943, p. 33.

DESCRIPTION: Authorizes the abolition of justices of the peace in Glynn County.

COMMENTS: This local amendment repealed an exception for Glynn County to general language which was in the Georgia Constitution of 1877 allowing the abolition of the office of justice of the peace in certain cities and counties. The language which was amended is no longer in the Constitution, and the new Constitution abolished the office of justice of the peace on a state-wide basis. Therefore, this amendment is legally obsolete.

STATUS: Not continued. Repealed, Article XI, Section I, Paragraph IV.

(4) CITE: Ga. L. 1956, p. 253.

DESCRIPTION: Provides that the basic \$2,000.00 homestead exemption shall not apply to taxes levied for the Glynn County School District.

COMMENTS: Article VII, Section II, Paragraph IV continues in effect as statutory law those types of exemptions from ad valorem taxation provided for by law on June 30, 1983. It is not clear, however, that this constitutional provision would continue in effect the limitation of an exemption.

STATUS: Continued, Ga. L. 1987, p. 3610.

(5) CITE: Ga. L. 1956, p. 471.

DESCRIPTION: Authorizes the governing authority of Glynn County to issue revenue anticipation certificates or general obligation bonds for the purpose of constructing and maintaining a sewer system in said county. This debt is in addition to the debt limitation of the Constitution which at the time this amendment was ratified was 7 percent of the assessed value of tangible property.

COMMENTS: The present Constitution limits general obligation debt to 10 percent of the assessed value of taxable property. It is unclear whether this amendment authorizes general obligation debt in excess of the limitation which existed at the time the amendment was ratified or whether it authorizes general obligation debt in excess of the present constitutional limitation.

STATUS: Not continued. Repealed, Article XI, Section I, Paragraph IV.

(6) CITE: Ga. L. 1956, p. 476.

DESCRIPTION: Authorizes the governing authority of Glynn County to issue bonds for the establishment and operation of a municipal port and terminal facilities; provides that this debt is in addition to the debt limitation of the Constitution which at the time of this amendment was 7 percent of the assessed value of the taxable property.

COMMENTS: The present Constitution limits general obligation debt to 10 percent of the assessed value of taxable property. It is unclear whether this amendment authorizes general obligation debt in excess of the limitation which existed at the time the amendment was ratified or whether it authorizes general obligation debt in excess of the present constitutional limitation.

STATUS: Not continued. Repealed, Article XI, Section I, Paragraph IV.

(7) CITE: Ga. L. 1960, p. 1232.

DESCRIPTION: Provides that if Glynn County contracts with Brunswick so that the city provides jail facilities for the county then the sheriff of the county shall be relieved of the sheriff's duties as jailer and such duties shall be performed by the city marshal.

COMMENTS: Chapter 4 of Title 42 imposes on county sheriffs certain duties with respect to county jails.

STATUS: Not continued. Repealed, Article XI, Section I, Paragraph IV.

(8) CITE: Ga. L. 1962, p. 810.

DESCRIPTION: Creates the Glynn County/Brunswick Development Authority.

STATUS: Continued, Ga. L. 1987, p. 3659.

(9) CITE: Ga. L. 1966, p. 823.

DESCRIPTION: Authorizes the General Assembly to create a charter commission for city-county consolidation.

COMMENTS: The Constitution provides a mechanism for city-county consolidation in Article IX, Section III, Paragraph II(a)

STATUS: Continued, Ga. L. 1985, p. 3603.

(10) CITE: Ga. L. 1971, p. 975.

DESCRIPTION: Authorizes the governing authority of Glynn County to license and regulate businesses and to levy license taxes.

COMMENTS: Article IX, Section IV, Paragraph I authorizes counties to regulate businesses. However, the general provisions of the Constitution may be more restrictive than the authority conveyed under this local amendment.

STATUS: Continued, Ga. L. 1987, p. 3612.

(11) CITE: Ga. L. 1976, p. 1890.

DESCRIPTION: Authorizes the governing authority of the county or any municipal corporation in the county to exempt from ad valorem taxation tangible personal property in transit to a destination outside of the state.

COMMENTS: The current general provisions of the Constitution and general law concerning the "freeport exemption" provide similar authority, but the authority afforded by general law is not as broad as the authority granted by the local amendment. For example, any exemption granted under the general provisions must be approved at a referendum; but no referendum is required in order to grant an exemption under the local amendment. Article VII, Section II, Paragraph IV continues in effect as statutory law those types of exemptions from ad valorem taxation provided for by law on June 30, 1983. While this provision would continue any exemption granted under the local amendment as of that date, the power of the governing authority to thereafter grant and revoke such exemptions might be lost if the local amendment is not specifically continued. It is not clear whether this amendment was intended to apply to, or has been interpreted as applying to, Glynn County School District taxes.

STATUS: Continued, Ga. L. 1987, p. 3614.

(12) CITE: Ga. L. 1976, p. 1896.

DESCRIPTION: Authorizes the governing authority of Glynn County to provide for sale by the drink on the premises until 1:55 A.M. on Sundays.

COMMENTS: A population Act found at Ga. L. 1983, p. 806, authorizes the governing authority to permit the sale of Sunday sales by the drink upon approval by a referendum. The constitutional amendment allows the governing authority to authorize sale by the drink without approval in a referendum.

STATUS: Continued, Ga. L. 1987, p. 3616.

(13) CITE: Ga. L. 1979, p. 1849.

DESCRIPTION: Freezes the assessment of a homestead for county and county school district ad valorem tax purposes as of a specified date for residents who are 62 years of age or over or who are disabled, and whose specified income does not exceed \$12,000.00.

COMMENTS: Article VII, Section II, Paragraph IV continues in effect as statutory law those types of exemptions from ad valorem taxation provided for by law on June 30, 1983. It is not clear, however, that this constitutional provision is a type of exemption since it freezes the assessed value of certain homesteads.

STATUS: Continued, Ga. L. 1987, p. 3728.

(14) CITE: Ga. L. 1982, p. 2637.

DESCRIPTION: Authorizes the governing authority of Glynn County to adopt ordinances preserving and protecting the health, safety, welfare, and morals of its citizens and to provide penalties for violations of such ordinances and authorizes the appropriate court with jurisdiction over such matters to inflict punishment for such violations.

COMMENTS: Code Section 36-1-20 authorizes the governing authority of each county to adopt ordinances preserving the public health, safety, and welfare of the unincorporated areas of the county, violations of which ordinances may be punished by fine or imprisonment of not more than \$500.00 or 60 days or both.

STATUS: Not continued. Repealed, Article XI, Section I, Paragraph IV.

- (15) See Ga. L. 1924, p. 35. under Chatham County for amendment affecting Glynn County.
- (16) See Ga. L. 1939, p. 2, under Chatham County for amendment affecting Glynn County.

BRUNSWICK

- (1) CITE: Ga. L. 1924, p. 33.

DESCRIPTION: Authorizes the city to incur bonded indebtedness of up to 14 percent of the value of the assessed value of taxable property for the purpose of funding the municipal port terminal facilities. The debt limitation established in this amendment exceeds the general debt limitation found in Article IX, Section V, Paragraph I.

STATUS: Not continued. Repealed, Article XI, Section I, Paragraph IV.

- (2) CITE: Ga. L. 1927, p. 127; Ga. L. 1935, p. 1234; Ga. L. 1937, pp. 1132, 1137, 1139.

DESCRIPTION: Zoning and planning.

COMMENTS: The 1927 amendment to Art. III, Sec. VII, Para. XXV of the 1877 Constitution included Albany, Athens, Atlanta, Augusta, Brunswick, Columbus, Darien, Decatur, Dublin, East Thomaston, LaGrange, Macon, Newnan, Rome, Savannah, Thomaston, Valdosta, Waycross, and cities with a population of 25,000 or more according to the decennial census of 1920. The 1935 amendment added Moultrie. The first 1937 amendment added Carrolton, Cordele, Eastman, Forsyth, Fort Valley, McRae, and Milledgeville. The second 1937 amendment added Dalton. The third 1937 amendment added Quitman. Art. III, Sec. VII, Para. XXIII of the Constitution of 1945 (the revised counterpart of old Para. XXV) contained a direct grant of authority to the General Assembly to grant authority to cities and counties to pass zoning and planning laws. Amendment 19 (which included among other things, Art. XV, Sec. II-A, Para. III) granted some zoning and planning power directly to counties and was held to have impliedly repealed Para. XXIII insofar as it applied to unincorporated areas. Art. IX, Sec. IV, Para. II(15) conferred zoning and planning power in cities and counties.

STATUS: Not continued. Repealed, Article XI, Section I, Paragraph IV.

- (3) CITE: Ga. L. 1956, p. 421.

DESCRIPTION: Authorizes the governing authority of the City of Brunswick to issue bonds for the establishment and operation of a municipal port and terminal facilities; provides that the debt is in addition to the debt limitation of the Constitution which at the time this amendment was ratified was 7 percent of the assessed value of the taxable property.

COMMENTS: The present Constitution limits general obligation debt to 10 percent of the assessed value of taxable property. It is unclear whether this amendment authorizes general obligation debt in excess of the limitation which existed at the time the amendment was ratified or whether it authorizes general obligation debt in excess of the present constitutional limitation.

STATUS: Not continued. Repealed, Article XI, Section I, Paragraph IV.

- (4) CITE: Ga. L. 1956, p. 442.

DESCRIPTION: Authorizes the City of Brunswick to incur limited bonded indebtedness for the construction and operation of sanitary and storm sewers. This debt is in addition to the debt limitation of the Constitution which at the time this amendment was ratified was 7 percent of the assessed value of taxable property.

COMMENTS: The present Constitution limits general obligation debt to 10 percent of the assessed value of taxable property. It is unclear whether this amendment authorizes general obligation debt in excess of the limitation which existed at the time the amendment was ratified or whether it authorizes general obligation debt in excess of the present constitutional limitation.

STATUS: Not continued. Repealed, Article XI, Section I, Paragraph IV.

- (5) CITE: Ga. L. 1966, p. 929.

DESCRIPTION: Creates a district to be known as "Downtown Brunswick."

COMMENTS: While downtown development authorities may now be created pursuant to Chapter 42 of Title 36, that chapter does not appear to affect this amendment. Note that this amendment limits the interest on revenue bonds to 7 percent.

STATUS: Continued, Ga L. 1987, p. 3719.

- (6) See Ga. L. 1960, p. 1232, under Glynn County for amendment affecting Brunswick.

- (7) See Ga. L. 1962, p. 810, under Glynn County for amendment affecting Brunswick.

- (8) See Ga. L. 1966, p. 823, under Glynn County for amendment affecting Brunswick.

- (9) See Ga. L. 1976, p. 1890, under Glynn County for amendment affecting Brunswick.

GORDON COUNTY

- (1) Ga. L. 1966, p. 1056.

DESCRIPTION: Creates the Gordon County Development Authority.

STATUS: Not continued. Repealed, Article XI, Section I, Paragraph IV.

- (2) Ga. L. 1972, p. 1485.

DESCRIPTION: Authorizes the General Assembly to create a special political subdivision having normal municipal powers and also having certain extraordinary powers in order to provide for the orderly establishment and growth of industrial, commercial, and civic establishments.

COMMENTS: Enabling legislation creating this special political subdivision is found at Ga. L. 1973, p. 2418. The amendment provides a variety of exemptions from certain limitations otherwise imposed on political subdivisions under the Constitution and general law.

STATUS: Not continued. Repealed, Article XI, Section I, Paragraph IV.

- (3) CITE: Ga. L. 1973, p. 1504.

DESCRIPTION: Authorizes county to appropriate up to \$5,000.00 each year to Hand Up, Inc.

COMMENTS: This appropriation is likely a gratuity in violation of Article III, Section VI, Paragraph VI(a) in absence of this amendment.

STATUS: Not continued. Repealed, Article XI, Section I, Paragraph IV.

- (4) CITE: Ga. L. 1980, p. 2247.

DESCRIPTION: Grants a homestead exemption from county school district ad valorem taxes to residents 62 years of age or older whose specified income does not exceed \$6,000.00. The amount of the exemption is the same as that granted under general law pursuant to 1976 Georgia Constitution Article VII, Section I, Paragraph IV and is in lieu of such general law.

STATUS: Article VII, Section II, Paragraph IV continues in effect as statutory law those types of exemptions from ad valorem taxation provided for by law on June 30, 1983.

CALHOUN

- (1) CITE: Ga. L. 1973, p. 1505.

DESCRIPTION: Authorizes the city to appropriate up to \$5,000.00 each year to Hand Up, Inc.

COMMENTS: This appropriation is likely a gratuity in violation of Article III, Section VI, Paragraph VI(a) in the absence of this amendment.

STATUS: Continued, Ga. L. 1987, p. 3590.

- (2) CITE: Ga. L. 1980, p. 2250.

DESCRIPTION: Grants a homestead exemption from school ad valorem taxes to residents 62 years of age or older whose specified income does not exceed \$6,000.00. The amount of the exemption is the same as that granted under general law pursuant to 1976 Georgia Constitution Article VII, Section I, Paragraph IV and is in lieu of such general law.

STATUS: Article VII, Section II, Paragraph IV continues in effect as statutory law those types of exemptions from ad valorem taxation provided for by law on June 30, 1983.

GRADY COUNTY

- (1) CITE: Ga. L. 1939, p. 41.

DESCRIPTION: Authorizes the county to issue warrant refunding bonds to retire all indebtedness existing at the time the amendment was ratified. The amendment goes on to require the county to operate on a cash basis and prohibits the county from issuing warrants and deferred payment orders.

COMMENTS: The authority to issue the warrant refunding bonds was a one-time authority which has no current applicability. The provisions requiring the county to operate on a cash basis is probably not necessary. Article IX, Section V places limitations on the manner in which counties may incur debt through the issuance of bonds and through making temporary loans and the practice of paying by issuing delayed payment warrants and orders beyond the fiscal year is not contemplated or authorized.

STATUS: Not continued. Repealed, Article XI, Section I, Paragraph IV.

CAIRO

(1) CITE: Ga. L. 1962, p. 1200; Ga. L. 1970, p. 1106.

DESCRIPTION: Creates the City of Cairo Development Authority.

STATUS: Continued, Ga. L. 1985, p. 3780.

GREENE COUNTY

(1) CITE: Ga. L. 1962, p. 985.

DESCRIPTION: Creates the Greene County Development Authority.

STATUS: Continued, Ga. L. 1985, p. 4246.

(2) CITE: Ga. L. 1964, p. 969.

DESCRIPTION: Provides for an elected board of education of Greene County.

STATUS: Continued initially, Ga. L. 1985, p. 4248. Subsequently repealed, Ga. L. 1986, p. 3696.

GWINNETT COUNTY

(1) CITE: Ga. L. 1941, p. 168.

DESCRIPTION: Authorizes the Sunny Hill consolidated school district of Gwinnett County to issue refunding bonds for the purpose of retiring bonded indebtedness which is due or may become due and for the purpose of building and equipping other school facilities.

COMMENTS: This amendment appears to be inactive and of no further use.

STATUS: Not continued. Repealed, Article XI, Section I, Paragraph IV.

(2) CITE: Ga. L. 1953, Nov.-Dec. Sess., p. 247.

DESCRIPTION: Authorizes the governing authority of Gwinnett County to establish a water, sanitation, sewerage, and fire protection district and to levy taxes in support of such services.

COMMENTS: Cities and counties are authorized under Article IX, Section II, Paragraph III to provide for water, sanitation, sewerage, and fire protection services and may create service districts and levy taxes in support of such services under Article IX, Section II, Paragraph VI. The amendment provides that the homestead exemption shall not be applied to the levy of such taxes.

STATUS: Continued, Ga. L. 1986, p. 4629.

- (3) CITE: Ga. L. 1956, p. 810; Ga. L. 1960, p. 1433; Ga. L. 1968, p. 1887.

DESCRIPTION: Provides for an elected board of education of Gwinnett County and an appointed school superintendent.

COMMENTS: The provisions of the amendment defining the education districts and terms of members of the board have been superseded by local law. The amendment does contain the current law regarding appointment of the school superintendent by the board and the provision for filling vacancies on the board.

STATUS: Continued, Ga. L. 1986, p. 4626.

- (4) CITE: Ga. L. 1962, p. 927.

DESCRIPTION: Creates the Gwinnett County Industrial Building Authority.

STATUS: Continued, Ga. L. 1986, p. 4549.

- (5) CITE: Ga. L. 1964, p. 1008.

DESCRIPTION: Authorizes the creation of MARTA and grants all powers of the authority.

STATUS: This amendment is continued in force by Article XI, Section I, Paragraph IV(d).

- (6) CITE: Ga. L. 1966, p. 856.

DESCRIPTION: Authorizes the governing authority of Gwinnett County to establish fire protection and sewerage districts in the unincorporated area of the county and to levy taxes therein upon approval at a referendum in the affected district. Authorizes the county to issue general obligation debt on behalf of such districts. Authorizes intergovernmental contracts for the provision of fire protection services.

COMMENTS: Similar authority is now provided by general provisions of the Constitution. Article IX, Section II, Paragraph VI authorizes the creation of special districts for the provision of governmental services and the levy of taxes, fees, and assessments for such purposes, but this provision of the Constitution does not require referendum approval of such taxes. Article IX, Section III, Paragraph I authorizes intergovernmental contracts for the

provision of fire protection services and other governmental services. Article IX, Section V, Paragraph II authorizes counties to issue bonded debt on behalf of special districts, but this general provision does not exempt such bonded debt from the county's 10 percent debt limit as the local amendment does.

STATUS: Continued, Ga. L. 1986, p. 4554.

(7) CITE: Ga. L. 1966, p. 1062.

DESCRIPTION: Empowers the clerk of superior court to issue criminal warrants and collect fees therefor to be paid to the county.

COMMENTS: This amendment allows the clerk to perform a duty which is not provided for by general law under Code Sections 15-6-60 and 15-6-61 and which could not be so provided otherwise by local Act because of its judicial nature.

STATUS: Not continued. Repealed, Article XI, Section I, Paragraph IV.

(8) CITE: Ga. L. 1968, p. 1884.

DESCRIPTION: Authorizes the General Assembly to create a merit system of employment for all employees of Gwinnett County.

COMMENTS: Article IX, Section I, Paragraph IV authorizes the General Assembly by general law to authorize the establishment by county governing authorities of civil service systems covering both county employees and employees of county officers.

STATUS: Continued, Ga. L. 1986, p. 4621.

(9) CITE: Ga. L. 1972, p. 1434.

DESCRIPTION: Authorizes the governing authority of Gwinnett County to provide for a system of control of dogs and cats and to levy a tax for such purpose and to authorize the levy of fees upon owners and enactment of penalties for failure to obtain licenses.

COMMENTS: Article IX, Section II, Paragraph III(3) authorizes cities and counties to provide for animal control and Article IX, Section IV, Paragraphs I and II authorize the levy of taxes and expenditure of public funds for such services.

STATUS: Not continued. Repealed, Article XI, Section I, Paragraph IV.

(10) CITE: Ga. L. 1972, p. 1435.

DESCRIPTION: Authorizes the board of commissioners of Gwinnett County to provide garbage disposal services. Authorizes the board to establish sanitation districts and to levy assessments or service charges for services rendered in such sanitation districts.

COMMENTS: Counties and municipalities are now authorized to provide these services under Article IX, Section II, Paragraph III, and public funds may be expended therefor under Article IX, Section IV, Paragraph II. Special districts for government services and special taxes within those districts are now authorized by Article IX, Section II, Paragraph VI.

STATUS: Continued, Ga. L. 1986, p. 4547.

(11) CITE: Ga. L. 1974, p. 1796.

DESCRIPTION: Grants a \$4,000.00 homestead exemption from "all county ad valorem taxation" to each resident of the county who is totally disabled.

STATUS: Article VII, Section II, Paragraph IV continues in effect as statutory law those types of exemptions from ad valorem taxation provided for by law on June 30, 1983. It is not clear whether this exemption was intended to apply to, or has been interpreted as applying to, Gwinnett County School District taxes.

(12) CITE: Ga. L. 1974, p. 1803.

DESCRIPTION: Grants power to enact county ordinances. Punishment limits are \$200.00 fine and 60 days in jail.

COMMENTS: Article IX, Section II, Paragraph I and Code Section 36-1-20 authorize counties to adopt ordinances and resolutions. In view of these provisions, this local amendment may not be necessary. However, the provisions of the Constitution and the general law may be more restrictive as to the subject matter of these local ordinances and resolutions, as to the penalties which may be imposed for violations of the ordinances and resolutions, and as to the territorial applicability of the ordinances and resolutions.

STATUS: Continued, Ga. L. 1986, p. 5359.

(13) CITE: Ga. L. 1974, p. 1807.

DESCRIPTION: Grants business regulation, license tax, and certain franchising powers to the county governing authority. No "unincorporated area" limitation appears in the paragraphs regarding regulation and licensing.

COMMENTS: Article IX, Section II, Paragraph I and Code Section 36-1-20 authorize counties to adopt ordinances and resolutions, and Article IX, Section IV, Paragraph I

authorizes counties to regulate businesses. In view of these provisions, this local amendment may not be necessary. However, the provisions of the Constitution and the general law may be more restrictive as to the subject matter of these local ordinances and resolutions, as to the penalties which may be imposed for violations of the ordinances and resolutions, and as to the territorial applicability of the ordinances and resolutions. Franchises are authorized under Article IX, Section II, Paragraph III(a) and Chapter 18 of Title 36.

STATUS: Continued, Ga. L. 1986, p. 4624.

(14) CITE: Ga. L. 1978, p. 2362.

DESCRIPTION: Relates to jurisdiction, practice, and procedures in justice of the peace courts.

COMMENTS: The 1983 Georgia Constitution abolishes all justice of the peace courts and establishes a system of magistrate courts. Chapter 10 of Title 15 governs all magistrate courts and sets uniform jurisdiction, practice, and procedures for these courts.

STATUS: Not continued. Repealed, Article XI, Section I, Paragraph IV.

(15) CITE: Ga. L. 1981, p. 1921.

DESCRIPTION: Grants a \$20,000.00 homestead exemption from county and county school district ad valorem taxes to those residents 65 years of age or older whose specified income does not exceed \$10,000.00.

STATUS: Article VII, Section II, Paragraph IV continues in effect as statutory law those types of exemptions from ad valorem taxation provided for by law on June 30, 1983.

BUFORD

(1) See Ga. L. 1960, p. 1303, under Hall County for amendment affecting Buford.

NORCROSS

(1) CITE: Ga. L. 1974, p. 1691.

DESCRIPTION: Authorizes the City of Norcross to grant a \$2,000.00 homestead exemption from municipal ad valorem taxation to each resident of the city who is 62 years of age or older.

COMMENTS: Article VII, Section II, Paragraph IV continues in effect as statutory law those types of exemptions from ad valorem taxation provided for by law on June 30, 1983. It is not clear, however, that this constitutional provision would continue the discretionary power of the city governing authority to grant or revoke this exemption.

STATUS: Continued, Ga. L. 1987. P. 3641.

REST HAVEN

- (1) See Ga. L. 1960, p. 1303, under Hall County for amendment affecting Rest Haven.

SNELLVILLE

- (1) CITE: Ga. L. 1974, p. 1726.

DESCRIPTION: Grants a \$2,000.00 homestead exemption from municipal ad valorem taxes to each resident of the city who is disabled or 65 years of age or over.

STATUS: Article VII, Section II, Paragraph IV continues in effect as statutory law those types of exemptions from ad valorem taxation provided for by law on June 30, 1983.

SUGAR HILL

- (1) CITE: Ga. L. 1974, p. 1722.

DESCRIPTION: Grants a \$2,000.00 homestead exemption from municipal ad valorem taxes to each resident of the city who is disabled or 62 years of age or older and has specified income not exceeding \$5,000.00 per year.

COMMENTS: Article VII, Section II, Paragraph IV continues in effect as statutory law those types of exemptions from ad valorem taxation provided for by law on June 30, 1983. Because this general provision of the Constitution continues this exemption in effect, it is not necessary that this amendment be specifically continued in order for this exemption to continue to be granted.

STATUS: Continued, Ga. L. 1987, p. 5279.

HABERSHAM COUNTY

- (1) CITE: Ga. L. 1964, p. 876.

DESCRIPTION: Creates the Habersham County Industrial Development Authority.

STATUS: Continued, Ga. L. 1985, p. 4207.

(2) CITE: Ga. L. 1966, p. 927.

DESCRIPTION: Authorizes the county board of education of Habersham County to borrow funds for the purpose of constructing school buildings and facilities and pledge the building funds which will or may be forthcoming to Habersham County from the state through the Minimum Foundation Program for Education as security and payment therefor.

COMMENTS: The Minimum Foundation Program for Education has been replaced by the Adequate Program for Education in Georgia (APEG) and further replaced by QBE.

STATUS: Continued, Ga. L. 1985, p. 4205, and Ga. L. 1986, p. 3827.

(3) CITE: Ga. L. 1978, p. 2444.

DESCRIPTION: Provides a \$10,000.00 homestead exemption from county and county school district ad valorem taxes for residents 65 years of age or over.

STATUS: Article VII, Section II, Paragraph IV continues in effect as statutory law those types of exemptions from ad valorem taxation provided for by law on June 30, 1983.

(4) CITE: Ga. L. 1980, p. 2280.

DESCRIPTION: Authorizes the imposition of alcoholic beverage taxes for the Habersham County school district.

STATUS: Continued, Ga. L. 1984, p. 4173.

(5) CITE: Ga. L. 1980, p. 2283.

DESCRIPTION: Grants a total homestead exemption from county school district ad valorem taxes to residents 65 years of age or older or who are totally disabled, provided that specified income does not exceed \$12,000.00. The income limitation is subject to adjustment by the county governing authority.

COMMENTS: Article VII, Section II, Paragraph IV continues in effect as statutory law those types of exemptions from ad valorem taxation provided for by law on June 30, 1983. It is not clear, however, that this constitutional provision would continue the discretionary power of the county governing authority to adjust the income limitation.

STATUS: Continued, Ga. L. 1986, p. 3807.

(6) CITE: Ga. L. 1982, p. 2566.

DESCRIPTION: Authorizes a 1 percent sales and use tax for educational purposes.

STATUS: Continued, Ga. L. 1984, p. 4123.

ALTO

- (1) See Ga. L. 1979, p. 1843, under Banks County for amendment affecting Alto.

BALDWIN

- (1) See Ga. L. 1979, p. 1843, under Banks County for amendment affecting Baldwin.

CLARKESVILLE

- (1) CITE: Ga. L. 1962, p. 898.

DESCRIPTION: Creates the Clarkesville Industrial Building Authority.

STATUS: Continued, Ga. L. 1985, p. 4212.

- (2) CITE: Ga. L. 1962, p. 1149.

DESCRIPTION: Authorizes the city to issue revenue bonds for nonprofit housing for elderly persons.

COMMENTS: While Article 5 of Chapter 7 of Title 31, the "Residential Care Facilities for the Elderly Authorities Act," authorizes the city to create an authority for this purpose, that Act does not appear to affect the powers granted by this local amendment.

STATUS: Continued, Ga. L. 1985, p. 4210.

- (3) CITE: Ga. L. 1978, p. 2354.

DESCRIPTION: Provides that the mayor and council shall from time to time fix at not more than \$10,000.00 the amount of a homestead exemption from ad valorem taxation which shall be granted to each resident of the city who is 65 years of age or over.

COMMENTS: Article VII, Section II, Paragraph IV continues in effect as statutory law those types of exemptions from ad valorem taxation provided for by law on June 30, 1983. It is not clear, however, that this general constitutional provision would continue the authority of the municipal governing authority to change the amount of the homestead exemption.

STATUS: Continued, Ga. L. 1985, p. 4208.

CORNELIA

- (1) CITE: Ga. L. 1929, p. 121.

DESCRIPTION: Authorizes the city to issue \$250,000.00 worth of bonds for repairing, purchasing, or constructing a waterworks without regard to the general obligation debt limitation of the Constitution.

STATUS: Not continued. Repealed, Article XI, Section I, Paragraph IV.

HALL COUNTY

- (1) CITE: Ga. L. 1949, p. 1288.

DESCRIPTION: Hospitalization of indigent sick.

STATUS: Not continued. Repealed, Article XI, Section I, Paragraph IV.

- (2) CITE: Ga. L. 1960, p. 1199; Ga. L. 1964, p. 845.

DESCRIPTION: Provides for an elected board of education of Hall County.

COMMENTS: The provisions of this amendment were superseded by two later amendments found at Ga. L. 1972, p. 1379 and Ga. L. 1976, p. 1910.

STATUS: Continued, Ga. L. 1986, p. 4330.

- (3) CITE: Ga. L. 1960, p. 1303.

DESCRIPTION: Authorizes the governing authority of Hall County to establish fire prevention districts and to levy taxes therein with referendum approval. Authorizes fire prevention contracts between the county and municipalities. Authorizes the county to include incorporated areas in fire protection districts and authorizes municipalities to provide fire protection services outside their boundaries. Authorizes issuance of bonds by fire protection districts, payable from county taxes.

COMMENTS: Similar authority is now provided by general provisions of the Constitution. Article IX, Section II, Paragraph VI authorizes the creation of special districts for the provision of governmental services and the levy of taxes, fees, and assessments for such purposes, but this provision of the Constitution does not require referendum approval of such taxes. Article IX, Section III, Paragraph I authorizes intergovernmental contracts for the provision of fire protection services and other governmental services. Article IX, Section V, Paragraph II authorizes counties to issue bonded debt on behalf of special districts.

STATUS: Continued, Ga. L. 1987, p. 3661.

(4) CITE: Ga. L. 1962, p. 980.

DESCRIPTION: Authorizes the General Assembly to grant to the governing authority of Hall County the power to assess the costs of streets, curbs, gutters, and sidewalks against the owners of abutting subdivided property in the unincorporated area of the county. Consent of 51 percent of the owners of such property is required. Authorizes the governing authority to issue "revenue bonds" for the purpose of providing such services.

COMMENTS: Article IX, Section II, Paragraph VI currently authorizes counties to create special services districts for the provision of governmental services and the levy of taxes, fees, and assessments for such purposes. Article IX, Section V, Paragraph II authorizes counties to issue bonded debt on behalf of such special districts upon approval at a referendum within the district.

STATUS: Not continued. Repealed, Article XI, Section I, Paragraph IV.

(5) CITE: Ga. L. 1962, p. 1042.

DESCRIPTION: Authorizes the General Assembly to grant to the governing authority of Hall County the power to assess the cost of sewer construction and repair against the owners of abutting property. Consent of 51 percent of such owners is required.

COMMENTS: Article IX, Section II, Paragraph IV currently authorizes county governments to establish special services districts for the provision of governmental services and facilities therefor and authorizes the levy within such special districts of taxes, fees, and assessments for such purposes.

STATUS: Not continued. Repealed, Article XI, Section I, Paragraph IV.

(6) CITE: Ga. L. 1962, p. 1044.

DESCRIPTION: Authorizes the General Assembly to empower the governing authority of Hall County to adopt ordinances and regulations governing the health, safety, and morals of the citizens, regulating traffic, and implementing and enforcing all duties and powers vested in the governing authority and to provide penalties for violations of such ordinances.

COMMENTS: Code Section 36-1-20 authorizes the governing authority of each county to adopt ordinances preserving the public health, safety, and welfare of the unincorporated areas of the county, violations of which ordinances may be punished by fine or imprisonment of not more than \$500.00 or 60 days or both.

STATUS: Not continued. Repealed, Article XI, Section I, Paragraph IV.

(7) CITE: Ga. L. 1962, p. 1063.

DESCRIPTION: Authorizes the board of commissioners to establish storm sewer and garbage collection districts and levy a special tax in such districts and regulate such services.

COMMENTS: Counties and municipalities are now authorized to provide these services under Article IX, Section II, Paragraph III, and public funds may be expended therefor under Article IX, Section IV, Paragraph II. Special districts for government services and special taxes within those districts are now authorized by Article IX, Section II, Paragraph VI.

STATUS: Not continued. Repealed, Article XI, Section I, Paragraph IV.

(8) CITE: Ga. L. 1964, p. 866.

DESCRIPTION: Supersedes Ga. L. 1961, p. 600, and creates the Gainesville and Hall County Development Authority.

STATUS: Continued, Ga. L. 1986, p. 4328.

(9) CITE: Ga. L. 1967, p. 968.

DESCRIPTION: Authorizes the General Assembly to provide by law for the creation of a civil service system of personnel administration for all employees whose salaries are paid from funds of Hall County.

COMMENTS: Article IX, Section I, Paragraph IV authorizes the General Assembly by general law to authorize the establishment by county governing authorities of civil service systems covering both county employees and employees of county officers.

STATUS: Continued, Ga. L. 1986, p. 4324.

(10) CITE: Ga. L. 1970, p. 1032.

DESCRIPTION: Authorizes the governing authority of Hall County to engage in business licensing and to levy business license fees and taxes in the unincorporated area of the county.

COMMENTS: Article IX, Section IV, Paragraph I(a) authorizes local laws granting to counties the power to levy and collect license taxes only in the unincorporated area of the county. Article IX, Section II, Paragraph I provides for general home rule powers which are likely broad enough to authorize counties to enforce licensing ordinances, and Code Section 36-1-20 authorizes counties to enforce ordinances which could include licensing ordinances by imposing a maximum punishment not to exceed a fine of \$500.00 or imprisonment for 60 days, or both, for such ordinance violations with such violations triable in the magistrate's court.

STATUS: Continued, Ga. L. 1986, p. 5344.

(11) CITE: Ga. L. 1972, p. 1379; Ga. L. 1976, p. 1910.

DESCRIPTION: Provides for an elected board of education of Hall County and an appointed school superintendent.

COMMENTS: Ga. L. 1983, p. 4553, redefined the education districts for the Hall County board of education. The amendment contains the current provisions for the election and terms of office of the members of the board and for the appointment of the school superintendent by the board.

STATUS: Continued, Ga. L. 1986, p. 4330.

(12) CITE: Ga. L. 1974, p. 1735.

DESCRIPTION: Gives the General Assembly broad local law powers relative to ad valorem taxation by Hall County, including the power to prescribe the date of tax assessments and levies, to prescribe the form of tax bills, to prescribe tax due dates, to authorize partial payments of taxes, to prescribe the location of tax offices, and to provide for forms, records, and equipment.

COMMENTS: This amendment gives the General Assembly broad power to enact local legislation otherwise preempted by general law. At least one example of a local law based on this authority may be found at Ga. L. 1975, p. 3339 (tax due dates for installment payments).

STATUS: Continued, Ga. L. 1986, p. 4321.

(13) CITE: Ga. L. 1980, p. 2227.

DESCRIPTION: Creates a board of elections in Hall County and provides for the method of selecting the members of the board and its powers and duties.

COMMENTS: Code Section 21-2-40 specifically authorizes the creation of boards of election in any county by local Act.

STATUS: Not continued. Repealed, Article XI, Section I, Paragraph IV.

(14) See Ga. L. 1949, p. 1288, under Gainesville for amendment affecting Hall County.

CLERMONT

(1) See Ga. L. 1960, p. 1303, under Hall County for amendment affecting Clermont.

FLOWERY BRANCH

- (1) See Ga. L. 1960, p. 1303, under Hall County for amendment affecting Flowery Branch.

GAINESVILLE

- (1) Ga. L. 1937-38, Ex. Sess., p. 33.

DESCRIPTION: Authorizes the city to issue bonds to refund and retire bonds which were outstanding and past due on January 1, 1940.

COMMENTS: This amendment constitutes a one-time authority to issue refunding bonds for a specific series of bonds in default on January 1, 1940. The authority so granted has expired and has no current applicability.

STATUS: Not continued. Repealed, Article XI, Section I, Paragraph IV.

- (2) CITE: Ga. L. 1941, p. 88.

DESCRIPTION: Authorizes the city to issue bonds to refund and retire bonds which were outstanding and past due on July 1, 1940.

COMMENTS: This amendment constitutes a one-time authority to issue refunding bonds for a specific series of bonds in default on July 1, 1940. The authority so granted has expired and has no current applicability.

STATUS: Not continued. Repealed, Article XI, Section I, Paragraph IV.

- (3) CITE: Ga. L. 1949, p. 1288.

DESCRIPTION: Authorizes the City of Gainesville and Hall County to contract with each other or with any hospital authority to incur indebtedness which is in addition to the debt limitation of the Constitution which at the time this amendment was ratified was 7 percent of the assessed value of taxable property.

COMMENTS: Since the general debt limitation in Article IX, Section V, Paragraph I was changed after the passage of this amendment, it is unclear as to the exact amount of additional indebtedness which may be incurred by the county or city pursuant to this amendment. This amendment also authorizes the county or city to incur bonded indebtedness without the necessity of a referendum and for a purpose not covered by general law.

STATUS: Not continued. Repealed, Article XI, Section I, Paragraph IV.

- (4) CITE: Ga. L. 1980, p. 2024.

DESCRIPTION: Authorizes the General Assembly to create a Gainesville Redevelopment Authority and ratifies an Act creating such authority (Ga. L. 1978, p. 4440).

STATUS: Continued, Ga. L. 1987, p. 3637.

- (5) See Ga. L. 1960, p. 1303, under Hall County for amendment affecting Gainesville.
(6) See Ga. L. 1964, p. 866, under Hall County for amendment affecting Gainesville.

GILLSVILLE

- (1) See Ga. L. 1960, p. 1303, under Hall County for amendment affecting Gillsville.
(2) See Ga. L. 1979, p. 1843, under Banks County for amendment affecting Gillsville.

LULA

- (1) See Ga. L. 1960, p. 1303, under Hall County for amendment affecting Lula.
(2) See Ga. L. 1979, p. 1843, under Banks County for amendment affecting Lula.

OAKWOOD

- (1) See Ga. L. 1960, p. 1303, under Hall County for amendment affecting Oakwood.

HANCOCK COUNTY

- (1) CITE: Ga. L. 1941, p. 93.

DESCRIPTION: Authorizes the county to issue refunding bonds.

COMMENTS: This amendment is obsolete. Article IX, Section V, Paragraph III addresses the issuance of refunding bonds by counties.

STATUS: Not continued. Repealed, Article XI, Section I, Paragraph IV.

- (2) CITE: Ga. L. 1950, p. 460.

DESCRIPTION: Provides for an elected board of education of Hancock County.

COMMENTS: The amendment contains the current school board law for Hancock County.

STATUS: Continued, Ga. L. 1987, p. 3732.

HARALSON COUNTY

(1) CITE: Ga. L. 1972, p. 1429.

DESCRIPTION: Authorizes the governing authority of Haralson County to enter into contracts and other agreements, including security deeds and notes, with private parties for terms up to 30 years for the purpose of acquiring a county courthouse and related facilities.

COMMENTS: Generally, financial obligations such as those authorized here constitute or involve general obligation debt which must be approved by the voters.

STATUS: Continued, Ga. L. 1986, p. 4690.

TALLAPOOSA

(1) CITE: Ga. L. 1964, p. 923.

DESCRIPTION: Creates the Tallapoosa Development Authority.

STATUS: Continued, Ga. L. 1986, p. 4688.

WACO

(2) CITE: Ga. L. 1964, p. 860.

DESCRIPTION: Creates the Waco Development Authority.

STATUS: Continued, Ga. L. 1986, p. 4692.

HARRIS COUNTY

(1) CITE: Ga. L. 1962, p. 1190.

DESCRIPTION: Authorizes the county board of education and the county board of health to furnish funds to the governing authority to defray the cost of property valuation, tax equalization, and reappraisal programs.

COMMENTS: The authorization provided by this amendment assigns powers to the board of health and board of education which differ from general law.

STATUS: Not continued. Repealed, Article XI, Section I, Paragraph IV.

WAVERLY HALL

(1) CITE: Ga. L. 1968, p. 1844.

DESCRIPTION: Creates the Town of Waverly Hall Development Authority.

STATUS: Not continued. Repealed, Article XI, Section I, Paragraph IV.

HART COUNTY

(1) CITE: Ga. L. 1941, p. 94.

DESCRIPTION: Authorizes the county to issue bonds to retire all indebtedness of the county as it existed on January 1, 1942, and requires the county thereafter to operate on a cash basis and prohibits issuing delayed warrants and payment orders.

COMMENTS: The provision relating to issuing bonds to retire indebtedness was a one-time authority and has no current applicability. The provision requiring the county to operate on a cash basis is probably not necessary because Article IX, Section V places limitations on the manner in which counties may incur debt through the issuance of bonds and by making temporary loans. The practice of issuing delayed warrants and payment orders beyond the fiscal year is not contemplated or authorized.

STATUS: Not continued. Repealed, Article XI, Section I, Paragraph IV.

(2) CITE: Ga. L. 1963, p. 697.

DESCRIPTION: Creates the Hart County Industrial Building Authority.

STATUS: Continued, Ga. L. 1985, p. 4453.

(3) CITE: Ga. L. 1972, p. 1497.

DESCRIPTION: Creates the Northern Hart County Water and Sewerage District. Provides for a governing body for the district to be appointed by the governing authority of Hart County. Provides that upon referendum approval the county shall levy and collect on behalf of the district such ad valorem tax millage as may be recommended by the governing body of

the district. Authorizes the governing body to incur bonded indebtedness and to exercise other powers commonly granted to local water and sewer authorities.

COMMENTS: It appears that the purposes of this local constitutional amendment could probably be met in most respects by a local Act of the General Assembly creating a water and sewerage authority to operate within the same district. The major difference in what could be accomplished by local Act rather than by local constitutional amendment would be that an authority created by local Act could not be given the power to have taxes levied on its behalf by the county. Such an authority would be, however, able to enter into a contract whereby the county paid funds to the authority in return for the authority's furnishing services to the county's residents.

STATUS: Not continued. Repealed, Article XI, Section I, Paragraph IV.

HEARD COUNTY

CORINTH

- (1) See Ga. L. 1975, p. 1700, under Coweta County for amendment affecting Corinth.

HENRY COUNTY

- (1) CITE: Ga. L. 1958, p. 436; Ga. L. 1966, p. 919.

DESCRIPTION: Provides for an elected board of education of Henry County.

COMMENTS: The amendment contains the current school board law for Henry County.

STATUS: Continued, Ga. L. 1985, p. 3932.

- (2) CITE: Ga. L. 1966, p. 853.

DESCRIPTION: Creates the Henry County Development Authority.

STATUS: Continued, Ga. L. 1985, p. 3831.

- (3) CITE: Ga. L. 1968, p. 1739.

DESCRIPTION: Authorizes the governing authority of Henry County to levy a tax of up to two mills for water and sewerage purposes. Provides that the proceeds of such tax may be used to guarantee revenue bonds issued by the county and by the Henry County Water Authority.

COMMENTS: Under current general constitutional provisions a county may tax for water and sewerage purposes but county tax revenues may not be pledged to guarantee revenue bonds.

STATUS: Continued, Ga. L. 1985, p. 3940, and home rule ordinance, Ga. L. 1985, p. 5159.

(4) CITE: Ga. L. 1968, p. 1774.

DESCRIPTION: Authorizes the governing authority of Henry County to incur limited bonded indebtedness for water and sewer purposes, which debt is in addition to the debt limitation of the Constitution which at the time this amendment was ratified was 7 percent of the assessed value of taxable property.

COMMENTS: Since the general debt limitation in Article IX, Section V, Paragraph I was changed after the passage of this amendment, it is unclear as to the exact amount of additional indebtedness which may be incurred by the county pursuant to this amendment. However, this amendment does authorize the county to incur a greater amount of bonded indebtedness than is permitted under the general provisions of the Constitution.

STATUS: Continued, Ga. L. 1985, p. 3936.

(5) CITE: Ga. L. 1970, p. 1044.

DESCRIPTION: Authorizes the General Assembly to provide that the governing authority of Henry County may levy and collect business and occupational license fees and adopt ordinances and provides that violations of such ordinances shall constitute a misdemeanor.

COMMENTS: Article IX, Section IV, Paragraph I(a) authorizes local laws granting to counties the power to levy and collect license taxes only in the unincorporated area of the county. Article IX, Section II, Paragraph I provides for general home rule powers which are likely broad enough to authorize counties to enforce licensing ordinances, and Code Section 36-1-20 authorizes counties to enforce ordinances which could include licensing ordinances by imposing a maximum punishment not to exceed a fine of \$500.00 or imprisonment for 60 days, or both, for such ordinance violations with such violations triable in the magistrate's court.

STATUS: Continued, Ga. L. 1986, p. 4806.

(6) CITE: Ga. L. 1970, p. 1119.

DESCRIPTION: Authorizes the General Assembly to provide that the board of commissioners of Henry County may levy and collect a tax on rented mobile homes.

COMMENTS: The amendment provides for an additional tax on rented mobile homes in Henry County and enabling legislation found at Ga. L. 1971, p. 4127, has been adopted.

STATUS: Not continued. Repealed, Article XI, Section I, Paragraph IV.

(7) CITE: Ga. L. 1976, p. 1900.

DESCRIPTION: Authorizes the governing authority of the county or any municipality within the county to exempt from ad valorem taxation tangible personal property in transit to a destination outside of the state.

COMMENTS: The current general provisions of the Constitution and general laws concerning the "freeport exemption" provide similar authority, but the authority afforded by general law is not as broad as the authority granted under the local amendment. For example, any exemption granted under the general provisions must be approved at a referendum; but no referendum is required in order to grant an exemption under the local amendment. It is not clear whether this amendment was intended to apply to, or has been interpreted as applying to, Henry County School District taxes.

STATUS: Article VII, Section II, Paragraph IV continues in effect as statutory law those types of exemptions from ad valorem taxation provided for by law on June 30, 1983. While this provision would continue any exemption granted under the local amendment as of that date, the power of the affected governing authorities to grant such exemptions thereafter presumably would be lost if the local amendment is not specifically continued. Continued, Ga. L. 1985, p. 3938, and home rule ordinance, Ga. L. 1985, p. 5178.

(8) CITE: Ga. L. 1976, p. 1902.

DESCRIPTION: Authorizes the General Assembly to provide by law that the governing authority of Henry County shall not have the power to create a county police department and that the law enforcement powers of Henry County shall be vested in the county sheriff.

COMMENTS: Under the general law contained in Chapter 8 of Title 36 the governing authority of any county is authorized to create a county police department.

STATUS: Not continued. Repealed, Article XI, Section I, Paragraph IV.

(9) CITE: Ga. L. 1980, p. 2303.

DESCRIPTION: Authorizes the governing authority of Henry County to adopt ordinances and regulations for the governing and policing of the unincorporated areas of said county.

COMMENTS: Article IX, Section II, Paragraph I and Code Section 36-1-20 authorize counties to adopt ordinances and resolutions. However, the provisions of the Constitution and general law may be more restrictive as to the subject matter of these local ordinances and resolutions and as to the penalties which may be imposed for violations of the ordinances and resolutions.

STATUS: Not continued. Repealed, Article XI, Section I, Paragraph IV.

(10) CITE: Ga. L. 1982, p. 2515.

DESCRIPTION: Repeals Ga. L. 1980, p. 2257, and grants a \$20,000.00 homestead exemption from all county school district ad valorem taxes to those residents 62 years of age or older or disabled whose specified income does not exceed \$12,000.00.

STATUS: Article VII, Section II, Paragraph IV continues in effect as statutory law those types of exemptions from ad valorem taxation provided for by law on June 30, 1983.

(11) CITE: Ga. L. 1982, p. 2517.

DESCRIPTION: Homestead exemption, \$4,000.00

STATUS: Article VII, Section II, Paragraph IV continues in effect as statutory law those types of exemptions from ad valorem taxation provided for by law on June 30, 1983.

(12) CITE: Ga. L. 1982, p. 2519.

DESCRIPTION: Repeals Ga. L. 1980, p. 2255, and grants a \$6,000.00 homestead exemption from county ad valorem taxes to those residents 65 years of age or older or disabled whose specified income does not exceed \$6,000.00.

STATUS: Article VII, Section II, Paragraph IV continues in effect as statutory law those types of exemptions from ad valorem taxation provided for by law on June 30, 1983.

(13) CITE: Ga. L. 1982, p. 2609.

DESCRIPTION: Exempts from county ad valorem taxes for three years all capital improvements of \$1 million or more to new manufacturing establishments.

STATUS: Article VII, Section II, Paragraph IV continues in effect as statutory law those types of exemptions from ad valorem taxation provided for by law on June 30, 1983. Because this general provision of the Constitution continues this exemption in effect, it is not necessary that the local amendment be specifically continued in order for this exemption to continue to be granted. The amendment was nonetheless continued by home rule ordinance, Ga. L. 1985, p. 5171.

HAMPTON

(1) See Ga. L. 1976, p. 1900, under Henry County for amendment affecting Hampton.

LOCUST GROVE

(1) See Ga. L. 1976, p. 1900, under Henry County for amendment affecting Locust Grove.

MCDONOUGH

- (1) See Ga. L. 1976, p. 1900, under Henry County for amendment affecting McDonough.

STOCKBRIDGE

- (1) See Ga. L. 1976, p. 1900, under Henry County for amendment affecting Stockbridge.

HOUSTON COUNTY

- (1) CITE: Ga. L. 1958, p. 599.

DESCRIPTION: Provides for an elected board of education of Houston County.

COMMENTS: The provisions of the amendment have been superseded by a local Act found at Ga. L. 1967, p. 3244, as amended by Ga. L. 1970, p. 2965, which were superseded by a later constitutional amendment found at Ga. L. 1977, p. 1591.

STATUS: Continued, Ga. L. 1985, p. 4873.

- (2) CITE: Ga. L. 1964, p. 1055.

DESCRIPTION: Creates the Houston County Development Authority.

STATUS: Continued, Ga. L. 1985, p. 4873.

- (3) CITE: Ga. L. 1968, p. 1805.

DESCRIPTION: Authorizes the General Assembly to create a special court in Houston County with special powers or jurisdiction.

COMMENTS: The State Court of Houston County was created pursuant to this amendment. This amendment authorized the General Assembly to convey by local law special powers or jurisdiction to said court. However, in view of the new uniformity provisions applicable to courts as provided in Article VI, there is a question as to whether the State Court of Houston County could have powers or jurisdiction different from other state courts.

STATUS: Continued, Ga. L. 1985, p. 4871.

- (4) CITE: Ga. L. 1970, p. 1042.

DESCRIPTION: Allows the board of education of Houston County to make grants to parents of certain mentally retarded or handicapped children.

COMMENTS: The amendment was superseded by a later amendment found at Ga. L. 1974, p. 1728.

STATUS: Not continued. Repealed, Article XI, Section I, Paragraph IV.

(5) CITE: Ga. L. 1973, p. 1525.

DESCRIPTION: Authorizes the governing authority of Houston County to levy and collect business and occupational license fees and adopt ordinances and provides that violation of such ordinances shall constitute a misdemeanor.

COMMENTS: Article IX, Section IV, Paragraph I(a) authorizes local laws granting to counties the power to levy and collect license taxes only in the unincorporated area of the county. Article IX, Section II, Paragraph I provides for general home rule powers which are likely broad enough to authorize counties to enforce licensing ordinances, and Code Section 36-1-20 authorizes counties to enforce ordinances which could include licensing ordinances by imposing a maximum punishment not to exceed a fine of \$500.00 or imprisonment for 60 days, or both, for such ordinance violations with such violations triable in the magistrate's court.

STATUS: Not continued. Repealed, Article XI, Section I, Paragraph IV.

(6) CITE: Ga. L. 1974, p. 1728.

DESCRIPTION: Allows the board of education of Houston County to make grants to parents of mentally retarded and handicapped children or to private educational institutions.

COMMENTS: This amendment supersedes a similar amendment found at Ga. L. 1970, p. 1042.

STATUS: Continued, Ga. L. 1985, p. 4329.

(7) CITE: Ga. L. 1976, p. 1752.

DESCRIPTION: Relates to jurisdiction, practice, and procedures in justice of the peace courts.

COMMENTS: The 1983 Constitution abolishes all justice of the peace courts and establishes a system of magistrate courts. Chapter 10 of Title 15 governs all magistrate courts and sets uniform jurisdiction, practice, and procedures for these courts. This amendment no longer has any applicability to an existing court.

STATUS: Not continued. Repealed, Article XI, Section I, Paragraph IV.

(8) CITE: Ga. L. 1976, p. 1794.

DESCRIPTION: Authorizes the governing authority of Houston County to establish branch offices for the conduct of county business and authorizes the board of education to establish branch offices for the conduct of official business on educational matters.

COMMENTS: Under decisions of the Georgia Supreme Court, see, e.g., 235 Ga. 68, official county business must be conducted at the county site.

STATUS: Continued, Ga. L. 1985, p. 4869.

(9) CITE: Ga. L. 1977, p. 1591.

DESCRIPTION: Provides for the composition and election of the Houston County board of education.

STATUS: Not continued. Repealed, Article XI, Section I, Paragraph IV.

(10) CITE: Ga. L. 1980, p. 2163.

DESCRIPTION: Provides an \$8,000.00 homestead exemption from county and county school district ad valorem taxes to persons who are 62 years of age or over or who are disabled and whose specified income does not exceed \$10,000.00.

STATUS: Article VII, Section II, Paragraph IV continues in effect as statutory law those types of exemptions from ad valorem taxation provided for by law on June 30, 1983.

(11) CITE: Ga. L. 1982, p. 2600.

DESCRIPTION: Imposes a county sales and use tax, proceeds of which will be distributed to the Houston County school system.

STATUS: Continued, Ga. L. 1986, p. 4715.

(12) CITE: Ga. L. 1982, p. 2601.

DESCRIPTION: Places ad valorem taxation millage rate limitations on both the county and the county school district.

COMMENTS: This amendment provides a different set of limitations than Article VIII, Section VI, and general laws related thereto.

STATUS: Continued, Ga. L. 1986, p. 4209.

(13) See Ga. L. 1971, p. 934, under Perry for amendment affecting Houston County.

PERRY

- (1) CITE: Ga. L. 1962, p. 1082.

DESCRIPTION: Creates the City of Perry Industrial Building Authority.

STATUS: Continued, Ga. L. 1986, p. 4194.

- (2) CITE: Ga. L. 1971, p. 934.

DESCRIPTION: Authorizes the General Assembly to create a public authority to acquire, construct, operate, and improve a system of telephonic communications in the City of Perry and those areas served by the Perry exchange.

STATUS: Not continued. Repealed, Article XI, Section I, Paragraph IV.

- (3) CITE: Ga. L. 1980, p. 2151.

DESCRIPTION: Provides an \$8,000.00 homestead exemption from city ad valorem taxes to residents who are 62 years of age or over or who are disabled if their specified income does not exceed \$10,000.00. Supercedes or repeals Ga. L. 1970, p. 1149; Ga. L. 1973, p. 1500; and Ga. L. 1975, p. 1687.

STATUS: Article VII, Section II, Paragraph IV continues in effect as statutory law those types of exemptions from ad valorem taxation provided for by law on June 30, 1983.

WARNER ROBINS

- (1) CITE: Ga. L. 1964, p. 1049.

DESCRIPTION: Creates the Warner Robins Development Authority.

STATUS: Continued, Ga. L. 1987, p. 3811.

IRWIN COUNTY

- (1) CITE: Ga. L. 1941, p. 100.

DESCRIPTION: Authorizes the county to issue bonds to retire all indebtedness of the county as it existed on January 1, 1942, and requires the county thereafter to operate on a cash basis and prohibits the county from issuing delayed warrants and payment orders.

COMMENTS: The provision relating to issuing bonds to retire indebtedness was a one-time authority and has no current applicability. The provision requiring the county to operate on a cash basis is probably not necessary because Article IX, Section V places limitations on the manner in which counties may incur debt through the issuance of bonds and by making temporary loans. The practice of issuing delayed warrants and payment orders beyond the fiscal year is not contemplated or authorized.

STATUS: Not continued. Repealed, Article XI, Section I, Paragraph IV.

(2) CITE: Ga. L. 1941, p. 104.

DESCRIPTION: Authorizes the county to issue bonds to retire all indebtedness of the county as it existed on January 1, 1942, and requires the county thereafter to operate on a cash basis and prohibits the county from issuing delayed warrants and payment orders.

COMMENTS: The provision relating to issuing bonds to retire indebtedness was a one-time authority and has no current applicability. The provision requiring the county to operate on a cash basis is probably not necessary because Article IX, Section V places limitations on the manner in which counties may incur debt through the issuance of bonds and by making temporary loans. The practice of issuing delayed warrants and payment orders beyond the fiscal year is not contemplated or authorized.

STATUS: Not continued. Repealed, Article XI, Section I, Paragraph IV.

(3) CITE: Ga. L. 1964, Ex. Sess., p. 356.

DESCRIPTION: Creates the Ocilla-Irwin County Industrial Development Authority.

STATUS: Continued, Ga. L. 1987, p. 3817.

OCILLA

(1) CITE: Ga. L. 1939, p. 56.

DESCRIPTION: Authorizes the city to issue bonds to refund and retire bonds which were outstanding and past due on January 1, 1939, and became due by January 1, 1943.

COMMENTS: This amendment constitutes a one-time authority to issue refunding bonds for a specific series of bonds in default on January 1, 1939, and due by January 1, 1943. The authority so granted has expired and has no current applicability.

STATUS: Not continued. Repealed, Article XI, Section I, Paragraph IV.

(2) CITE: Ga. L. 1939, p. 58.

DESCRIPTION: Authorizes the city to issue bonds to refund and retire bonds which were outstanding and past due on January 1, 1939, and which became due up to January 1, 1943.

COMMENTS: This amendment is an exact duplicate of the amendment which appears at Ga. L. 1939, p. 56. The amendment is obsolete for the same reasons as the amendment at Ga. L. 1939, p. 56.

STATUS: Not continued. Repealed, Article XI, Section I, Paragraph IV.

(3) See Ga. L. 1964, Ex. Sess., p. 356, under Irwin County for amendment affecting Ocilla.

JACKSON COUNTY

(1) CITE: Ga. L. 1968, p. 1800.

DESCRIPTION: Creates the Jackson County Industrial Development Authority.

STATUS: Continued, Ga. L. 1986, p. 4702.

(2) CITE: Ga. L. 1970, p. 1104.

DESCRIPTION: Creates the West Jackson Fire District with a governing body containing representatives of the county, the City of Hoschton, and the City of Braselton.

COMMENTS: It appears that this amendment has been entirely superseded by a later local constitutional amendment relating to the West Jackson Fire District, Ga. L. 1972, p. 1510.

STATUS: Not continued. Repealed, Article XI, Section I, Paragraph IV.

(3) CITE: Ga. L. 1972, p. 1510.

DESCRIPTION: Creates the West Jackson Fire District to provide fire protection services in both incorporated and unincorporated areas of the county. Provides for an elected board to govern the affairs of the district. Provides for the county to levy ad valorem taxes in and on behalf of the district.

COMMENTS: In the absence of this local constitutional amendment the goals of the amendment could to some extent be achieved by the creation of special services districts and intergovernmental contracts. Any arrangement other than that specified by this local constitutional amendment could have an advisory board for the district but probably could not have an independent governing board with the power to direct the levying of taxes.

STATUS: Continued, Ga. L. 1986, p. 4661.

- (4) CITE: Ga. L. 1974, p. 1689.

DESCRIPTION: Authorizes the Georgia Bureau of Investigation to exercise certain law enforcement powers in Jackson County.

COMMENTS: The law enforcement duties of the Georgia Bureau of Investigation are governed by Chapter 3 of Title 35. This amendment expands these powers and duties as to Jackson County.

STATUS: Continued, Ga. L. 1986, p. 4704.

- (5) CITE: Ga. L. 1978, p. 2471.

DESCRIPTION: Relates to jurisdiction, practice, and procedures in justice of the peace courts.

COMMENTS: The 1983 Constitution abolishes all justice of the peace courts and establishes a system of magistrate courts. Chapter 10 of Title 15 governs all magistrate courts and sets uniform jurisdiction, practice, and procedures for these courts.

STATUS: Not continued. Repealed, Article XI, Section I, Paragraph IV.

- (6) CITE: Ga. L. 1980, p. 2276.

DESCRIPTION: Provides for the composition and election of members of the board of education of Jackson County and for the appointment of the school superintendent by the board.

COMMENTS: The amendment authorizes the board to reapportion itself without the necessity of local law.

STATUS: Continued, Ga. L. 1986, p. 5061.

BRASELTON

- (1) See Ga. L. 1970, p. 1104, under Jackson County for amendment affecting Braselton.
- (2) See Ga. L. 1972, p. 1510, under Jackson County for amendment affecting Braselton.

HOSCHTON

- (1) See Ga. L. 1970, p. 1104, under Jackson County for amendment affecting Hoschton.

- (2) See Ga. L. 1972, p. 1510, under Jackson County for amendment affecting Hoschton.

JEFFERSON

- (1) CITE: Ga. L. 1937-38, Ex. Sess., p. 41.

DESCRIPTION: Authorizes the city to issue bonds to refund and retire bonds which were outstanding and past due on January 1, 1938, and which became due by January 1, 1945.

COMMENTS: This amendment constitutes a one-time authority to issue refunding bonds for a specific series of bonds in default on January 1, 1938, which became due by January 1, 1945. The authority so granted has expired and has no current applicability.

STATUS: Not continued. Repealed, Article XI, Section I, Paragraph IV.

MAYSVILLE

- (1) See Ga. L. 1979, p. 1843, under Banks County for amendment affecting Maysville.

JASPER COUNTY

- (1) CITE: Ga. L. 1964, Ex. Sess., p. 334.

DESCRIPTION: Allows the grand jury of Jasper County to appoint members to the board of education without regard to their militia district lines.

STATUS: Not continued. Repealed, Article XI, Section I, Paragraph IV.

- (2) CITE: Ga. L. 1968, p. 1550.

DESCRIPTION: Creates the Jasper County Industrial Development Authority.

STATUS: Continued, Ga. L. 1986, p. 4155.

JEFF DAVIS COUNTY

- (1) CITE: Ga. L. 1941, p. 82.

DESCRIPTION: Authorizes the Excelsior consolidated school district of Jeff Davis County to issue bonds to refund and retire bonds which were outstanding and due by April 1, 1953.

COMMENTS: This amendment constitutes a one-time authority to issue refunding bonds for a specific series of bonds due by April 1, 1953. The authority so granted has expired and has no current applicability.

STATUS: Not continued. Repealed, Article XI, Section I, Paragraph IV.

(2) CITE: Ga. L. 1941, p. 108.

DESCRIPTION: Authorizes the county to issue bonds to retire all indebtedness of the county as it existed on January 1, 1942, and requires the county thereafter to operate on a cash basis and prohibits the county from issuing delayed warrants and payment orders.

COMMENTS: The provision relating to issuing bonds to retire indebtedness was a one-time authority and has no current applicability. The provision requiring the county to operate on a cash basis is probably not necessary because Article IX, Section V places limitations on the manner in which counties may incur debt through the issuance of bonds and by making temporary loans. The practice of issuing delayed warrants and payment orders beyond the fiscal year is not contemplated or authorized.

STATUS: Not continued. Repealed, Article XI, Section I, Paragraph IV.

(3) CITE: Ga. L. 1963, p. 674.

DESCRIPTION: Authorizes the governing authority of the county and each political subdivision within the county to exempt from ad valorem taxation the capital improvements of new industries and businesses for a period of ten years or until such time as the total amount of tax exemptions shall equal the amount of sales tax paid to the State of Georgia. Authorizes each such governing body to designate industrial areas eligible for the same benefits provided by the local amendment set out at Ga. L. 1950, p. 444, relating to industrial areas within Chatham County.

COMMENTS: Article VII, Section II, Paragraph IV continues in effect those types of exemptions from ad valorem taxation provided for by law on June 30, 1983. It is not clear, however, that this provision would continue the discretionary authority of the affected governing authorities to grant exemptions and designate industrial areas.

STATUS: Continued, Ga. L. 1987, p. 5265.

DENTON

(1) See Ga. L. 1963, p. 674, under Jeff Davis County for amendment affecting Denton.

HAZLEHURST

- (1) CITE: Ga. L. 1941, p. 98.

DESCRIPTION: Authorizes the city to issue bonds to refund and retire bonds which were outstanding and past due on January 1, 1941, and which became due on November 1, 1941.

COMMENTS: This amendment constitutes a one-time authority to issue refunding bonds for a specific series of bonds in default on January 1, 1941, and which became due on November 1, 1941. The authority so granted has expired and has no current applicability.

STATUS: Not continued. Repealed, Article XI, Section I, Paragraph IV.

- (2) See Ga. L. 1963, p. 674, under Jeff Davis County for amendment affecting Hazlehurst.

JEFFERSON COUNTY

- (1) CITE: Ga. L. 1941, p. 112.

DESCRIPTION: Authorizes school district No. 1 of Jefferson County to issue bonds to refund and retire bonds which were outstanding and past due on January 1, 1941, and which became due by December 31, 1950.

COMMENTS: This amendment constitutes a one-time authority to issue refunding bonds for a specific series of bonds in default on January 1, 1941, and which became due by December 31, 1950. The authority so granted has expired and has no current applicability.

STATUS: Not continued. Repealed, Article XI, Section I, Paragraph IV.

- (2) CITE: Ga. L. 1941, p. 115.

DESCRIPTION: Authorizes school district No. 10 of Jefferson County to issue bonds to refund and retire bonds which were outstanding and past due on January 1, 1941, and which became due by March 1, 1951.

COMMENTS: This amendment constitutes a one-time authority to issue refunding bonds for a specific series of bonds in default on January 1, 1941, and which became due by March, 1951. The authority so granted has expired and has no current applicability.

STATUS: Not continued. Repealed, Article XI, Section I, Paragraph IV.

- (3) CITE: Ga. L. 1976, p. 1819.

DESCRIPTION: Provides that capital improvements of mineral processing and primary metal establishments located in Jefferson County, which capital improvements cost in excess of \$50,000.00, shall be exempt from county ad valorem taxation for a period of five years following completion.

STATUS: Article VII, Section II, Paragraph IV continues in effect as statutory law those types of exemptions from ad valorem taxation provided for by law on June 30, 1983.

- (4) CITE: Ga. L. 1982, p. 2588.

DESCRIPTION: Allows the General Assembly to authorize by local law each local taxing jurisdiction within the county to grant reasonable discounts for early payment of ad valorem taxes.

COMMENTS: This amendment is not a tax exemption and not automatically continued under Article VII, Section II, Paragraph IV. It may be noted that no local Act has been passed concerning the granting of discounts for any of these jurisdictions.

STATUS: Continued, Ga. L. 1986, p. 4404.

AVERA

- (1) See Ga. L. 1982, p. 2588, under Jefferson County for amendment affecting Avera.

BARTOW

- (1) See Ga. L. 1982, p. 2588, under Jefferson County for amendment affecting Bartow.

LOUISVILLE

- (1) CITE: Ga. L. 1956, p. 445.

DESCRIPTION: Authorizes the city to levy an ad valorem property tax not exceeding one mill for assisting, promoting, and encouraging the location of new industries in the city. The governing authority may select a board of citizens to give it advice regarding how to spend such funds.

COMMENTS: There is neither a general constitutional provision nor general law which would authorize taxation for these purposes. A local law so authorizing would require a determination as to whether these purposes are public services or public functions for which public funds may be expended pursuant to Article IX, Section IV, Paragraph II.

STATUS: Not continued. Repealed, Article XI, Section I, Paragraph IV.

- (2) CITE: Ga. L. 1962, p. 856.

DESCRIPTION: Authorizes the City of Louisville to levy an ad valorem tax not to exceed five mills for the purpose of aiding and assisting in the promotion and establishment of new industries and the expansion of agriculture. The amendment also authorizes the issuance of revenue bonds.

STATUS: Not continued. Repealed, Article XI, Section I, Paragraph IV.

- (3) See Ga. L. 1982, p. 2588, under Jefferson County for amendment affecting Louisville.

STAPLETON

- (1) See Ga. L. 1982, p. 2588, under Jefferson County for amendment affecting Stapleton.

WADLEY

- (1) See Ga. L. 1982, p. 2588, under Jefferson County for amendment affecting Wadley.

WRENS

- (1) See Ga. L. 1982, p. 2588, under Jefferson County for amendment affecting Wrens.

JENKINS COUNTY

- (1) CITE: Ga. L. 1962, p. 1109.

DESCRIPTION: Creates the Jenkins County Development Authority.

STATUS: Continued, Ga. L. 1987, p. 3798.

JOHNSON COUNTY

- (1) CITE: Ga. L. 1939, p. 50.

DESCRIPTION: Authorizes the Kite consolidated school district of Johnson County to issue bonds to refund and retire bonds which were outstanding and past due on January 1, 1939, and which became due by May 1, 1944.

COMMENTS: This amendment constitutes a one-time authority to issue refunding bonds for a specific series of bonds in default on January 1, 1939, and which became due by May 1, 1944. The authority so granted has expired and has no current applicability.

STATUS: Not continued. Repealed, Article XI, Section I, Paragraph IV.

- (2) CITE: Ga. L. 1941, p. 193.

DESCRIPTION: Authorizes the Wrightsville consolidated school district of Johnson County to issue bonds to refund and retire bonds which were outstanding and past due on July 1, 1938, and which became due by January 1, 1965.

COMMENTS: This amendment constitutes a one-time authority to issue refunding bonds for a specific series of bonds in default on July 1, 1938, and which became due by January 1, 1965. The authority so granted has expired and has no current applicability.

STATUS: Not continued. Repealed, Article XI, Section I, Paragraph IV.

- (3) See Ga. L. 1941, p. 13, under Emanuel County for amendment affecting Johnson County.

WRIGHTSVILLE

- (1) CITE: Ga. L. 1947, p. 1261.

DESCRIPTION: Authorizes the City of Wrightsville to issue bonds to refund and retire bonds which were outstanding and past due on December 1, 1949.

COMMENTS: This amendment constitutes a one-time authority to issue refunding bonds for a specific series of bonds in default on December 1, 1949. The authority so granted has expired and has no current applicability.

STATUS: Not continued. Repealed, Article XI, Section I, Paragraph IV.

LAMAR COUNTY

- (1) CITE: Ga. L. 1920, p. 38.

DESCRIPTION: Creates Lamar County and describes the boundary thereof.

COMMENT: Following the adoption of the 1877 Constitution, 16 counties were created by local constitutional amendment. Each amendment provided a metes and bounds description of the county boundary and designated the county site.

STATUS: Article IX, Section I, Paragraph II(b) grandfathers in force and effect the boundary description of each of the 159 counties, as well as the county site, that existed as of June 30, 1983, and provides further that subsequent changes may be accomplished only under the operation of a general law.

(2) CITE: Ga. L. 1964, Ex. Sess., p. 224; Ga. L. 1977, p. 1565.

DESCRIPTION: Creates the City of Barnesville and County of Lamar Development Authority.

STATUS: Continued, Ga. L. 1987, p. 3730.

BARNESVILLE

(1) See Ga. L. 1964, Ex. Sess., p. 224, under Lamar County for amendment affecting Barnesville.

LANIER COUNTY

(1) CITE: Ga. L. 1919, p. 68; Ga. L. 1920, p. 19; Ga. L. 1920, p. 45.

DESCRIPTION: Creates County and describes the boundary thereof.

COMMENT: Following the adoption of the 1877 Constitution, 16 counties were created by local constitutional amendment. Each amendment provided a metes and bounds description of the county boundary and designated the county site.

STATUS: Article IX, Section I, Paragraph II(b) grandfathers in force and effect the boundary description of each of the 159 counties, as well as the county site, that existed as of June 30, 1983, and provides further that subsequent changes may be accomplished only under the operation of a general law.

LAKELAND

(1) CITE: Ga. L. 1929, p. 130.

DESCRIPTION: Authorizes the city to incur limited general obligation debt for the purpose of acquiring, maintaining, and operating a transportation system. This debt is in addition to the debt limitation of the Constitution which, at the time this amendment was ratified, was 7 percent of the assessed value of taxable property.

COMMENTS: The present Constitution limits general obligation debt to 10 percent of the assessed value of taxable property. It is unclear whether this amendment authorizes general obligation debt in excess of the limitation which existed at the time the amendment was ratified or whether it authorizes general obligation debt in excess of the present constitutional limitation. It should be noted that Article 3 of Chapter 82 of Title 36 authorizes municipalities to issue revenue bonds for certain types of transportation systems.

STATUS: Not continued. Repealed, Article XI, Section I, Paragraph IV.

LAURENS COUNTY

- (1) CITE: Ga. L. 1953, Nov.-Dec. Sess., p. 239.

DESCRIPTION: Provides the method of selection of the members of the board of education by the grand jury.

COMMENTS: The amendment was superseded by a later amendment found at Ga. L. 1962, p. 1168, as amended by Ga. L. 1964, p. 941.

STATUS: Not continued. Repealed, Article XI, Section I, Paragraph IV.

- (2) CITE: Ga. L. 1962, p. 1160.

DESCRIPTION: Creates the City of Dublin and County of Laurens Development Authority.

STATUS: Continued, Ga. L. 1987, p. 4525.

- (3) CITE: Ga. L. 1962, p. 1168; Ga. L. 1964, p. 941.

DESCRIPTION: Established an elected board of education of Laurens County.

COMMENTS: Ga. L. 1972, p. 4099, supersedes the provisions of these amendments regarding vacancies and compensation of board members. The remaining provisions of these amendments contain the current school board law for Laurens County.

STATUS: Continued, Ga. L. 1987, p. 4521.

- (4) CITE: Ga. L. 1964, p. 903.

DESCRIPTION: Provides for the merger of the City of Dublin and Laurens County school systems.

COMMENTS: The amendment and subsequent enabling local legislation, found at Ga. L. 1965, p. 2023, were declared invalid by the Supreme Court of Georgia in 221 Ga. 487 due to irregularities in the submission of the amendment to the voters.

STATUS: Not continued. Repealed, Article XI, Section I, Paragraph IV.

- (5) CITE: Ga. L. 1972, p. 1432.

DESCRIPTION: Authorizes the governing authority of Laurens County to incur bonded indebtedness in addition to the debt limitation in the Constitution for the purpose of acquiring

property and constructing educational facilities for education beyond the twelfth grade and to convey such property to the board of regents.

COMMENTS: The authority to incur debt for the purpose outlined in this amendment is not covered by other provisions of this Constitution or general law. Also, this amendment authorizes the county to incur additional debt without regard to the general debt limitation applicable to counties in Article IX, Section V, Paragraph I.

STATUS: Continued, Ga. L. 1987, p. 4523.

DUBLIN

- (1) CITE: Ga. L. 1927, p. 127; Ga. L. 1935, p. 1234; Ga. L. 1937, pp. 1132, 1137, 1139.

DESCRIPTION: Zoning and planning.

COMMENTS: The 1927 amendment to Art. III, Sec. VII, Para. XXV of the 1877 Constitution included Albany, Athens, Atlanta, Augusta, Brunswick, Columbus, Darien, Decatur, Dublin, East Thomaston, LaGrange, Macon, Newnan, Rome, Savannah, Thomaston, Valdosta, Waycross, and cities with a population of 25,000 or more according to the decennial census of 1920. The 1935 amendment added Moultrie. The first 1937 amendment added Carrolton, Cordele, Eastman, Forsyth, Fort Valley, McRae, and Milledgeville. The second 1937 amendment added Dalton. The third 1937 amendment added Quitman. Art. III, Sec. VII, Para. XXIII of the Constitution of 1945 (the revised counterpart of old Para. XXV) contained a direct grant of authority to the General Assembly to grant authority to cities and counties to pass zoning and planning laws. Amendment 19 (which included among other things, Art. XV, Sec. II-A, Para. III) granted some zoning and planning power directly to counties and was held to have impliedly repealed Para. XXIII insofar as it applied to unincorporated areas. Art. IX, Sec. IV, Para. II(15) conferred zoning and planning power in cities and counties.

STATUS: Not continued. Repealed, Article XI, Section I, Paragraph IV.

- (2) CITE: Ga. L. 1937, p. 22.

DESCRIPTION: Authorizes the city to issue bonds to refund and retire bonds which were outstanding and past due on January 1, 1938.

COMMENTS: This amendment constitutes a one-time authority to issue refunding bonds for a specific series of bonds in default on January 1, 1938. The authority so granted has expired and has no current applicability.

STATUS: Not continued. Repealed, Article XI, Section I, Paragraph IV.

- (3) CITE: Ga. L. 1937-38, Ex. Sess., p. 22.

DESCRIPTION: Authorizes the city to issue bonds to refund and retire bonds which were outstanding and past due on June 15, 1941.

COMMENTS: This amendment constitutes a one-time authority to issue refunding bonds for a specific series of bonds in default on June 15, 1941. The authority so granted has expired and has no current applicability.

STATUS: Not continued. Repealed, Article XI, Section I, Paragraph IV.

- (4) CITE: Ga. L. 1976, p. 1860.

DESCRIPTION: Authorizes the creation of the Downtown Dublin Development Authority for redevelopment purposes.

STATUS: Continued, Ga. L. 1987, p. 4519.

- (5) See Ga. L. 1962, p. 1160, under Laurens County for amendment affecting Dublin.

- (6) See Ga. L. 1964, p. 903, under Laurens County for amendment affecting Dublin.

DUDLEY

- (1) CITE: Ga. L. 1956, p. 410.

DESCRIPTION: Authorizes the town to levy an ad valorem property tax not exceeding one mill for assisting, promoting, and encouraging the location of new industries in the town. The governing authority may select a board of citizens to give it advice regarding how to spend such funds.

COMMENTS: There is neither a general constitutional provision nor general law which would authorize taxation for these purposes. A local law so authorizing would require a determination as to whether these purposes are public services or public functions for which public funds may be expended pursuant to Article IX, Section IV, Paragraph II.

STATUS: Continued, Ga. L. 1987, p. 4517.

LEE COUNTY

- (1) CITE: Ga. L. 1960, p. 1349.

DESCRIPTION: Authorizes Lee County to issue revenue bonds to fund the purchase, etc., of facilities for use by industry or commercial enterprise.

COMMENTS: An amendment which was identical to this one (Ga. L. 1960, p. 1400, relating to Telfair County) was declared to be in violation of the due process and equal protection clauses of the Fourteenth Amendment to the U.S. Constitution in the case of Smith v. State of Georgia, 222 Ga. 552 (1966).

STATUS: Not continued. Repealed, Article XI, Section I, Paragraph IV.

- (2) CITE: Ga. L. 1972, p. 1560.

DESCRIPTION: Repeals Ga. L. 1970, p. 1066, and authorizes the governing authority of Lee County to engage in business licensing and to levy business license fees and taxes in the unincorporated area of the county.

COMMENTS: Article IX, Section IV, Paragraph I(a) authorizes local laws granting to counties the power to levy and collect license taxes only in the unincorporated area of the county. Article IX, Section II, Paragraph I provides for general home rule powers which are likely broad enough to authorize counties to enforce licensing ordinances, and Code Section 36-1-20 authorizes counties to enforce ordinances which could include licensing ordinances by imposing a maximum punishment not to exceed a fine of \$500.00 or imprisonment for 60 days, or both, for such ordinance violations with such violations triable in the magistrate's court.

STATUS: Continued, Ga. L. 1987, p. 3698.

LIBERTY COUNTY

- (1) CITE: Ga. L. 1939, p. 88.

DESCRIPTION: Authorizes the Willie consolidated school district of Liberty County to issue bonds to refund and retire bonds which were outstanding and past due on June 30, 1939, and which become due by December 30, 1947.

COMMENTS: This amendment constitutes a one-time authority to issue refunding bonds for a specific series of bonds in default on June 30, 1939, and which become due by December 30, 1947. The authority so granted has expired and has no current applicability.

STATUS: Not continued. Repealed, Article XI, Section I, Paragraph IV.

- (2) CITE: Ga. L. 1958, p. 472; Ga. L. 1976, p. 1781; Ga. L. 1976, p. 1823; Ga. L. 1980, p. 2221.

DESCRIPTION: Creates the Liberty County Industrial Authority.

STATUS: Except for Ga. L. 1976, p. 1823, which was stricken by Ga. L. 1980, p. 2221, this amendment has been specifically continued in effect by Ga. L. 1984, p. 3873.

- (3) See Ga. L. 1924, p. 35, under Chatham County for amendment affecting Liberty County.
(4) See Ga. L. 1939, p. 23, under Chatham County for amendment affecting Liberty County.

HINESVILLE

- (1) See Ga. L. 1958, p. 472, under Liberty County for amendment affecting Hinesville.

LINCOLN COUNTY

- (1) CITE: Ga. L. 1953, Nov.-Dec. Sess., p. 219.

DESCRIPTION: Provides for an elected board of education of Lincoln County.

STATUS: Not continued. Repealed, Article XI, Section I, Paragraph IV.

LONG COUNTY

- (1) CITE: Ga. L. 1920, p. 48.

DESCRIPTION: Creates Long County and describes the boundary thereof.

COMMENT: Following the adoption of the 1877 Constitution, 16 counties were created by local constitutional amendment. Each amendment provided a metes and bounds description of the county boundary and designated the county site.

STATUS: Article IX, Section I, Paragraph II(b) grandfathers in force and effect the boundary description of each of the 159 counties, as well as the county site, that existed as of June 30, 1983, and provides further that subsequent changes may be accomplished only under the operation of a general law.

LOWNDES COUNTY

- (1) CITE: Ga. L. 1926, Ex. Sess., p. 25.

DESCRIPTION: Authorizes the county or city or both to issue \$1 million in bonds to endow an educational institution memorializing Woodrow Wilson.

STATUS: Not continued. Repealed, Article XI, Section I, Paragraph IV.

- (2) CITE: Ga. L. 1958, p. 448.

DESCRIPTION: Provides for an elected board of education of Lowndes County and an appointed superintendent of schools.

COMMENTS: This amendment contains the school board law for Lowndes County.

STATUS: Continued, Ga. L. 1985, p. 4132.

- (3) CITE: Ga. L. 1960, p. 1223.

DESCRIPTION: Authorizes the county board of education of Lowndes County to borrow funds for the purpose of constructing school buildings and facilities and pledge the building funds which will or may be forthcoming to Lowndes County from the state through the Minimum Foundation Program for Education (superseded by APEG and now QBE) as security and payment therefor.

STATUS: Not continued. Repealed, Article XI, Section I, Paragraph IV.

- (4) CITE: Ga. L. 1960, p. 1359.

DESCRIPTION: Creates the Valdosta-Lowndes County Industrial Authority.

STATUS: Continued, Ga. L. 1985, p. 3710.

- (5) CITE: Ga. L. 1972, p. 1452.

DESCRIPTION: Creates the board of tax assessors of Lowndes County and provides that their powers and duties shall be the same as provided by general law.

COMMENTS: This amendment provides an exception to the general law regarding the composition of boards of tax assessors.

STATUS: Continued, Ga. L. 1985, p. 3888.

(6) CITE: Ga. L. 1974, p. 1715.

DESCRIPTION: Authorizes the governing authorities of the City of Valdosta and Lowndes County by joint resolution to consolidate the functions of the city and county relating to the return and assessment of property for taxation.

COMMENTS: The amendment grants unique authority to the governing authorities of the city and county which is not permitted under general law.

STATUS: Continued, Ga. L. 1985, p. 3663.

(7) CITE: Ga. L. 1975, p. 1702.

DESCRIPTION: Authorizes the county governing authority to establish criteria for exempting from ad valorem taxation real property of historical interest which is owned by a nonprofit organization.

COMMENTS: Article VII, Section II, Paragraph IV continues in effect as statutory law those types of exemptions from ad valorem taxation provided for by law on June 30, 1983. It is not clear, however, that this provision would continue the discretionary power of the county governing authority to change the type of exemption granted. It is not clear whether this local amendment was intended to affect only taxes levied by Lowndes County for county purposes, was intended to include taxes levied by Lowndes County for school purposes, or was even intended to include taxes levied by municipalities within Lowndes County. The amendment states only that property exempted shall be "exempt from ad valorem taxation other than ad valorem taxes levied by the state."

STATUS: Continued, Ga. L. 1985, p. 3661.

(8) CITE: Ga. L. 1978, p. 2333.

DESCRIPTION: Authorizes the governing authority of Lowndes County to regulate the business activities of itinerant peddlers and to levy a business license fee.

COMMENTS: The amendment provides an exception to general law provisions found at Code Section 43-32-1 which authorizes the imposition of business license fees by the judge of the probate court.

STATUS: Continued, Ga. L. 1985, p. 3659.

(9) CITE: Ga. L. 1978, p. 2446.

DESCRIPTION: Authorizes the governing authority of Lowndes County to construct, maintain, and improve public streets in the unincorporated area of the county and to assess

abutting property owners for the cost of such service contingent upon approval by abutting property owners owning not less than two-thirds of the affected property.

COMMENTS: Cities and counties are authorized to provide such services under Article IX, Section II, Paragraph III. The amendment limits the general taxing authority of the county.

STATUS: Continued, Ga. L. 1985, p. 3657.

(10) CITE: Ga. L. 1980, p. 2207.

DESCRIPTION: Grants a \$6,000.00 homestead exemption from county and county school district ad valorem taxes to each resident; and grants a \$10,000.00 exemption to those residents 65 years of age or older.

COMMENTS: Article VII, Section II, Paragraph IV continues in effect as statutory law those types of exemptions from ad valorem taxation provided for by law on June 30, 1983.

STATUS: Because this general provision of the Constitution continues this exemption in effect, it was not necessary that the local amendment be specifically continued in order for this exemption to continue to be granted. Nonetheless, it was continued, Ga. L. 1985, p. 3655.

(11) CITE: Ga. L. 1982, p. 2592.

DESCRIPTION: Relates to jurisdiction, practice, and procedures in justice of the peace courts.

COMMENTS: The 1983 Constitution abolishes all justice of the peace courts and establishes a system of magistrate courts. Chapter 10 of Title 15 governs all magistrate courts and sets uniform jurisdiction, practice, and procedures for these courts. This amendment no longer has any applicability to an existing court.

STATUS: Not continued. Repealed, Article XI, Section I, Paragraph IV.

(12) CITE: Ga. L. 1982, p. 2593.

DESCRIPTION: Authorizes the board of commissioners of Lowndes County to engage in business licensing and to collect business license fees and taxes in the unincorporated area of the county.

COMMENTS: Article IX, Section IV, Paragraph I(a) authorizes local laws granting to counties the power to levy and collect license taxes only in the unincorporated area of the county. Article IX, Section II, Paragraph I provides for general home rule powers which are likely broad enough to authorize counties to enforce licensing ordinances, and Code Section 36-1-20 authorizes counties to enforce ordinances which could include licensing ordinances by imposing a maximum punishment not to exceed a fine of \$500.00 or imprisonment for 60

days, or both, for such ordinance violations with such violations triable in the magistrate's court.

STATUS: Continued, Ga. L. 1985, p. 3651.

- (13) See Ga. L. 1976, p. 1885, under Hahira for amendment affecting Lowndes County.

HAHIRA

- (1) CITE: Ga. L. 1976, p. 1885.

DESCRIPTION: Authorizes the General Assembly to create a public authority to acquire, construct, operate, and improve a system of telephonic communications in the City of Hahira and those areas served by the Hahira exchange.

STATUS: Not continued. Repealed, Article XI, Section I, Paragraph IV.

VALDOSTA

- (1) CITE: Ga. L. 1927, p. 127; Ga. L. 1935, p. 1234; Ga. L. 1937, pp. 1132, 1137, 1139.

DESCRIPTION: Zoning and planning.

COMMENTS: The 1927 amendment to Art. III, Sec. VII, Para. XXV of the 1877 Constitution included Albany, Athens, Atlanta, Augusta, Brunswick, Columbus, Darien, Decatur, Dublin, East Thomaston, LaGrange, Macon, Newnan, Rome, Savannah, Thomaston, Valdosta, Waycross, and cities with a population of 25,000 or more according to the decennial census of 1920. The 1935 amendment added Moultrie. The first 1937 amendment added Carrolton, Cordele, Eastman, Forsyth, Fort Valley, McRae, and Milledgeville. The second 1937 amendment added Dalton. The third 1937 amendment added Quitman. Art. III, Sec. VII, Para. XXIII of the Constitution of 1945 (the revised counterpart of old Para. XXV) contained a direct grant of authority to the General Assembly to grant authority to cities and counties to pass zoning and planning laws. Amendment 19 (which included among other things, Art. XV, Sec. II-A, Para. III) granted some zoning and planning power directly to counties and was held to have impliedly repealed Para. XXIII insofar as it applied to unincorporated areas. Art. IX, Sec. IV, Para. II(15) conferred zoning and planning power in cities and counties.

STATUS: Not continued. Repealed, Article XI, Section I, Paragraph IV.

- (2) CITE: Ga. L. 1974, p. 1711.

DESCRIPTION: Creates the Central Valdosta Development Authority.

STATUS: Continued, Ga. L. 1985, p. 3871.

- (3) CITE: Ga. L. 1980, p. 2273.

DESCRIPTION: Provides a \$6,000.00 homestead exemption from city and city school district ad valorem taxes to residents and provides a \$10,000.00 exemption for those 65 years of age or older.

COMMENTS: Article VII, Section II, Paragraph IV continues in effect as statutory law those types of exemptions from ad valorem taxation provided for by law on June 30, 1983.

STATUS: Because this general provision of the Constitution continues this exemption in effect, it was not necessary that the local amendment be specifically continued in order for this exemption to continue to be granted. Nonetheless, it was continued, Ga. L. 1985, p. 3653.

- (4) See Ga. L. 1926, Ex. Sess., p. 25, under Lowndes County for amendment affecting Valdosta.
- (5) See Ga. L. 1960, p. 1359, under Lowndes County for amendment affecting Valdosta.
- (6) See Ga. L. 1974, p. 1715, under Lowndes County for amendment affecting Valdosta.

LUMPKIN COUNTY

- (1) CITE: Ga. L. 1962, p. 1095.

DESCRIPTION: Creates the Lumpkin County Industrial Building Authority.

STATUS: Not continued. Repealed, Article XI, Section I, Paragraph IV.

MACON COUNTY

- (1) CITE: Ga. L. 1962, p. 770.

DESCRIPTION: Creates the Macon County Industrial Building Authority.

STATUS: Continued, Ga. L. 1985, p. 3843.

- (2) CITE: Ga. L. 1962, p. 1194.

DESCRIPTION: Provides for an elected board of education of Macon County.

COMMENTS: The amendment contains the current school board law for Macon County.

STATUS: Continued, Ga. L. 1984, p. 3858.

(3) CITE: Ga. L. 1974, p. 1684.

DESCRIPTION: Authorizes the governing authority of Macon County to levy a motor vehicle registration fee for the construction and operation of county-wide hospital facilities.

COMMENTS: The amendment grants unique authority to the governing authority of Macon County.

STATUS: Not continued. Repealed, Article XI, Section I, Paragraph IV.

MADISON COUNTY

(1) CITE: Ga. L. 1962, p. 951.

DESCRIPTION: Creates the Madison County Industrial Development Authority.

STATUS: Not continued. Repealed, Article XI, Section I, Paragraph IV.

(2) CITE: Ga. L. 1964, p. 885.

DESCRIPTION: Provides for an elected board of education of Madison County.

COMMENTS: The amendment provides the current law relative to the board of education of Madison County.

STATUS: Continued, Ga. L. 1985, p. 4834.

(3) CITE: Ga. L. 1965, p. 718.

DESCRIPTION: Creates the Madison County Industrial Development and Building Authority.

STATUS: Continued, Ga. L. 1985, p. 4832.

MARION COUNTY

(1) CITE: Ga. L. 1960, p. 1287.

DESCRIPTION: Authorizes Marion County to issue revenue bonds to fund the purchase, etc., of facilities for use by industry or commercial enterprise.

COMMENTS: An amendment which was identical to this one (Ga. L. 1960, p. 1400, relating to Telfair County) was declared to be in violation of the due process and equal protection clauses of the Fourteenth Amendment to the U.S. Constitution in the case of Smith v. State of Georgia, 222 Ga. 552 (1966).

STATUS: Not continued. Repealed, Article XI, Section I, Paragraph IV.

(2) CITE: Ga. L. 1965, p. 742.

DESCRIPTION: Provides for an elected board of education of Marion County.

STATUS: Not continued. Repealed, Article XI, Section I, Paragraph IV.

(3) CITE: Ga. L. 1980, p. 2338.

DESCRIPTION: Grants a homestead exemption from all county school district ad valorem taxes to those residents 62 years of age or older whose specified income does not exceed \$10,000.00. The amount of the exemption is the same amount as that provided by the general exemption now found at Code Section 48-5-52.

STATUS: Article VII, Section II, Paragraph IV continues in effect as statutory law those types of exemptions from ad valorem taxation provided for by law on June 30, 1983.

MCDUFFIE COUNTY

(1) CITE: Ga. L. 1955, p. 668.

DESCRIPTION: Provides for an elected board of education of McDuffie County and an appointed school superintendent.

COMMENTS: Ga. L. 1972, p. 2538, as amended by Ga. L. 1978, p. 3666, supersedes the 1955 amendment relative to the manner of selection of the members of the board of education. However, the amendment contains the current law relative to appointment of the school superintendent.

STATUS: Continued, Ga. L. 1987, p. 3604.

MCINTOSH COUNTY

- (1) CITE: Ga. L. 1926, Ex. Sess., p. 28.

DESCRIPTION: Authorizes the county to incur limited bonded indebtedness for educational purposes in an amount exceeding the general debt limitations of the Constitution.

COMMENTS: County school boards are currently authorized to issue bonds for educational purposes, see Article 9 of Chapter 2 of Title 20. However, this amendment authorizes the county to incur limited additional debt for educational purposes without regard to the general debt limitation applicable to counties.

STATUS: Continued, Ga. L. 1987, p. 3657.

- (2) CITE: Ga. L. 1960, p. 1422.

DESCRIPTION: Provides an elected board of education of McIntosh County.

COMMENTS: The amendment has been superseded by a local Act found at Ga. L. 1980, p. 3112, as amended by Ga. L. 1984, p. 4103, and Ga. L. 1984, p. 5231.

STATUS: Not continued. Repealed, Article XI, Section I, Paragraph IV.

- (3) CITE: Ga. L. 1968, p. 1834.

DESCRIPTION: Creates the McIntosh County Industrial Development Authority.

STATUS: Continued, Ga. L. 1985, p. 3501.

- (4) See Ga. L. 1924, p. 35, under Chatham County for amendment affecting McIntosh County.

- (5) See Ga. L. 1929, p. 137, under Glynn County for amendment affecting McIntosh County.

- (6) See Ga. L. 1939, p. 23, under Chatham County for amendment affecting McIntosh County.

DARIEN

- (1) CITE: Ga. L. 1927, p. 127; Ga. L. 1935, p. 1234; Ga. L. 1937, pp. 1132, 1137, 1139.

DESCRIPTION: Zoning and planning.

COMMENTS: The 1927 amendment to Art. III, Sec. VII, Para. XXV of the 1877 Constitution included Albany, Athens, Atlanta, Augusta, Brunswick, Columbus, Darien, Decatur, Dublin, East Thomaston, LaGrange, Macon, Newnan, Rome, Savannah, Thomaston,

Valdosta, Waycross, and cities with a population of 25,000 or more according to the decennial census of 1920. The 1935 amendment added Moultrie. The first 1937 amendment added Carrolton, Cordele, Eastman, Forsyth, Fort Valley, McRae, and Milledgeville. The second 1937 amendment added Dalton. The third 1937 amendment added Quitman. Art. III, Sec. VII, Para. XXIII of the Constitution of 1945 (the revised counterpart of old Para. XXV) contained a direct grant of authority to the General Assembly to grant authority to cities and counties to pass zoning and planning laws. Amendment 19 (which included among other things, Art. XV, Sec. II-A, Para. III) granted some zoning and planning power directly to counties and was held to have impliedly repealed Para. XXIII insofar as it applied to unincorporated areas. Art. IX, Sec. IV, Para. II(15) conferred zoning and planning power in cities and counties.

STATUS: Not continued. Repealed, Article XI, Section I, Paragraph IV.

MERIWETHER COUNTY

- (1) CITE: Ga. L. 1950, p. 469.

DESCRIPTION: Provides for an elected board of education of Meriwether County and for the appointment of the superintendent and provides for a local board of trustees.

COMMENTS: The amendment contains the current school board law for Meriwether County.

STATUS: Continued, Ga. L. 1986, p. 3838.

- (2) CITE: Ga. L. 1960, p. 1203.

DESCRIPTION: Authorizes Meriwether County to issue revenue bonds to fund the purchase, etc., of facilities for use by industry or commercial enterprise.

COMMENTS: An amendment which was identical to this one (Ga. L. 1960, p. 1400, relating to Telfair County) was declared to be in violation of the due process and equal protection clauses of the Fourteenth Amendment to the U.S. Constitution in the case of *Smith v. State of Georgia*, 222 Ga. 552 (1966).

STATUS: Not continued. Repealed, Article XI, Section I, Paragraph IV.

- (3) CITE: Ga. L. 1967, p. 901.

DESCRIPTION: Creates the Meriwether County Industrial Development Authority.

STATUS: Continued, Ga. L. 1986, p. 3840.

(4) CITE: Ga. L. 1982, p. 2582.

DESCRIPTION: Relates to jurisdiction, practice, and procedures in justice of the peace courts.

COMMENTS: The 1983 Constitution abolishes all justice of the peace courts and establishes a system of magistrate courts. Chapter 10 of Title 15 governs all magistrate courts and sets uniform jurisdiction, practice, and procedures for these courts. This amendment no longer has any applicability to an existing court.

STATUS: Not continued. Repealed, Article XI, Section I, Paragraph IV.

GREENVILLE

(1) CITE: Ga. L. 1939, p. 45.

DESCRIPTION: Authorizes the city to issue bonds to refund and retire bonds which were outstanding and past due on January 1, 1940.

COMMENTS: This amendment constitutes a one-time authority to issue refunding bonds for a specific series of bonds in default on January 1, 1940. The authority so granted has expired and has no current applicability.

STATUS: Not continued. Repealed, Article XI, Section I, Paragraph IV.

MILLER COUNTY

(1) CITE: Ga. L. 1941, p. 131.

DESCRIPTION: Authorizes the county to issue bonds to retire all indebtedness of the county as it existed on January 1, 1942, and requires the county thereafter to operate on a cash basis and prohibits the county from issuing delayed warrants and payment orders.

COMMENTS: The provision relating to issuing bonds to retire indebtedness was a one-time authority and has no current applicability. The provision requiring the county to operate on a cash basis is probably not necessary because Article IX, Section V places limitations on the manner in which counties may incur debt through the issuance of bonds and by making temporary loans. The practice of issuing delayed warrants and payment orders beyond the fiscal year is not contemplated or authorized.

STATUS: Not continued. Repealed, Article XI, Section I, Paragraph IV.

(2) CITE: Ga. L. 1941, p. 136.

DESCRIPTION: Appears to be a duplicate of the amendment appearing at Ga. L. 1941, p. 131.

STATUS: Not continued. Repealed, Article XI, Section I, Paragraph IV.

(3) CITE: Ga. L. 1968, p. 1543.

DESCRIPTION: Creates the Colquitt and Miller County Development Authority.

STATUS: Not continued. Repealed, Article XI, Section I, Paragraph IV.

COLQUITT

(1) See Ga. L. 1968, p. 1543, under Miller County for amendment affecting Colquitt.

MITCHELL COUNTY

(1) CITE: Ga. L. 1941, p. 141.

DESCRIPTION: Authorizes the board of education of Mitchell County to make temporary loans.

COMMENTS: It appears that this amendment is obsolete in that Article IX, Section V, Paragraph V authorizes such board of education to incur debt by making temporary loans.

STATUS: Not continued. Repealed, Article XI, Section I, Paragraph IV.

(2) CITE: Ga. L. 1962, p. 761.

DESCRIPTION: Creates the Mitchell County Development Authority.

STATUS: Continued, Ga. L. 1985, p. 3890.

(3) CITE: Ga. L. 1982, p. 2643.

DESCRIPTION: Requires the boards of education of Mitchell County and the independent school system of Pelham to impose, levy, and collect a 1 percent sales tax to be used for educational purposes and to adjust the millage rate levied for educational purposes to reflect the revenues generated from such tax.

COMMENTS: The amendment provides unique taxing authority to the local school boards not otherwise permitted under Article VIII of the Constitution.

STATUS: Continued, Ga. L. 1985, p. 3719.

CAMILLA

(1) CITE: Ga. L. 1976, p. 1812.

DESCRIPTION: Creates the Downtown Camilla Development Authority.

STATUS: Continued, Ga. L. 1985, p. 4936.

PELHAM

(1) See Ga. L. 1982, p. 2643, under Mitchell County for amendment affecting Pelham.

MONROE COUNTY

(1) CITE: Ga. L. 1966, p. 755.

DESCRIPTION: Creates the Monroe County Industrial Development Authority.

STATUS: Continued, Ga. L. 1986, p. 4584.

(2) CITE: Ga. L. 1978, p. 2345.

DESCRIPTION: Authorizes the grand jury of Monroe County to arbitrate and resolve certain disputes as provided by local law.

COMMENTS: The amendment permits additional powers and duties to be granted to the grand jury of Monroe County by local Act.

STATUS: Continued, Ga. L. 1986, p. 4150.

(3) CITE: Ga. L. 1980, p. 2216.

DESCRIPTION: Grants a \$6,000.00 homestead exemption from county and county school district ad valorem taxes to residents; and grants a \$10,000.00 exemption to those residents 65 years of age or older whose specified income does not exceed \$10,000.00.

COMMENTS: Article VII, Section II, Paragraph IV continues in effect as statutory law those types of exemptions from ad valorem taxation provided for by law on June 30, 1983.

STATUS: Because this general provision of the Constitution continues this exemption in effect, it was not necessary that the local amendment be specifically continued in order for this exemption to continue to be granted. Nonetheless, the amendment was continued, Ga. L. 1987, p. 3823.

FORSYTH

- (1) CITE: Ga. L. 1927, p. 127; Ga. L. 1935, p. 1234; Ga. L. 1937, pp. 1132, 1137, 1139.

DESCRIPTION: Zoning and planning.

COMMENTS: The 1927 amendment to Art. III, Sec. VII, Para. XXV of the 1877 Constitution included Albany, Athens, Atlanta, Augusta, Brunswick, Columbus, Darien, Decatur, Dublin, East Thomaston, LaGrange, Macon, Newnan, Rome, Savannah, Thomaston, Valdosta, Waycross, and cities with a population of 25,000 or more according to the decennial census of 1920. The 1935 amendment added Moultrie. The first 1937 amendment added Carrolton, Cordele, Eastman, Forsyth, Fort Valley, McRae, and Milledgeville. The second 1937 amendment added Dalton. The third 1937 amendment added Quitman. Art. III, Sec. VII, Para. XXIII of the Constitution of 1945 (the revised counterpart of old Para. XXV) contained a direct grant of authority to the General Assembly to grant authority to cities and counties to pass zoning and planning laws. Amendment 19 (which included among other things, Art. XV, Sec. II-A, Para. III) granted some zoning and planning power directly to counties and was held to have impliedly repealed Para. XXIII insofar as it applied to unincorporated areas. Art. IX, Sec. IV, Para. II(15) conferred zoning and planning power in cities and counties.

STATUS: Not continued. Repealed, Article XI, Section I, Paragraph IV.

MONTGOMERY COUNTY

- (1) CITE: Ga. L. 1966, p. 899.

DESCRIPTION: Creates the Montgomery County Development Authority.

STATUS: Continued, Ga. L. 1985, p. 3964.

MORGAN COUNTY

- (1) CITE: Ga. L. 1960, p. 1217.

DESCRIPTION: Authorizes the county to levy tax not exceeding one mill for promoting and encouraging location of industry in county, and may use such tax proceeds for entertaining,

traveling, and other promotional expense, and to purchase land and buildings to be rented, leased, or sold to industries.

COMMENTS: There is neither a general constitutional provision nor general law which would authorize taxation for these purposes. A local law so authorizing would require a determination as to whether these purposes are public services or public functions for which public funds may be expended pursuant to Article IX, Section IV, Paragraph II.

STATUS: Continued, Ga. L. 1987, p. 3560.

(2) CITE: Ga. L. 1962, p. 1182.

DESCRIPTION: Creates the Morgan County Development Authority.

STATUS: Continued, Ga. L. 1987, p. 3705.

(3) CITE: Ga. L. 1966, p. 1060.

DESCRIPTION: Provides for two additional members to be appointed by the grand jury to the Morgan County board of education and sets the term of office of these additional members at five years.

COMMENTS: The amendment is an exception to general law regarding the number of members and length of term of office for grand jury appointed boards.

STATUS: Not continued. Repealed, Article XI, Section I, Paragraph IV.

MURRAY COUNTY

(1) CITE: Ga. L. 1957, p. 515.

DESCRIPTION: Provides an elected board of education of Murray County.

COMMENTS: The amendment contains the current school board law for Murray County.

STATUS: Continued, Ga. L. 1987, p. 3623.

(2) CITE: Ga. L. 1966, p. 963.

DESCRIPTION: Creates the Murray County Industrial Development Authority.

STATUS: Continued, Ga. L. 1985, p. 3792.

- (3) CITE: Ga. L. 1980, p. 2050.

DESCRIPTION: Provides a \$6,000.00 homestead exemption from county and county school district ad valorem taxes to residents 65 years of age and over whose specified income does not exceed \$4,000.00.

STATUS: Article VII, Section II, Paragraph IV continues in effect as statutory law those types of exemptions from ad valorem taxation provided for by law on June 30, 1983. While this amendment appears to apply to taxes levied on behalf of the Murray County School District, it may not have been so interpreted.

- (4) CITE: Ga. L. 1980, p. 2173.

DESCRIPTION: Relates to jurisdiction, practice, and procedures in justice of the peace courts.

COMMENTS: The 1983 Constitution abolishes all justice of the peace courts and establishes a system of magistrate courts. Chapter 10 of Title 15 governs all magistrate courts and sets uniform jurisdiction, practice, and procedures for these courts. This amendment no longer has any applicability to an existing court.

STATUS: Not continued. Repealed, Article XI, Section I, Paragraph IV.

- (5) See Ga. L. 1972, p. 1485, under Gordon County for amendment affecting Murray County.

MUSCOGEE COUNTY

- (1) CITE: Ga. L. 1947, p. 1768; Ga. L. 1964, p. 883; Ga. L. 1974, p. 1678.

DESCRIPTION: Authorizes the merger of the Muscogee County and City of Columbus school systems and provides detailed law and authority to the General Assembly relative to the consolidated school system.

COMMENTS: This amendment is the authority for the current law relative to the Muscogee County School District.

STATUS: Unclear. The 1947 amendment was continued, Ga. L. 1986, p. 3772. However, the 1964 and 1974 amendments were not continued. Repealed, Article XI, Section I, Paragraph IV.

(2) CITE: Ga. L. 1947, p. 1780.

DESCRIPTION: Authorizes Muscogee County and the City of Columbus to regulate the health of its citizens through a county board of health whose jurisdiction shall extend throughout Muscogee County, including the City of Columbus.

COMMENTS: The amendment ratifies a prior local Act creating the Muscogee County and City of Columbus joint board of health. General law provides that health services shall be provided by the counties. The amendment provides that the City of Columbus and Muscogee County shall jointly operate, maintain, and support a county-wide health department. Ga. L. 1971, Ex. Sess., p. 2007, which provides the charter of the county-wide consolidated government of Columbus, Georgia, specifically continues this board of health.

STATUS: Continued, Ga. L. 1986, p. 3774.

(3) CITE: Ga. L. 1952, p. 579.

DESCRIPTION: Gives judge pro hac vice provisions for the:

- 1) Superior court judge to designate the judge of City Court of Columbus (now state court);
- 2) Judge of city court (state court) to designate the superior court judge or the judge of Municipal Court of Columbus, or both; and
- 3) Judge of municipal court to designate the judge of city court (state court).

COMMENTS: Under Article VI, Section I, Paragraph III and Code Section 15-1-9.1, judges who are otherwise qualified may serve in other courts upon the request of such other court and the consent of the court to which the request is made.

STATUS: Not continued. Repealed, Article XI, Section I, Paragraph IV.

(4) CITE: Ga. L. 1953, Nov.-Dec. Sess., p. 515.

DESCRIPTION: Authorizes the General Assembly to grant the governing authority of Muscogee County the power to assess the cost of streets, gutters, and sidewalks against the owners of abutting property in unincorporated areas of the county.

COMMENTS: Article IX, Section II, Paragraph VI currently authorizes county governments to establish special services districts for the provision of governmental services and facilities therefor and authorizes the levy within such special districts of taxes, fees, and assessments for such purposes. In addition, the charter of the consolidated government of Columbus, Georgia, also contains authorization for special service districts.

STATUS: Not continued. Repealed, Article XI, Section I, Paragraph IV.

(5) CITE: Ga. L. 1955, p. 332.

DESCRIPTION: Provides that the general \$2,000.00 homestead exemption from ad valorem taxes shall not apply to any tax levied by Muscogee County for the purpose of affording fire protection.

COMMENTS: This amendment has not been specifically repealed or superseded, but it may have been impliedly superseded by Section 7-103 of the consolidated government's charter which provides that homestead exemptions shall apply to taxes levied within the general services district of the consolidated government but shall not apply to taxes separately levied in urban services districts. Ga. L. 1971, Ex. Sess., pp. 2007, 2082.

STATUS: Not continued. Repealed, Article XI, Section I, Paragraph IV.

(6) CITE: Ga. L. 1956, p. 407.

DESCRIPTION: Authorizes the board of commissioners to regulate and assess license fees and taxes on businesses in unincorporated areas of the county and to classify such businesses, with violation of regulations to constitute a misdemeanor. The General Assembly is authorized to modify or restrict these powers.

COMMENTS: Article IX, Section IV, Paragraph I(a) authorizes local laws granting to counties the power to levy and collect license taxes only in the unincorporated area of the county. Article IX, Section II, Paragraph I provides for general home rule powers which are likely broad enough to authorize counties to enforce licensing ordinances, and Code Section 36-1-20 authorizes counties to enforce ordinances which could include licensing ordinances by imposing a maximum punishment not to exceed a fine of \$500.00 or imprisonment for 60 days, or both, for such ordinance violations with such violations triable in the magistrate's court.

STATUS: Not continued. Repealed, Article XI, Section I, Paragraph IV.

(7) CITE: Ga. L. 1962, p. 840.

DESCRIPTION: Authorizes the county to appropriate funds, not derived from ad valorem taxation, for advertising and promotion of agricultural, recreational, historic, and industrial resources of county and to encourage new industries and tourism.

COMMENTS: There is neither a general constitutional provision nor general law which would authorize appropriations for these purposes. A local law so authorizing would require a determination as to whether these purposes are public services or public functions for which public funds may be expended pursuant to Article IX, Section IV, Paragraph II.

STATUS: Continued, Ga. L. 1986, p. 3788.

(8) CITE: Ga. L. 1962, p. 999.

DESCRIPTION: Authorizes Muscogee County to issue revenue bonds to fund the purchase, etc., of facilities for use by industry or commercial enterprises.

COMMENTS: An amendment which was identical to this one (Ga. L. 1960, p. 1400, relating to Telfair County) was declared to be in violation of the due process and equal protection clauses of the Fourteenth Amendment to the U.S. Constitution in the case of Smith v. State of Georgia, 222 Ga. 552 (1966).

STATUS: Continued, Ga. L. 1986, p. 3790.

(9) CITE: Ga. L. 1964, p. 883.

DESCRIPTION: Homestead exemption for aged from taxation for educational purposes.

STATUS: Article VII, Section II, Paragraph IV continues in effect as statutory law those types of exemptions from ad valorem taxation provided for by law on June 30, 1983.

(10) CITE: Ga. L. 1965, p. 702.

DESCRIPTION: Creates the Columbus-Muscogee County Port Development Commission.

COMMENTS: The commission created by this local amendment was abolished when the governments of Columbus and Muscogee County were consolidated and was replaced by the Columbus Industrial and Port Development Commission. See Ga. L. 1971, Ex. Sess., p. 2007, Section 4-623.

STATUS: Continued, Ga. L. 1986, p. 3780.

(11) CITE: Ga. L. 1966, p. 817.

DESCRIPTION: Authorizes the General Assembly to consolidate powers and services of Muscogee County and municipalities located therein.

COMMENTS: It is a preliminary approach to governmental reorganization which was superseded by city-county consolidation pursuant to the authority of the 1968 (Ga. L. 1968, p. 1508) constitutional amendment.

STATUS: Not continued. Repealed, Article XI, Section I, Paragraph IV.

(12) CITE: Ga. L. 1966, p. 879.

DESCRIPTION: Authorizes the General Assembly to provide for a single governmental entity to administer the affairs of Muscogee County and the City of Columbus.

COMMENTS: The purpose of this amendment has been accomplished by Ga. L. 1971, Ex. Sess., p. 2007. Article IX, Section III, Paragraph II authorizes the General Assembly to provide for the consolidation of county and municipal governmental powers and functions.

STATUS: Not continued. Repealed, Article XI, Section I, Paragraph IV.

(13) CITE: Ga. L. 1966, p. 894.

DESCRIPTION: Authorizes the General Assembly to consolidate the county and city boards of tax assessors for the City of Columbus and Muscogee County.

COMMENTS: Ga. L. 1971, Ex. Sess., p. 2007, which was enacted pursuant to a constitutional amendment consolidates into a single governmental entity the functions and affairs of the City of Columbus and Muscogee County and specifically creates a board of tax assessors.

STATUS: Not continued. Repealed, Article XI, Section I, Paragraph IV.

(14) CITE: Ga. L. 1967, p. 947.

DESCRIPTION: Creates the Muscogee County Industrial Development Authority.

COMMENTS: Ga. L. 1971, Ex. Sess., p. 2007, 2056, abolished this authority but transferred all its powers to the Columbus Industrial and Port Development Authority as its successor, and, to the extent necessary for the new authority to succeed to the powers, duties, and obligations of the old authority, the local constitutional amendment was to continue in unimpaired force and effect.

STATUS: Continued, Ga. L. 1986, p. 3782.

(15) CITE: Ga. L. 1968, p. 1508.

DESCRIPTION: Authorizes the General Assembly to create a charter commission to draft the charter creating the county-wide government named Columbus, Georgia.

COMMENTS: This amendment provides the legal basis for the city-county consolidated government of Columbus, Georgia.

STATUS: Continued, Ga. L. 1986, p. 3784.

(16) CITE: Ga. L. 1968, p. 1526.

DESCRIPTION: Authorizes the governing authority of Muscogee County to adopt ordinances and regulate businesses; provides for the creation of a recorder's court or for the

use of the Municipal Court of Columbus to determine cases involving violations of county ordinances.

COMMENTS: Article IX, Section II, Paragraph I and Code Section 36-1-20 authorize counties to adopt ordinances and resolutions, and Article IX, Section IV, Paragraph I authorizes counties to regulate businesses. However, the provisions of the Constitution and general law may be more restrictive as to the subject matter of these local ordinances and resolutions and as to the penalties which may be imposed for violations of the ordinances and resolutions.

STATUS: Not continued. Repealed, Article XI, Section I, Paragraph IV.

(17) CITE: Ga. L. 1968, p. 1540.

DESCRIPTION: Authorizes the board of commissioners of Muscogee County to provide systems of garbage disposal in the "county, exclusive of any incorporated municipality." Authorized the board to establish sanitation districts and to levy assessments or service charges for services rendered in such sanitation districts.

COMMENTS: It appears that this local constitutional amendment was probably rendered obsolete by the establishment of the consolidated government of Columbus, Georgia. In particular Section 1-103 of the consolidated government charter, relating to taxing districts, appears to have superseded this amendment.

STATUS: Not continued. Repealed, Article XI, Section I, Paragraph IV.

(18) CITE: Ga. L. 1968, p. 1655.

DESCRIPTION: Creates the Muscogee Airport Commission and provides for its powers and duties.

COMMENTS: Ga. L. 1971, Ex. Sess., p. 2007, which established the charter for the consolidated government of Columbus, Georgia, specifically recognized this amendment and continued the commission as the Columbus Airport Commission.

STATUS: Continued, Ga. L. 1986, p. 3776.

(19) CITE: Ga. L. 1974, p. 1676.

DESCRIPTION: Grants a total homestead exemption from Muscogee County School District ad valorem taxation to each resident of the school district who is 62 years of age or over and does not have specified income exceeding \$6,000.00 per year.

STATUS: Article VII, Section II, Paragraph IV continues in effect as statutory law those types of exemptions from ad valorem taxation provided for by law on June 30, 1983. Because

this general provision of the Constitution continues this exemption in effect, it was not necessary that this amendment be specifically continued in order for this exemption to continue to be granted. Nonetheless, the amendment was continued, Ga. L. 1986, p. 3794.

(20) CITE: Ga. L. 1974, p. 1678.

DESCRIPTION: Homestead exemption from taxes for educational purposes.

STATUS: Article VII, Section II, Paragraph IV continues in effect as statutory law those types of exemptions from ad valorem taxation provided for by law on June 30, 1983.

(21) CITE: Ga. L. 1975, p. 1724.

DESCRIPTION: Authorizes the governing authority of "Columbus-Muscogee County or any municipal corporation within Muscogee County" to exempt from ad valorem taxation tangible personal property in transit to a destination outside of the state.

COMMENTS: The current general provisions of the Constitution and general law concerning the "freeport amendment" provide similar authority, but the authority afforded by general law is not as broad as the authority granted by the local amendment. For example, any exemption granted under the general provisions must be approved at a referendum; but no referendum is required in order to grant an exemption under the local amendment. Article VII, Section II, Paragraph IV continues in effect as statutory law those types of exemptions from ad valorem taxation provided for by law on June 30, 1983. While this provision would continue any exemption granted under the local amendment as of that date, the power of the governing authority to thereafter grant and revoke such exemptions might be lost if the local amendment is not specifically continued. It is not clear whether this amendment was intended to apply to, or has been interpreted as applying to, Muscogee County School District taxes.

STATUS: Continued, Ga. L. 1986, p. 3803.

(22) CITE: Ga. L. 1976, p. 1913.

DESCRIPTION: Grants a \$5,000.00 homestead exemption from Muscogee County ad valorem taxes for county and school purposes to each resident of Muscogee County. Grants an \$8,000.00 homestead exemption from Muscogee County ad valorem taxes to each resident of the county who is 65 years of age or over who has specified income not exceeding \$4,000.00 per year.

STATUS: Article VII, Section II, Paragraph IV continues in effect as statutory law those types of exemptions from ad valorem taxation provided for by law on June 30, 1983. Because this general provision of the Constitution continues this exemption in effect, it was not necessary that this local amendment be specifically continued in order for this exemption to continue to be granted. Nonetheless, the amendment was continued, Ga. L. 1986, p. 3796.

(23) CITE: Ga. L. 1980, p. 2009.

DESCRIPTION: Provides homestead exemption from county and county school district ad valorem taxes in an amount which is the greater of an amount provided by general provisions of the Constitution or an amount calculated according to increase or decrease in tax digest.

STATUS: Article VII, Section II, Paragraph IV continues in effect as statutory law those types of exemptions from ad valorem taxation provided for by law on June 30, 1983. Because this general provision of the Constitution continues this exemption in effect, it was not necessary that the local amendment be specifically continued in order for this exemption to continue to be granted. Nonetheless, the amendment was continued, Ga. L. 1986, p. 3798, however, it was subsequently repealed, Ga. L. 1991, p. 4252.

(24) CITE: Ga. L. 1981, p. 1926.

DESCRIPTION: Gives the time at which homestead property shall be valued for purposes of county and county school district ad valorem taxation, subject to certain conditions and limitations.

COMMENTS: This amendment appears to freeze property values as of a certain point in time in which ownership is assumed, unlike the requirement of yearly fair market valuation for returns which is required by Code Sections 48-5-6 and 48-5-10.

STATUS: Continued, Ga. L. 1986, p. 3800.

(25) See Ga. L. 1910, p. 42, under Chatham County for amendment affecting Muscogee County.

BIBB CITY

(1) See Ga. L. 1966, p. 817, under Muscogee County for amendment affecting Bibb City.

(2) See Ga. L. 1975, p. 1724, under Muscogee County for amendment affecting Bibb City.

COLUMBUS

(1) CITE: Ga. L. 1927, p. 109.

DESCRIPTION: Authorizes the city to issue street improvement bonds without a referendum and without regard to the general debt limitations of the Constitution.

STATUS: Continued, Ga. L. 1986, p. 3786.

(2) CITE: Ga. L. 1927, p. 127; Ga. L. 1935, p. 1234; Ga. L. 1937, pp. 1132, 1137, 1139.

DESCRIPTION: Zoning and planning.

COMMENTS: The 1927 amendment to Art. III, Sec. VII, Para. XXV of the 1877 Constitution included Albany, Athens, Atlanta, Augusta, Brunswick, Columbus, Darien, Decatur, Dublin, East Thomaston, LaGrange, Macon, Newnan, Rome, Savannah, Thomaston, Valdosta, Waycross, and cities with a population of 25,000 or more according to the decennial census of 1920. The 1935 amendment added Moultrie. The first 1937 amendment added Carrolton, Cordele, Eastman, Forsyth, Fort Valley, McRae, and Milledgeville. The second 1937 amendment added Dalton. The third 1937 amendment added Quitman. Art. III, Sec. VII, Para. XXIII of the Constitution of 1945 (the revised counterpart of old Para. XXV) contained a direct grant of authority to the General Assembly to grant authority to cities and counties to pass zoning and planning laws. Amendment 19 (which included among other things, Art. XV, Sec. II-A, Para. III) granted some zoning and planning power directly to counties and was held to have impliedly repealed Para. XXIII insofar as it applied to unincorporated areas. Art. IX, Sec. IV, Para. II(15) conferred zoning and planning power in cities and counties.

STATUS: Not continued. Repealed, Article XI, Section I, Paragraph IV.

(3) CITE: Ga. L. 1966, p. 946.

DESCRIPTION: Creates the Columbus and Muscogee County Building Commission. Provides that the commission is created for the purpose of providing buildings and facilities for use by the City of Columbus and Muscogee County. Authorizes the commission to finance such buildings and facilities by issuance of revenue bonds to be repaid from rentals received by the authority from the city and county. The consolidated government's charter provided for continuation of the commission under the name Columbus Building Authority.

COMMENTS: Generally the type of buildings and facilities which the authority is authorized to provide may be financed only by the issuance of general obligation debt which must be approved by the voters.

STATUS: Continued, Ga. L. 1986, p. 3778.

(4) CITE: Ga. L. 1968, p. 1508.

DESCRIPTION: Authorizes the General Assembly to create a charter commission to draft the charter creating the county-wide government named Columbus, Georgia.

COMMENTS: This amendment provides the legal basis for the city-county consolidated government of Columbus, Georgia.

STATUS: Continued, Ga. L. 1986, p. 3784.

(5) CITE: Ga. L. 1980, p. 2045.

DESCRIPTION: Provides for a charter review commission for the city-county consolidated government of Columbus, Georgia.

COMMENTS: Under the amendment, the consolidated government charter is reviewed at ten-year intervals by the commission.

STATUS: Continued, Ga. L. 1986, p. 3805.

- (6) See Ga. L. 1947, p. 1768, under Muscogee County for amendment affecting Columbus.
- (7) See Ga. L. 1947, p. 1780, under Muscogee County for amendment affecting Columbus.
- (8) See Ga. L. 1952, p. 579, under Muscogee County for amendment affecting Columbus.
- (9) See Ga. L. 1966, p. 817, under Muscogee County for amendment affecting Columbus.
- (10) See Ga. L. 1966, p. 879, under Muscogee County for amendment affecting Columbus.
- (11) See Ga. L. 1966, p. 894, under Muscogee County for amendment affecting Columbus.
- (12) See Ga. L. 1968, p. 1655, under Muscogee County for amendment affecting Columbus.
- (13) See Ga. L. 1975, p. 1724, under Muscogee county for amendment affecting Columbus.

NEWTON COUNTY

- (1) CITE: Ga. L. 1964, p. 825.

DESCRIPTION: Creates the Newton County Industrial Development Authority.

STATUS: Continued, Ga. L. 1985, p. 4936.

- (2) CITE: Ga. L. 1970, p. 1040.

DESCRIPTION: Authorizes the governing authority of Newton County to adopt ordinances protecting the health, safety, welfare, and morals of its citizens and to provide penalties for violations of such ordinances and authorizes the appropriate court with jurisdiction over such matters to inflict punishment for such violations.

COMMENTS: Code Section 36-1-20 authorizes the governing authority of each county to adopt ordinances preserving the public health, safety, and welfare of the unincorporated areas of the county, violations of which ordinances may be punished by fine or imprisonment of not more than \$500.00 or 60 days or both.

STATUS: Continued, 1986, p. 4468.

- (3) CITE: Ga. L. 1971, p. 942.

DESCRIPTION: Authorizes the governing authority of Newton County to establish sewerage, water, sanitation, garbage collection, landfill, and fire protection districts in the unincorporated areas of the county and to levy taxes therein with referendum approval. Provides that exemption from ad valorem taxation shall not apply to such taxes. Authorizes the issuance of bonded debt for such districts. Authorizes the county to enter into contracts with public and private bodies or the provision of such services.

COMMENTS: Except for the authority to contract with private parties, similar authority is now provided by general provisions of the Constitution. Article IX, Section II, Paragraph VI authorizes the creation of special districts for the provision of governmental services and the levy of taxes, fees, and assessments for such purposes, but this provision of the Constitution does not require referendum approval of such taxes. Article IX, Section III, Paragraph I authorizes intergovernmental contracts for the provision of governmental services. Article IX, Section V, Paragraph II authorizes counties to issue bonded debt on behalf of special districts, but this provision does not provide, as the local amendment does, that such debt shall be excluded from the county's 10 percent debt limitation.

STATUS: Continued, Ga. L. 1986, p. 4571.

- (4) CITE: Ga. L. 1971, p. 945.

DESCRIPTION: Authorizes the General Assembly to provide that the governing authority of Newton County may levy and collect business and occupational license fees and adopt ordinances and provides that violations of such ordinances shall constitute a misdemeanor.

COMMENTS: Article IX, Section IV, Paragraph I(a) authorizes local laws granting to counties the power to levy and collect license taxes only in the unincorporated area of the county. Article IX, Section II, Paragraph I provides for general home rule powers which are likely broad enough to authorize counties to enforce licensing ordinances, and Code Section 36-1-20 authorizes counties to enforce ordinances which could include licensing ordinances by imposing a maximum punishment not to exceed a fine of \$500.00 or imprisonment for 60 days, or both, for such ordinance violations with such violations triable in the magistrate's court.

STATUS: Continued, Ga. L. 1986, p. 3908.

- (5) CITE: Ga. L. 1975, p. 1684.

DESCRIPTION: Gives the General Assembly broad local law powers relative to ad valorem taxation by Newton County, including the power to prescribe the date of tax assessments and levies, to prescribe the form of tax bills, to prescribe tax due dates, and to authorize partial payments of taxes.

COMMENTS: This amendment gives the General Assembly broad power to enact local legislation which would otherwise be preempted by general law.

STATUS: Continued, Ga. L. 1986, p. 4568.

(6) CITE: Ga. L. 1980, p. 2171.

DESCRIPTION: Provides a \$4,000.00 homestead exemption from county and county school district ad valorem taxes to residents' homesteads.

STATUS: Article VII, Section II, Paragraph IV continues in effect as statutory law those types of exemptions from ad valorem taxation provided for by law on June 30, 1983.

(7) CITE: Ga. L. 1980, p. 2187.

DESCRIPTION: Provides an \$8,000.00 homestead exemption from county and county school district ad valorem taxes to residents who are 65 years of age or over or who are disabled and whose specified income does not exceed \$10,000.00.

STATUS: Article VII, Section II, Paragraph IV continues in effect as statutory law those types of exemptions from ad valorem taxation provided for by law on June 30, 1983.

COVINGTON

(1) CITE: Ga. L. 1973, p. 1506.

DESCRIPTION: Creates the City of Covington Parking Authority.

COMMENTS: While it appears that cities can provide public parking facilities under Article IX, Section II, Paragraph III(a)(11) and can issue revenue bonds for such purposes under Code Section 36-82-61(4)(G), those provisions would not affect this authority.

STATUS: Continued, Ga. L. 1986, p. 3871.

OCONEE COUNTY

(1) CITE: Ga. L. 1962, p. 871; as amended by Ga. L. 1977, p. 1582.

DESCRIPTION: Creates the Oconee County Industrial Development Authority.

STATUS: Continued, Ga. L. 1987, p. 3562 and home rule ordinance, Ga. L. 1987, p. 5501.

(2) CITE: Ga. L. 1963, p. 686.

DESCRIPTION: Authorizes the governing authority of Oconee County to establish a fire protection district and levy taxes in support of such service.

COMMENTS: Cities and counties are authorized under Article IX, Section II, Paragraph III to provide fire protection services and under Article IX, Section II, Paragraph VI may create special service districts and levy taxes in support of such services. This amendment provides that the homestead exemption shall not apply to the levy of taxes authorized under this amendment and provides a five-mill limitation on the levy of taxes for such system.

STATUS: Not continued. Repealed, Article XI, Section I, Paragraph IV.

(3) CITE: Ga. L. 1964, p. 911.

DESCRIPTION: Provides for an elected board of education of Oconee County.

COMMENTS: The amendment contains the current school board law for Oconee County

STATUS: Continued, Ga. L. 1986, p. 4562.

(4) CITE: Ga. L. 1973, p. 1487.

DESCRIPTION: Authorizes the governing authority of Oconee County to regulate traffic and to provide criminal penalties for violation of traffic ordinances and vests jurisdiction over such violations with the probate court.

COMMENTS: Code Section 36-1-20 authorizes the governing authority of each county to adopt ordinances preserving the public health, safety, and welfare of the unincorporated areas of the county, specifically including regulation of traffic, violations of which ordinances may be punished by fine or imprisonment of not more than \$500.00 or 60 days or both.

STATUS: Not continued. Repealed, Article XI, Section I, Paragraph IV.

OGLETHORPE COUNTY

(1) CITE: Ga. L. 1941, p. 62.

DESCRIPTION: Authorizes the Crawford school district of Oglethorpe County to issue bonds to refund and retire bonds which were outstanding and past due on July 1, 1939, and which became due by January 1, 1952.

COMMENTS: This amendment constitutes a one-time authority to issue refunding bonds for a specific series of bonds in default on July 1, 1939, and which became due by January 1, 1952. The authority so granted has expired and has no current applicability.

STATUS: Not continued. Repealed, Article XI, Section I, Paragraph IV.

(2) CITE: Ga. L. 1941, p. 143.

DESCRIPTION: Authorizes Oglethorpe County to issue bonds to retire all indebtedness of the county as it existed on July 1, 1941, requires the county thereafter to operate on a cash basis, and prohibits the county from issuing delayed warrants and payment orders.

COMMENTS: The provision relating to issuing bonds to retire indebtedness was a one-time authority and has no current applicability. The provision requiring the county to operate on a cash basis is probably not necessary because Article IX, Section V places limitations on the manner in which counties may incur debt through the issuance of bonds and by making temporary loans. The practice of using delayed warrants and payment orders beyond the fiscal year is not contemplated or authorized.

STATUS: Not continued. Repealed, Article XI, Section I, Paragraph IV.

(3) CITE: Ga. L. 1962, p. 1188.

DESCRIPTION: Creates the Oglethorpe Authority (development authority).

COMMENTS: The amendment caption refers to the "Oglethorpe Development Authority," however, the body of the amendment refers to the "Oglethorpe Authority."

STATUS: Continued, Ga. L. 1986, p. 3852.

(4) CITE: Ga. L. 1966, p. 764.

DESCRIPTION: Authorizes the enactment of local legislation providing for the election of the county school board and appointment of the county school superintendent without the necessity of a referendum.

COMMENTS: Former Article VIII, Section V, Paragraph IV(a), now repealed and reserved, provided that the composition of school boards, the term of office, and the method of selecting board members and school superintendents may be changed by local law conditioned upon approval by the voters in a referendum. Former Article VIII, Section V, Paragraph IV(b) permitted school systems which were authorized on June 30, 1983, to make such changes listed in subparagraph (a) without a referendum to continue to do so.

STATUS: Continued, Ga. L. 1987, p. 3620.

(5) CITE: Ga. L. 1972, p. 1383.

DESCRIPTION: Rescinds an earlier action regarding the 20 mill limitation on school taxes and places the county under the current provisions regarding increasing or removing the 20 mill limit.

STATUS: Not continued. Repealed, Article XI, Section I, Paragraph IV.

CRAWFORD

(1) CITE: Ga. L. 1941, p. 60.

DESCRIPTION: Authorizes the city to issue bonds to refund and retire bonds which were outstanding and past due on January 1, 1941, and which became due by January 1, 1950.

COMMENTS: This amendment constitutes a one-time authority to issue refunding bonds for a specific series of bonds in default on January 1, 1941, and which became due by January 1, 1950. The authority so granted has expired and has no current applicability.

STATUS: Not continued. Repealed, Article XI, Section I, Paragraph IV.

LEXINGTON

(1) CITE: Ga. L. 1941, p. 121.

DESCRIPTION: Authorizes the city to issue refunding bonds and authorizes the city to pledge revenues of the waterworks to retire any such refunding bonds which are issued to retire bonds originally issued to finance a waterworks system.

COMMENTS: Article IX, Section V, Paragraph III authorizes cities to issue refunding bonds and Article 3 of Chapter 82 of Title 36 governs issuance of revenue bonds.

STATUS: Not continued. Repealed, Article XI, Section I, Paragraph IV.

PAULDING COUNTY

(1) CITE: Ga. L. 1941, p. 147.

DESCRIPTION: Authorizes Paulding County to issue bonds to retire all indebtedness of the county as it existed on July 1, 1941, requires the county thereafter to operate on a cash basis, and prohibits the county from issuing delayed warrants and payment orders.

COMMENTS: The provision relating to issuing bonds to retire indebtedness was a one-time authority and has no current applicability. The provision requiring the county to operate on a cash basis is probably not necessary because Article IX, Section V places limitations on the manner in which counties may incur debt through the issuance of bonds and by making temporary loans. The practice of using delayed warrants and payment orders beyond the fiscal year is not contemplated or authorized.

STATUS: Not continued. Repealed, Article XI, Section I, Paragraph IV.

(2) CITE: Ga. L. 1962, p. 1176.

DESCRIPTION: Creates the Paulding County Industrial Building Authority.

STATUS: Continued, home rule ordinance, Ga. L. 1985, p. 5690, and by Ga. L. 1987, p. 3576.

(3) CITE: Ga. L. 1964, p. 832.

DESCRIPTION: Provides for an elected board of education of Paulding County.

COMMENTS: Ga. L. 1968, p. 2381, as amended by Ga. L. 1984, p. 5146, effectively superseded the provisions contained in the amendment.

STATUS: Not continued. Repealed, Article XI, Section I, Paragraph IV.

(4) CITE: Ga. L. 1972, p. 1442.

DESCRIPTION: Authorizes the General Assembly to grant to the governing authority of Paulding County the power to establish fire protection districts and to levy taxes or special assessments therein upon approval at a referendum in the affected district. Provides that homestead exemptions shall not apply to such taxes.

COMMENTS: Article IX, Section II, Paragraph VI of the Constitution currently authorizes counties to establish special services districts for the provision of governmental services and facilities therefor and authorizes the levy within such special districts of taxes, fees, and assessments for such purposes. While this general provision of the Constitution does not require referendum approval and does not contain a provision for nonapplicability of homestead exemptions, it may be that this general provision of the Constitution has eliminated the need for this local constitutional amendment.

STATUS: Continued, Ga. L. 1987, p. 3724.

(5) CITE: Ga. L. 1972, p. 1444.

DESCRIPTION: Authorizes the governing authority of Paulding County to adopt ordinances preserving the health, safety, welfare, and morals of the citizens and to provide penalties for violations of such ordinances and authorizes the appropriate court with jurisdiction over such matters to inflict punishment for such violations.

COMMENTS: Code Section 36-1-20 authorizes the governing authority of each county to adopt ordinances preserving the public health, safety, and welfare of the unincorporated areas of the county, violations of which ordinances may be punished by fine or imprisonment of not more than \$500.00 or 60 days or both.

STATUS: Not continued. Repealed, Article XI, Section I, Paragraph IV.

(6) CITE: Ga. L. 1976, p. 1817.

DESCRIPTION: Authorizes the governing authority of Paulding County to enter into contracts and other agreements, including security deeds and notes, with private parties for terms up to 30 years for the purpose of acquiring a county courthouse and related facilities.

COMMENTS: Generally, financial obligations such as those authorized here constitute or involve general obligation debt which must be approved by the voters.

STATUS: Continued, Ga. L. 1987, p. 3722.

(7) CITE: Ga. L. 1978, p. 2431.

DESCRIPTION: Authorizes the General Assembly to provide by law for a civil service system for all employees whose salaries are paid from funds of Paulding County.

COMMENTS: Article IX, Section I, Paragraph IV authorizes the General Assembly by general law to authorize the establishment by county governing authorities of civil service systems covering both county employees and employees of county officers.

STATUS: Continued, Ga. L. 1987, p. 3578.

(8) CITE: Ga. L. 1980, p. 2312.

DESCRIPTION: Grants a \$12,000.00 homestead exemption from all county and county school district ad valorem taxes to those disabled residents whose specified income does not exceed \$12,000.00.

STATUS: Article VII, Section II, Paragraph IV continues in effect as statutory law those types of exemptions from ad valorem taxation provided for by law on June 30, 1983.

- (9) CITE: Ga. L. 1982, p. 2511.

DESCRIPTION: Grants a homestead exemption from county school district ad valorem taxes of 50 percent of assessed value minus other applicable exemptions of the Constitution from school ad valorem taxes to those residents 65 years of age or older and grants a complete homestead exemption from county school district ad valorem taxes to those residents 70 years of age or older.

STATUS: Article VII, Section II, Paragraph IV continues in effect as statutory law those types of exemptions from ad valorem taxation provided for by law on June 30, 1983.

DALLAS

- (1) CITE: Ga. L. 1972, p. 1413.

DESCRIPTION: Creates the City of Dallas Parking Authority.

COMMENTS: While it appears that cities can provide public parking facilities under Article IX, Section II, Paragraph III(a)(11) and can issue revenue bonds for such purposes under Code Section 36-82-61(4)(G), those provisions would not affect this authority.

STATUS: Continued, Ga. L. 1987, p. 3726.

PEACH COUNTY

- (1) CITE: Ga. L. 1924, p. 39.

DESCRIPTION: Creates Peach County and describes the boundary thereof.

COMMENT: Following the adoption of the 1877 Constitution, 16 counties were created by local constitutional amendment. Each amendment provided a metes and bounds description of the county boundary and designated the county site.

STATUS: Article IX, Section I, Paragraph II(b) grandfathers in force and effect the boundary description of each of the 159 counties, as well as the county site, that existed as of June 30, 1983, and provides further that subsequent changes may be accomplished only under the operation of a general law.

- (2) CITE: Ga. L. 1962, p. 825.

DESCRIPTION: Authorizes the county board of education of Peach County to borrow funds for the purpose of constructing school buildings and facilities and pledge the building funds which will or may be forthcoming to Peach County from the state through the Minimum

Foundation Program for Education (superseded by APEG and now QBE) as security and payment therefor.

STATUS: Continued, Ga. L. 1987, p. 3663.

- (3) CITE: Ga. L. 1970, p. 992.

DESCRIPTION: Authorizes Peach County to levy an ad valorem tax not to exceed one mill and to donate the proceeds to the Peach County Industrial Development Authority.

STATUS: Continued, Ga. L. 1987, p. 3667.

- (4) CITE: Ga. L. 1972, p. 1381.

DESCRIPTION: Allows the board of education of Peach County to make grants to parents of mentally retarded or handicapped children or to private educational institutions.

STATUS: Continued, Ga. L. 1987, p. 3665.

- (5) CITE: Ga. L. 1975, p. 1690.

DESCRIPTION: Relates to jurisdiction, practice, and procedures in justice of the peace courts.

COMMENTS: The 1983 Constitution abolishes all justice of the peace courts and establishes a system of magistrate courts. Chapter 10 of Title 15 governs all magistrate courts and sets uniform jurisdiction, practice, and procedures for these courts. This amendment no longer has any applicability to an existing court.

STATUS: Not continued. Repealed, Article XI, Section I, Paragraph IV.

FORT VALLEY

- (1) CITE: Ga. L. 1927, p. 127; Ga. L. 1935, p. 1234; Ga. L. 1937, pp. 1132, 1137, 1139.

DESCRIPTION: Zoning and planning.

COMMENTS: The 1927 amendment to Art. III, Sec. VII, Para. XXV of the 1877 Constitution included Albany, Athens, Atlanta, Augusta, Brunswick, Columbus, Darien, Decatur, Dublin, East Thomaston, LaGrange, Macon, Newnan, Rome, Savannah, Thomaston, Valdosta, Waycross, and cities with a population of 25,000 or more according to the decennial census of 1920. The 1935 amendment added Moultrie. The first 1937 amendment added Carrolton, Cordele, Eastman, Forsyth, Fort Valley, McRae, and Milledgeville. The second 1937 amendment added Dalton. The third 1937 amendment added Quitman. Art. III, Sec. VII, Para. XXIII of the Constitution of 1945 (the revised counterpart of old Para. XXV) contained

a direct grant of authority to the General Assembly to grant authority to cities and counties to pass zoning and planning laws. Amendment 19 (which included among other things, Art. XV, Sec. II-A, Para. III) granted some zoning and planning power directly to counties and was held to have impliedly repealed Para. XXIII insofar as it applied to unincorporated areas. Art. IX, Sec. IV, Para. II(15) conferred zoning and planning power in cities and counties.

STATUS: Not continued. Repealed, Article XI, Section I, Paragraph IV.

PICKENS COUNTY

(1) CITE: Ga. L. 1958, p. 455.

DESCRIPTION: Provides for an elected board of education of Pickens County.

COMMENTS: The amendment contains the current law with regard to the board of education of Pickens County.

STATUS: Continued, Ga. L. 1987, p. 3574.

JASPER

(1) CITE: Ga. L. 1966, p. 1086.

DESCRIPTION: Creates the City of Jasper Industrial Development Authority.

STATUS: Continued, Ga. L. 1987, p. 3564.

(2) CITE: Ga. L. 1971, p. 970.

DESCRIPTION: Grants a \$2,000.00 homestead exemption from all ad valorem taxation by the City of Jasper to residents of the city who are disabled or age 62 or over who do not have specified income exceeding \$4,000.00 per year.

STATUS: Article VII, Section II, Paragraph IV continues in effect as statutory law those types of exemptions from ad valorem taxation provided for by law on June 30, 1983.

PIERCE COUNTY

(1) CITE: Ga. L. 1929, p. 139.

DESCRIPTION: Authorizes Pierce County to levy an additional tax for high school purposes upon the approval of the voters of the county.

COMMENTS: Article VIII, Section VI authorizes boards of education to levy ad valorem taxes for school purposes generally not to exceed 20 mills and provides for the increase or removal of the 20 mill limit upon approval of the voters in a referendum. In light of the constitutional provisions, the additional tax for high school purposes contained in this amendment is of questionable utility.

STATUS: Not continued. Repealed, Article XI, Section I, Paragraph IV.

(2) CITE: Ga. L. 1965, p. 683.

DESCRIPTION: Creates the Pierce County Industrial Development and Building Authority.

STATUS: Continued, Ga. L. 1987, p. 3786.

(3) CITE: Ga. L. 1972, p. 1368.

DESCRIPTION: Authorizes the governing authority of Pierce County to levy and collect business and occupational license fees and adopt ordinances and provides that violation of such ordinances shall constitute a misdemeanor.

COMMENTS: Article IX, Section IV, Paragraph I(a) authorizes local laws granting to counties the power to levy and collect license taxes only in the unincorporated area of the county. Article IX, Section II, Paragraph I provides for general home rule powers which are likely broad enough to authorize counties to enforce licensing ordinances, and Code Section 36-1-20 authorizes counties to enforce ordinances which could include licensing ordinances by imposing a maximum punishment not to exceed a fine of \$500.00 or imprisonment for 60 days, or both, for such ordinance violations with such violations triable in the magistrate's court.

STATUS: Not continued. Repealed, Article XI, Section I, Paragraph IV.

(4) CITE: Ga. L. 1976, p. 1888.

DESCRIPTION: Relates to jurisdiction, practice, and procedures in justice of the peace courts.

COMMENTS: The 1983 Constitution abolishes all justice of the peace courts and establishes a system of magistrate courts. Chapter 10 of Title 15 governs all magistrate courts and sets uniform jurisdiction, practice, and procedures for these courts. This amendment no longer has any applicability to an existing court.

STATUS: Not continued. Repealed, Article XI, Section I, Paragraph IV.

(5) CITE: Ga. L. 1982, p. 2584.

DESCRIPTION: Grants a \$10,000.00 homestead exemption from all county school district ad valorem taxes to those residents 62 years of age or older whose specified income does not exceed \$12,000.00.

STATUS: Article VII, Section II, Paragraph IV continues in effect as statutory law those types of exemptions from ad valorem taxation provided for by law on June 30, 1983.

BLACKSHEAR

(1) CITE: Ga. L. 1939, p. 16.

DESCRIPTION: Authorizes the city to issue refunding bonds for bonds not paid at the time of maturity.

COMMENTS: Article IX, Section V, Paragraph III authorizes the issuance of refunding bonds.

STATUS: Not continued. Repealed, Article XI, Section I, Paragraph IV.

PIKE COUNTY

(1) CITE: Ga. L. 1978, p. 2405.

DESCRIPTION: Provides that the governing authority of Pike County may require that returns of property for ad valorem taxation may be made to the county board of tax assessors.

COMMENTS: Code Sections 48-5-15 and 48-5-16 require returns of property for ad valorem taxation be made to the tax commissioner. This amendment is an exception to the general law; however, no enabling legislation has been enacted.

STATUS: Continued, Ga. L. 1987, p. 4829.

(2) CITE: Ga. L. 1979, p. 1832.

DESCRIPTION: Creates the Pike County Retirement Home Authority.

STATUS: Not continued. Repealed, Article XI, Section I, Paragraph IV.

POLK COUNTY

- (1) CITE: Ga. L. 1947, p. 1764; Ga. L. 1952, p. 526; Ga. L. 1966, p. 1092.

DESCRIPTION: Provides for the merger of the Polk County and Cedartown school districts, provides for an elected board of education, and provides for the appointment of the school superintendent by the board.

STATUS: Not continued. Repealed, Article XI, Section I, Paragraph IV.

- (2) CITE: Ga. L. 1958, p. 609.

DESCRIPTION: Authorizes the county board of education of Polk County to borrow funds for the purpose of constructing school buildings and facilities and pledge the building funds which will or may be forthcoming to Polk County from the state through the Minimum Foundation Program for Education (superseded by APEG and now QBE) as security and payment therefor.

STATUS: Not continued. Repealed, Article XI, Section I, Paragraph IV.

- (3) CITE: Ga. L. 1982, p. 2513.

DESCRIPTION: Relates to jurisdiction, practice, and procedures in justice of the peace courts.

COMMENTS: The 1983 Constitution abolishes all justice of the peace courts and establishes a system of magistrate courts. Chapter 10 of Title 15 governs all magistrate courts and sets uniform jurisdiction, practice, and procedures for these courts. This amendment no longer has any applicability to an existing court.

STATUS: Not continued. Repealed, Article XI, Section I, Paragraph IV.

ARAGON

- (1) Ga. L. 1971, p. 980.

DESCRIPTION: Grants a \$2,000.00 homestead exemption from all ad valorem taxation by the City of Aragon to residents of the city who are age 62 or over who do not have specified income exceeding \$4,000.00 per year. Grants a \$10,000.00 homestead exemption from ad valorem taxation to each resident of the city who is a totally disabled veteran who does not have specified income exceeding \$4,000.00 per year.

STATUS: Article VII, Section II, Paragraph IV continues in effect as statutory law those types of exemptions from ad valorem taxation provided for by law on June 30, 1983. It may

be noted that Code Section 48-5-48 now provides a more liberal homestead exemption for disabled veterans of wars and armed conflicts. Presumably most, if not all, persons eligible for the disabled veterans exemption under the local amendment are eligible for the more liberal general exemption and receive the benefit of the general exemption rather than the benefit of the exemption set out in the local amendment.

CEDARTOWN

- (1) CITE: Ga. L. 1962, p. 888.

DESCRIPTION: Creates the Cedartown Development Authority.

STATUS: Continued, home rule ordinance, Ga. L. 1985, p. 5341, and by Ga. L. 1986, p. 5070.

- (2) See Ga. L. 1947, p. 1764, under Polk County for amendment affecting Cedartown.

ROCKMART

- (1) CITE: Ga. L. 1963, p. 676.

DESCRIPTION: Creates the Rockmart Development Authority.

STATUS: Continued, Ga. L. 1986, p. 5488.

- (2) CITE: Ga. L. 1979, p. 1792.

DESCRIPTION: Provides a \$2,000.00 homestead exemption from city ad valorem taxes for residents 65 years of age or over.

STATUS: Article VII, Section II, Paragraph IV continues in effect as statutory law those types of exemptions from ad valorem taxation provided for by law on June 30, 1983.

PULASKI COUNTY

- (1) CITE: Ga. L. 1968, p. 1496.

DESCRIPTION: Creates the Pulaski County-Hawkinsville Development Authority.

STATUS: Not continued. Repealed, Article XI, Section I, Paragraph IV.

(2) CITE: Ga. L. 1982, p. 2664.

DESCRIPTION: Provides for an elected board of education of Pulaski County.

STATUS: Not continued. Repealed, Article XI, Section I, Paragraph IV.

HAWKINSVILLE

(1) See Ga. L. 1968, p. 1496, under Pulaski County for amendment affecting Hawkinsville.

PUTNAM COUNTY

(1) CITE: Ga. L. 1962, p. 776.

DESCRIPTION: Provides for an elected board of education of Putnam County.

COMMENTS: Ga. L. 1972, p. 2678, superseded entirely the provisions contained in the local amendment regarding the election of the members of the board.

STATUS: Continued, Ga. L. 1985, p. 3818.

(2) CITE: Ga. L. 1962, p. 1101.

DESCRIPTION: Authorizes the General Assembly by local law to set the salary of the tax commissioner and provides that the tax commissioner, if acting as tag agent, may receive the fee allowed from the sale of motor vehicle tags.

COMMENTS: Article IX, Section I, Paragraph III authorizes the General Assembly to provide by local Act for the compensation of the tax commissioner. Ga. L. 1973, p. 3438, sets the salary of the tax commissioner and specifically excludes the tax commissioner from receiving motor vehicle tag fees. Code Section 48-5-183 provides the minimum salary schedule for tax commissioners and apparently supersedes the 1973 local Act.

STATUS: Continued, Ga. L. 1987, p. 3715.

(3) CITE: Ga. L. 1968, p. 1860.

DESCRIPTION: Creates the Putnam Development Authority.

STATUS: Continued, Ga. L. 1985, p. 3955.

- (4) CITE: Ga. L. 1972, p. 1504.

DESCRIPTION: Authorizes the General Assembly to create a charter commission for city-county consolidation.

COMMENTS: General provisions of the 1983 Constitution provide a mechanism for city-county consolidation (Art. IX, Sec. III, Par. II(a)).

STATUS: Not continued. Repealed, Article XI, Section I, Paragraph IV.

EATONTON

- (5) See Ga. L. 1972, p. 1504, under Putnam County for amendment affecting Eatonton.

QUITMAN COUNTY

- (1) CITE: Ga. L. 1941, p. 151.

DESCRIPTION: Authorizes Quitman County to issue bonds to retire all indebtedness of the county as it existed on July 1, 1941, requires the county thereafter to operate on a cash basis, and prohibits the county from issuing delayed warrants and payment orders.

COMMENTS: The provision relating to issuing bonds to retire indebtedness was a one-time authority and has no current applicability. The provision requiring the county to operate on a cash basis is probably not necessary because Article IX, Section V places limitations on the manner in which counties may incur debt through the issuance of bonds and by making temporary loans. The practice of using delayed warrants and payment orders beyond the fiscal year is not contemplated or authorized.

STATUS: Not continued. Repealed, Article XI, Section I, Paragraph IV.

- (2) CITE: Ga. L. 1960, p. 1253.

DESCRIPTION: Authorizes Quitman County to issue revenue bonds to fund the purchase, etc., of facilities for use by industry or commercial enterprise.

COMMENTS: An amendment which was identical to this one (Ga. L. 1960, p. 1400, relating to Telfair County) was declared to be in violation of the due process and equal protection clauses of the Fourteenth Amendment to the U.S. Constitution in the case of *Smith v. State of Georgia*, 222 Ga. 552 (1966).

STATUS: Not continued. Repealed, Article XI, Section I, Paragraph IV.

(3) CITE: Ga. L. 1968, p. 1620.

DESCRIPTION: Creates the Quitman County Industrial Development Authority.

STATUS: Continued, Ga. L. 1986, p. 3857.

GEORGETOWN

(1) See Ga. L. 1968, p. 1620, under Quitman County for amendment affecting Georgetown.

RABUN COUNTY

(1) CITE: Ga. L. 1953, Nov.-Dec. Sess., p. 222.

DESCRIPTION: Authorizes county to levy tax not exceeding one mill for promoting and encouraging location of industry and encouraging tourist trade in county.

COMMENTS: There is neither a general constitutional provision nor general law which would authorize taxation for these purposes. A local law so authorizing would require a determination as to whether these purposes are public services or public functions for which public funds may be expended pursuant to Article IX, Section IV, Paragraph II.

STATUS: Not continued. Repealed, Article XI, Section I, Paragraph IV.

(2) CITE: Ga. L. 1962, p. 865.

DESCRIPTION: Creates the Rabun County Industrial Building Authority.

STATUS: Not continued. Repealed, Article XI, Section I, Paragraph IV.

(3) CITE: Ga. L. 1982, p. 2522.

DESCRIPTION: Authorizes a 1 percent sales and use tax to be levied for educational purposes and provides for a reduction in the ad valorem tax for school purposes.

STATUS: Continued, Ga. L. 1984, p. 3866.

RANDOLPH COUNTY

(1) CITE: Ga. L. 1962, p. 834.

DESCRIPTION: Creates the Randolph County Development Authority.

STATUS: Continued, Ga. L. 1986, p. 3855.

RICHMOND COUNTY

- (1) CITE: Ga. L. 1927, p. 122; Ga. L. 1937, p. 26; Ga. L. 1943, p. 26.

DESCRIPTION: Authorizes the county to incur limited debt by making temporary loans.

COMMENTS: Article IX, Section V, Paragraph V authorizes counties to incur debt by making temporary loans.

STATUS: Not continued. Repealed, Article XI, Section I, Paragraph IV.

- (2) CITE: Ga. L. 1931, p. 1051.

DESCRIPTION: Authorizes abolition of justices of the peace in Richmond County.

COMMENTS: This local amendment repealed an exception for Richmond County to general language which was in the Constitution of 1877 allowing the abolition of the office of justice of the peace in certain cities and counties. The language which was amended is no longer in the Constitution, and the 1983 Constitution abolished the office of justice of the peace on a state-wide basis.

STATUS: Not continued. Repealed, Article XI, Section I, Paragraph IV.

- (3) CITE: Ga. L. 1943, p. 48.

DESCRIPTION: Authorizes the enactment of laws to create for the county a retirement system and provide for tax assessment therefor and to create a retirement system for employees of the county board of health and require Augusta and Richmond County to contribute thereto and levy taxes therefor.

COMMENTS: Article IX, Section II, Paragraph III(a)(14) now authorizes counties and municipalities to maintain and modify existing retirement or pension systems and to create and maintain retirement or pension systems for elected or appointed officers and employees whose compensation is paid in whole or in part from county or municipal funds. Article III, Section X, Paragraph I now authorizes the expenditure of public funds for retirement and pension systems for public officers and employees.

This amendment was to have been repealed if the 1978 revision of the article on retirement (Ga. L. 1978, p. 2510) had been ratified in 1978.

STATUS: Not continued. Repealed, Article XI, Section I, Paragraph IV.

(4) CITE: Ga. L. 1952, p. 71.

DESCRIPTION: Authorizes Richmond County and the City of Augusta to regulate the health of its citizens through a joint board of health.

COMMENTS: The amendment ratifies prior local Acts creating the joint board of health for Richmond County and the City of Augusta.

STATUS: Continued by Ga. L. 1983, p. 4702.

(5) CITE: Ga. L. 1952, p. 489; Ga. L. 1955, p. 460.

DESCRIPTION: Authorizes the General Assembly to grant the governing authority of Richmond County the power to assess the cost of streets, sidewalks, curbing, and water and sewer mains against the owners of abutting subdivided property. Consent of 75 percent of such owners is required.

COMMENTS: Article IX, Section II, Paragraph IV currently authorizes county governments to establish special services districts for the provision of governmental services and facilities therefor and authorizes the levy within such special districts of taxes, fees, and assessments for such purposes.

STATUS: Not continued. Repealed, Article XI, Section I, Paragraph IV.

(6) CITE: Ga. L. 1952, p. 576.

DESCRIPTION: Authorizes the City of Augusta and Richmond County to enter into contracts with each other, with private entities, and with the Augusta-Richmond County Building Authority so as to acquire the use of buildings and related facilities. Provides that any such contract must be approved at a referendum by the voters of the city or county. Provides that such contracts shall not constitute debt of the city or county.

COMMENTS: Under general provisions of law any contract which extends beyond the current year and obligates a local government to pay moneys in the future is a debt and is not within the power of the local government unless incurred in the form of general obligation debt approved by the voters. It should be noted that the Augusta-Richmond County Building Authority was abolished by Ga. L. 1953, Nov.-Dec. Sess., p. 2708.

STATUS: Not continued. Repealed, Article XI, Section I, Paragraph IV.

(7) CITE: Ga. L. 1953, Nov.-Dec. Sess., p. 502.

DESCRIPTION: Authorizes the board of commissioners to regulate and assess license fees and taxes on businesses within unincorporated areas of the county, and levy different taxes for different classes of business, and violation of regulations constitutes misdemeanor.

STATUS: Declared unconstitutional *Seago v. Richmond County*, 218 Ga. 151 (1962).

(8) CITE: Ga. L. 1956, p. 453.

DESCRIPTION: Authorizes the General Assembly to consolidate the county and city board of tax assessors for Richmond County and the City of Augusta.

STATUS: Continued, Ga. L. 1983, p. 4094.

(9) CITE: Ga. L. 1962, p. 778.

DESCRIPTION: Authorizes the General Assembly to enact laws giving the county the power to participate in and contribute to a group hospitalization insurance policy for employees and officers compensated by the county and to levy taxes therefor and establish tenure for such persons.

COMMENTS: Home rule power to provide for hospitalization insurance for county employees is authorized under Article IX, Section II, Paragraph I(f). This power may be one which could be exercised by local law as to county officers and their employees as a public function under Article IX, Section IV, Paragraph II. It is, however, questionable whether a tenure system could be established for any persons.

STATUS: Not continued. Repealed, Article XI, Section I, Paragraph IV.

(10) CITE: Ga. L. 1968, p. 1506.

DESCRIPTION: Authorizes the General Assembly to empower Richmond County to adopt county ordinances not in conflict with general law and to provide penalties for violations.

COMMENTS: The amendment was implemented by Ga. L. 1975, p. 4548. Article IX, Section II, Paragraph I and Code Section 36-1-20 authorize counties to adopt ordinances and resolutions, and Article IX, Section IV, Paragraph I authorizes counties to regulate businesses. In view of these provisions, this local amendment may not be necessary. However, the provisions of the Constitution and the general law may be more restrictive as to the subject matter of these local ordinances and resolutions, as to the penalties which may be imposed for violations of the ordinances and resolutions, and as to the territorial applicability of the ordinances and resolutions.

STATUS: Not continued. Repealed, Article XI, Section I, Paragraph IV.

(11) CITE: Ga. L. 1968, p. 1787; Ga. L. 1974, p. 1814.

DESCRIPTION: Authorizes the General Assembly to provide by law for governmental reorganization including city-county consolidation.

COMMENTS: General provisions of the 1983 Constitution provide a mechanism for governmental reorganization and city-county consolidation (Art. IX, Sec. III, Par. II).

STATUS: Not continued. Repealed, Article XI, Section I, Paragraph IV.

(12) CITE: Ga. L. 1970, p. 1097.

DESCRIPTION: Authorizes the board of commissioners of Richmond County to establish districts for establishing and maintaining street lights. Authorizes the levy of taxes within each district for this purpose upon the consent of 50 percent of the property owners within the district.

COMMENTS: Article IX, Section II, Paragraph VI currently authorizes county governments to establish special services districts for the provision of local government services and facilities therefor and authorizes the levy within such special districts of taxes and fees for such purposes.

STATUS: Not continued. Repealed, Article XI, Section I, Paragraph IV.

(13) CITE: Ga. L. 1970, p. 1099.

DESCRIPTION: Authorizes the board of commissioners of Richmond County to engage in business licensing and to levy business license fees and taxes in the unincorporated area of the county.

COMMENTS: Article IX, Section IV, Paragraph I(a) authorizes local laws granting to counties the power to levy and collect license taxes only in the unincorporated area of the county. Article IX, Section II, Paragraph I provides for general home rule powers which are likely broad enough to authorize counties to enforce licensing ordinances, and Code Section 36-1-20 authorizes counties to enforce ordinances which could include licensing ordinances by imposing a maximum punishment not to exceed a fine of \$500.00 or imprisonment for 60 days, or both, for such ordinance violations with such violations triable in the magistrate's court.

STATUS: Continued, Ga. L. 1985, p. 4138.

(14) CITE: Ga. L. 1972, p. 1456.

DESCRIPTION: Authorizes the tax commissioner of Richmond County to accept personal checks for the payment of the registration of motor vehicles and the purchase of license plates.

COMMENTS: Code Section 40-2-29 authorizes the payment of registration and license fees by cash, certified or cashier's check, money order, or other similar bankable paper. An opinion of the Attorney General found at 1963-65, p. 607 held that "other similar bankable paper" includes personal checks as provided in Code Section 48-2-32. In addition, Code

Section 48-5-146 provides the conditions pursuant to which the tax commissioner shall not be liable for unpaid checks received in payment of registration and license fees.

STATUS: Not continued. Repealed, Article XI, Section I, Paragraph IV.

(15) CITE: Ga. L. 1974, p. 1698.

DESCRIPTION: Authorizes appropriations not to exceed \$75,000.00 per year to advertise and promote facilities and assets of Richmond County and encourage location and expansion of business therein and attract tourists thereto.

COMMENTS: There is neither a general constitutional provision nor general law which would authorize appropriations for these purposes. A local law so authorizing would require a determination as to whether these purposes are public services or public functions for which public funds may be expended pursuant to Article IX, Section IV, Paragraph II.

STATUS: Continued, Ga. L. 1986, p. 4480.

(16) CITE: Ga. L. 1974, p. 1709.

DESCRIPTION: Provides an exemption from county ad valorem taxes for a period of five years following completion for new manufacturing establishments and capital improvements to existing manufacturing establishments costing \$1 million or more.

STATUS: Continued, Ga. L. 1983, p. 4143.

(17) CITE: Ga. L. 1978, p. 2355.

DESCRIPTION: Authorizes Richmond County to acquire, construct, etc., incinerator, garbage, and refuse facilities, to fix charges for their use, to enter leases and contracts, and to issue revenue bonds.

STATUS: Continued, Ga. L. 1986, p. 4483.

(18) CITE: Ga. L. 1980, p. 2162.

DESCRIPTION: Allows the General Assembly to authorize each local taxing jurisdiction in Richmond County to grant discounts for early payment of ad valorem taxes.

COMMENTS: This amendment gives the General Assembly power to enact local legislation otherwise not authorized by law. While no attempt has been made to identify all local laws based on this authority, two examples are Ga. L. 1981, p. 3673 (discounts on county taxes) and Ga. L. 1981, p. 3675 (discounts on school ad valorem taxes).

STATUS: Continued, Ga. L. 1987, p. 3788.

(19) CITE: Ga. L. 1980, p. 2177.

DESCRIPTION: Places ad valorem taxation millage rate limitations on each taxing jurisdiction in Richmond County.

STATUS: Continued, Ga. L. 1983, p. 3870.

(20) CITE: Ga. L. 1980, p. 2190.

DESCRIPTION: Provides a \$5,000.00 homestead exemption from county and county school district ad valorem taxes. Provides a \$10,000.00 homestead exemption from county and county school district ad valorem taxes to residents who are 65 years of age or over who have specified income not exceeding \$10,000.00 and to residents who are totally and permanently disabled.

STATUS: Article VII, Section II, Paragraph IV continues in effect as statutory law those types of exemptions from ad valorem taxation provided for by law on June 30, 1983.

(21) CITE: Ga. L. 1982, p. 2639.

DESCRIPTION: Authorizes the General Assembly to create by local law a merit system for all or some of the employees of the sheriff of Richmond County.

COMMENTS: Under Code Section 15-16-23 the employment and discharge of deputy sheriffs is within the discretion of the sheriff. Code Section 15-16-28 authorizes the creation by local Act, with the sheriff's approval, of a merit board to hear and decide appeals from disciplinary actions against deputies and other employees of the sheriff's department. General law contains, however, no authority for a full "merit system" of employment within sheriffs' departments.

STATUS: Not continued. Repealed, Article XI, Section I, Paragraph IV.

(22) See Ga. L. 1910, p. 42, under Chatham County for amendment affecting Richmond County.

(23) See Ga. L. 1927, p. 122, under Fulton County for amendment affecting Richmond County.

AUGUSTA

(1) CITE: Ga. L. 1909, p. 77.

DESCRIPTION: Authorizes the city to incur limited bonded indebtedness for flood protection purposes upon its power-producing canal and waterworks. This debt is in addition to the debt limitations of the Constitution which, at the time this amendment was ratified, was 7 percent of the assessed value of taxable property.

COMMENTS: The present Constitution limits general obligation debt to 10 percent of the assessed value of taxable property. It is unclear whether this amendment authorizes general obligation debt in excess of the limitation in existence at the time the amendment was ratified or whether it authorizes general obligation debt in excess of the present constitutional limitation.

STATUS: Not continued. Repealed, Article XI, Section I, Paragraph IV.

- (2) CITE: Ga. L. 1927, p. 127; Ga. L. 1935, p. 1234; Ga. L. 1937, pp. 1132, 1137, 1139.

DESCRIPTION: Zoning and planning.

COMMENTS: The 1927 amendment to Art. III, Sec. VII, Para. XXV of the 1877 Constitution included Albany, Athens, Atlanta, Augusta, Brunswick, Columbus, Darien, Decatur, Dublin, East Thomaston, LaGrange, Macon, Newnan, Rome, Savannah, Thomaston, Valdosta, Waycross, and cities with a population of 25,000 or more according to the decennial census of 1920. The 1935 amendment added Moultrie. The first 1937 amendment added Carrolton, Cordele, Eastman, Forsyth, Fort Valley, McRae, and Milledgeville. The second 1937 amendment added Dalton. The third 1937 amendment added Quitman. Art. III, Sec. VII, Para. XXIII of the Constitution of 1945 (the revised counterpart of old Para. XXV) contained a direct grant of authority to the General Assembly to grant authority to cities and counties to pass zoning and planning laws. Amendment 19 (which included among other things, Art. XV, Sec. II-A, Para. III) granted some zoning and planning power directly to counties and was held to have impliedly repealed Para. XXIII insofar as it applied to unincorporated areas. Art. IX, Sec. IV, Para. II(15) conferred zoning and planning power in cities and counties.

STATUS: Not continued. Repealed, Article XI, Section I, Paragraph IV.

- (3) CITE: Ga. L. 1939, p. 11.

DESCRIPTION: Authorizes the city to incur debt by making temporary loans and authorizes the city to incur up to \$1 million in debt to retire any deficit or current indebtedness outstanding on January 1, 1941.

COMMENTS: Article IX, Section V, Paragraph V authorizes cities to make temporary loans and the authority to incur limited debt to retire indebtedness outstanding on January 1, 1941, has expired and has no current applicability.

STATUS: Not continued. Repealed, Article XI, Section I, Paragraph IV.

- (4) CITE: Ga. L. 1970, p. 1078.

DESCRIPTION: Authorizes the City of Augusta to establish historic zones and to enact planning and zoning ordinances to preserve and protect such districts.

STATUS: Not continued. Repealed, Article XI, Section I, Paragraph IV.

- (5) CITE: Ga. L. 1980, p. 2211.

DESCRIPTION: Grants a homestead exemption from city ad valorem taxes in an amount which is the greater of \$2,000.00 or the amount given as an exemption by Richmond County to each resident; and grants an exemption which is the greater of \$4,000.00 or the amount given by Richmond County to those 65 years of age or older whose specified income does not exceed \$4,000.00.

STATUS: Article VII, Section II, Paragraph IV continues in effect as statutory law those types of exemptions from ad valorem taxation provided for by law on June 30, 1983.

- (6) CITE: Ga. L. 1982, p. 2616.

DESCRIPTION: Exempts from city ad valorem taxes for five years capital improvements or additions to capital improvements of commercial or business establishments if such improvements or additions are valued at \$100,000.00 or more.

STATUS: Article VII, Section II, Paragraph IV continues in effect as statutory law those types of exemptions from ad valorem taxation provided for by law on June 30, 1983. Nonetheless, this amendment has been continued, Ga. L. 1983, p. 4108.

- (7) See Ga. L. 1952, p. 71, under Richmond County for amendment affecting Augusta.
(8) See Ga. L. 1952, p. 576, under Richmond County for amendment affecting Augusta.
(9) See Ga. L. 1956, p. 453, under Richmond County for amendment affecting Augusta.
(10) See Ga. L. 1968, p. 1787, under Richmond County for amendment affecting Augusta.
(11) See Ga. L. 1980, p. 2162, under Richmond County for amendment affecting Augusta.
(12) See Ga. L. 1980, p. 2177, under Richmond County for amendment affecting Augusta.

BLYTHE

- (1) See Ga. L. 1968, p. 1787, under Richmond County for amendment affecting Blythe.
(2) See Ga. L. 1980, p. 2162, under Richmond County for amendment affecting Blythe.

GRACEWOOD

- (1) See Ga. L. 1968, p. 1787, under Richmond County for amendment affecting Gracewood.

- (2) See Ga. L. 1980, p. 2162, under Richmond County for amendment affecting Gracewood.
- (3) See Ga. L. 1980, p. 2177, under Richmond County for amendment affecting Gracewood.

HEPHZIBAH

- (1) See Ga. L. 1968, p. 1787, under Richmond County for amendment affecting Hephzibah.
- (2) See Ga. L. 1980, p. 2162, under Richmond County for amendment affecting Hephzibah.
- (3) See Ga. L. 1980, p. 2177, under Richmond County for amendment affecting Hephzibah.

ROCKDALE COUNTY

- (1) CITE: Ga. L. 1949, p. 2106; Ga. L. 1964, Ex. Sess., p. 369.

DESCRIPTION: Provides for an elected board of education of Rockdale County.

COMMENTS: The amendment contains the current school board law for Rockdale County.

STATUS: Continued, Ga. L. 1986, p. 4018.

- (2) CITE: Ga. L. 1952, p. 545.

DESCRIPTION: Provides for the appointment or election of the school superintendent of Rockdale County by the board of education.

COMMENTS: The amendment contains the current law relative to the manner of selection, term of office, and qualifications of the school superintendent of Rockdale County.

STATUS: Continued, Ga. L. 1986, p. 4016.

- (3) CITE: Ga. L. 1960, p. 1266.

DESCRIPTION: Authorizes the governing authority of Rockdale County to establish occupational and business license taxes and to provide that violations of such licenses are criminal offenses.

COMMENTS: Article IX, Section IV, Paragraph I(a) authorizes local laws granting to counties the power to levy and collect license taxes only in the unincorporated area of the county. Article IX, Section II, Paragraph I provides for general home rule powers which are likely broad enough to authorize counties to enforce licensing ordinances, and Code Section

36-1-20 authorizes counties to enforce ordinances which could include licensing ordinances by imposing a maximum punishment not to exceed a fine of \$500.00 or imprisonment for 60 days, or both, for such ordinance violations with such violations triable in the magistrate's court.

STATUS: Not continued. Repealed, Article XI, Section I, Paragraph IV.

(4) CITE: Ga. L. 1961, p. 622.

DESCRIPTION: Authorizes Rockdale County to adopt county ordinances.

COMMENTS: Article IX, Section II, Paragraph I and Code Section 36-1-20 authorize counties to adopt ordinances and resolutions and Article IX, Section IV, Paragraph I authorizes counties to regulate businesses. In view of these provisions, this local amendment may not be necessary. However, the provisions of the Constitution and the general law may be more restrictive as to the subject matter of these local ordinances and resolutions, as to the penalties which may be imposed for violations of the ordinances and resolutions, and as to the territorial applicability of the ordinances and resolutions.

STATUS: Not continued. Repealed, Article XI, Section I, Paragraph IV.

(5) CITE: Ga. L. 1962, p. 768; Ga. L. 1964, Ex. Sess., p. 379.

DESCRIPTION: Authorizes the General Assembly to create a Rockdale County-Conyers Water Authority for the provision of water and sewerage services.

COMMENTS: The General Assembly has not exercised the power granted by the local constitutional amendment and no such authority has been created. If creation of such an authority should hereafter be desired, an authority could be created by local Act of the General Assembly without this local constitutional amendment. The only feature of the local constitutional amendment which could not be dealt with by local Act would be a provision authorizing the pledge of taxes of Rockdale County and the City of Conyers to the payment of the authority's revenue bonds.

STATUS: Not continued. Repealed, Article XI, Section I, Paragraph IV.

(6) CITE: Ga. L. 1962, p. 992.

DESCRIPTION: Creates the Rockdale County Industrial Building Authority.

STATUS: Not continued. Repealed, Article XI, Section I, Paragraph IV.

(7) CITE: Ga. L. 1964, p. 943.

DESCRIPTION: Changes debt limitation incurred by Rockdale County from 7 percent of assessed value of property to 10 percent of assessed value of property.

COMMENTS: Article IX, Section V, Paragraph I provides for a debt limitation not to exceed 10 percent of the assessed value of all taxable property within such county, the same as the local amendment, this amendment is no longer necessary.

STATUS: Not continued. Repealed, Article XI, Section I, Paragraph IV.

(8) CITE: Ga. L. 1966, p. 918.

DESCRIPTION: Changes debt limitation incurred by Rockdale County from 7 percent of assessed value of property to 10 percent of assessed value of property.

COMMENTS: Article IX, Section IV, Paragraph I provides for a debt limitation not to exceed 10 percent of the assessed value of all taxable property within such county, the same as the local amendment.

STATUS: Not continued. Repealed, Article XI, Section I, Paragraph IV.

(9) CITE: Ga. L. 1980, p. 2215.

DESCRIPTION: Grants a \$20,000.00 homestead exemption from county school district ad valorem taxation to residents who are 65 years of age or older or who are totally disabled.

STATUS: Article VII, Section II, Paragraph IV continues in effect as statutory law those types of exemptions from ad valorem taxation provided for by law on June 30, 1983, however, the amendment has been repealed, Ga. L. 1992, p. 5351.

CONYERS

(1) CITE: Ga. L. 1970, p. 1047.

DESCRIPTION: Grants a \$2,000.00 homestead exemption from city ad valorem taxes to each resident of the city who was disabled or 62 years of age or over and who had specified income not exceeding \$4,000.00 per year.

COMMENTS: A local Act, Ga. L. 1984, p. 4884, provides a homestead exemption for each resident of the city who is disabled or 62 years of age or over and who has an income not exceeding \$8,000.00 per year. Section 2 of the 1984 Act expressly states that the exemption granted thereby supersedes and is in lieu of the exemption granted by the 1970 constitutional amendment. It did not repeal the amendment.

STATUS: Article VII, Section II, Paragraph IV continues in effect as statutory law those types of exemptions from ad valorem taxation provided for by law on June 30, 1983.

- (2) CITE: Ga. L. 1978, p. 2476.

DESCRIPTION: Authorizes the General Assembly to create the Downtown Conyers Development Authority.

COMMENTS: No implementing local Act has been adopted pursuant to this amendment. Under the general law provisions of Chapter 42 of Title 36, any municipality has the authority to activate a downtown development authority.

STATUS: Not continued. Repealed, Article XI, Section I, Paragraph IV.

- (3) See Ga. L. 1962, p. 768, under Rockdale County for amendment affecting Conyers.

SCHLEY COUNTY

- (1) CITE: Ga. L. 1950, p. 490; Ga. L. 1958, p. 511.

DESCRIPTION: Provides for an elected board of education of Schley County.

COMMENTS: A local Act found at Ga. L. 1977, p. 2955, provides for staggered terms of office for members of the board of education of Schley County.

STATUS: Not continued. Repealed, Article XI, Section I, Paragraph IV.

- (2) CITE: Ga. L. 1962, p. 787.

DESCRIPTION: Creates the Schley County Development Authority.

STATUS: Not continued. Repealed, Article XI, Section I, Paragraph IV.

- (3) CITE: Ga. L. 1982, p. 2598.

DESCRIPTION: Relates to jurisdiction, practice, and procedures in justice of the peace courts.

COMMENTS: The 1983 Constitution abolishes all justice of the peace courts and establishes a system of magistrate courts. Chapter 10 of Title 15 governs all magistrate courts and sets uniform jurisdiction, practice, and procedures for these courts. This amendment no longer has any applicability to an existing court.

STATUS: Not continued. Repealed, Article XI, Section I, Paragraph IV.

SCREVEN COUNTY

(1) CITE: Ga. L. 1962, p. 1079.

DESCRIPTION: Creates the Screven County Development Authority.

STATUS: Continued, home rule ordinance, Ga. L. 1986, p. 5694.

(2) CITE: Ga. L. 1964, Ex. Sess., p. 400.

DESCRIPTION: Repeals Ga. L. 1964, p. 835, and provides for an elected board of education of Screven County.

STATUS: Not continued. Repealed, Article XI, Section I, Paragraph IV.

(3) CITE: Ga. L. 1972, p. 1465.

DESCRIPTION: Authorizes the governing authority of Screven County to develop a system of solid waste collection and to expend county funds therefor.

COMMENTS: Counties and municipalities are now authorized to provide these services under Article IX, Section II, Paragraph III, and public funds may be expended therefor under Article IX, Section IV, Paragraph II.

STATUS: Not continued. Repealed, Article XI, Section I, Paragraph IV.

(4) CITE: Ga. L. 1982, p. 2635.

DESCRIPTION: Exempts from all county, municipal, and school ad valorem taxes for five years capital improvements or additions to capital improvements of manufacturing establishments if such improvements or additions are valued at \$500,000.00 or more.

STATUS: Article VII, Section II, Paragraph IV continues in effect as statutory law those types of exemptions from ad valorem taxation provided for by law on June 30, 1983. Because this general provision of the Constitution continues this exemption in effect, it is not necessary that the local amendment be specifically continued in order for this exemption to continue to be granted. Nonetheless, the amendment was continued by home rule ordinance, Ga. L. 1986, p. 5697.

HILLTONIA

- (1) See Ga. L. 1982, p. 2635, under Screven County for amendment affecting Hilltonia.

NEWINGTON

- (1) See Ga. L. 1982, p. 2635, under Screven County for amendment affecting Newington.

OLIVER

- (1) See Ga. L. 1982, p. 2635, under Screven County for amendment affecting Oliver.

SYLVANIA

- (1) CITE: Ga. L. 1939, p. 81.

DESCRIPTION: Authorizes the city to issue bonds to refund and retire bonds which were outstanding and past due on January 1, 1940.

COMMENTS: This amendment constitutes a one-time authority to issue refunding bonds for a specific series of bonds in default on January 1, 1940. The authority so granted has expired and has no current applicability.

STATUS: Not continued. Repealed, Article XI, Section I, Paragraph IV.

- (2) See Ga. L. 1982, p. 2635, under Screven County for amendment affecting Sylvania.

SEMINOLE COUNTY

- (1) CITE: Ga. L. 1920, p. 52.

DESCRIPTION: Creates Seminole County and describes the boundary thereof.

COMMENT: Following the adoption of the 1877 Constitution, 16 counties were created by local constitutional amendment. Each amendment provided a metes and bounds description of the county boundary and designated the county site.

STATUS: Article IX, Section I, Paragraph II(b) grandfathers in force and effect the boundary description of each of the 159 counties, as well as the county site, that existed as of June 30, 1983, and provides further that subsequent changes may be accomplished only under the operation of a general law.

- (2) CITE: Ga. L. 1958, p. 466.

DESCRIPTION: Authorizes the county governing authority to levy an ad valorem property tax not to exceed five mills for assisting and encouraging new industries to locate in the county. The tax proceeds shall be used for such purpose by purchasing noninterest-bearing stocks, debentures, or certificates of Seminole Industries, Incorporated, for industrial property development and management.

COMMENTS: There is neither a general constitutional provision nor general law which would authorize taxation for these purposes. A local law so authorizing would require a determination as to whether these purposes are public services or public functions for which public funds may be expended pursuant to Article IX, Section IV, Paragraph II.

STATUS: Not continued. Repealed, Article XI, Section I, Paragraph IV.

- (3) CITE: Ga. L. 1962, p. 1015.

DESCRIPTION: Creates the Seminole County/Donalsonville Industrial Building Authority.

STATUS: Not continued. Repealed, Article XI, Section I, Paragraph IV.

DONALSONVILLE

- (1) See Ga. L. 1962, p. 1015, under Seminole County for amendment affecting Donalsonville.

SPALDING COUNTY

- (1) CITE: Ga. L. 1933, p. 29.

DESCRIPTION: Authorizes the county to incur limited debt by making temporary loans.

COMMENTS: Article IX, Section V, Paragraph V authorizes counties to incur debt by making temporary loans.

STATUS: Continued, Ga. L. 1987, p. 3539.

- (2) CITE: Ga. L. 1952, p. 554; Ga. L. 1982, p. 2680.

DESCRIPTION: Repeals an earlier constitutional amendment found at Ga. L. 1947, p. 1760, and merges the school systems of the City of Griffin and Spalding County.

COMMENTS: The amendments contain the current school board law for the Griffin-Spalding County board of education. Portions of the 1952 amendment are continued by the 1982 amendment.

STATUS: Continued, Ga. L. 1987, p. 3545.

- (3) CITE: Ga. L. 1960, p. 1390.

DESCRIPTION: Authorizes the governing authority of Spalding County to establish water service districts in the unincorporated area of the county and to levy taxes within such districts for such purposes.

COMMENTS: Counties and municipalities are now authorized to provide these services under Article IX, Section II, Paragraph III, and public funds may be expended therefor under Article IX, Section IV, Paragraph II. Special districts for government services and special taxes within those districts are now authorized by Article IX, Section II, Paragraph VI.

STATUS: Continued, Ga. L. 1987, p. 3541.

- (4) CITE: Ga. L. 1962, p. 945; Ga. L. 1978, p. 4151; Ga. L. 1981, p. 4875; Ga. L. 1983, p. 3834.

DESCRIPTION: Creates the Spalding County/Griffin Industrial Building Authority.

STATUS: Continued, Ga. L. 1985, p. 3845.

- (5) CITE: Ga. L. 1964, p. 1045.

DESCRIPTION: Authorizes the governing authority of Spalding County to construct and improve streets and sidewalks in the unincorporated area and assess the cost against the abutting property owners.

COMMENTS: The authority granted by this amendment is currently authorized under Article IX, Section II, Paragraph III as a supplementary power of counties and municipalities.

STATUS: Continued, Ga. L. 1987, p. 3543.

- (6) CITE: Ga. L. 1964, Ex. Sess., p. 411.

DESCRIPTION: Authorizes the governing authority of Spalding County to incur bonded indebtedness in addition to the debt limitation in the Constitution for the purpose of acquiring property and constructing educational facilities for education beyond the twelfth grade and to convey such property to the board of regents.

COMMENTS: The authority to incur debt for the purpose outlined in this amendment is not covered by other provisions of this Constitution or general law. Also, this amendment authorizes the county to incur additional debt without regard to the general debt limitation applicable to counties in Article IX, Section V, Paragraph I.

STATUS: Continued, Ga. L. 1987, p. 3537.

(7) CITE: Ga. L. 1968, p. 1704.

DESCRIPTION: Authorizes the General Assembly to grant to the governing authority of Spalding County the power to establish fire protection districts in the unincorporated areas of the county and to levy taxes therein with referendum approval. Provides that exemptions from ad valorem taxation shall not apply to such taxes. Authorizes the issuance of bonded debt for such districts. Authorizes the county to enter into fire protection contracts with public and private bodies.

COMMENTS: Except for the authority to contract with private parties, similar authority is now provided by general provisions of the Constitution. Article IX, Section II, Paragraph VI authorizes the creation of special districts for the provision of governmental services and the levy of taxes, fees, and assessments for such purposes, but this provision of the Constitution does not require referendum approval of such taxes. Article IX, Section III, Paragraph I authorizes intergovernmental contracts for the provision of fire protection services and other governmental services. Article IX, Section V, Paragraph II authorizes counties to issue bonded debt on behalf of special districts, but this provision does not provide, as the local constitutional amendment does, that such debt shall be excluded from the county's 10 percent debt limitation.

STATUS: Continued, Ga. L. 1987, p. 3691.

(8) CITE: Ga. L. 1970, p. 1001.

DESCRIPTION: Authorizes the grand jury to recommend to the governing authority or the General Assembly salary increases for elected county officers.

COMMENTS: The amendment provides for additional duties of the grand jury in Spalding County than otherwise set by general law.

STATUS: Not continued. Repealed, Article XI, Section I, Paragraph IV.

(9) CITE: Ga. L. 1976, p. 1771.

DESCRIPTION: Authorizes the board of commissioners of Spalding County to engage in business licensing and to levy business license fees and taxes in the unincorporated area of the county.

COMMENTS: Article IX, Section IV, Paragraph I(a) authorizes local laws granting to counties the power to levy and collect license taxes only in the unincorporated area of the county. Article IX, Section II, Paragraph I provides for general home rule powers which are likely broad enough to authorize counties to enforce licensing ordinances, and Code Section 36-1-20 authorizes counties to enforce ordinances which could include licensing ordinances by imposing a maximum punishment not to exceed a fine of \$500.00 or imprisonment for 60 days, or both, for such ordinance violations with such violations triable in the magistrate's court. Identical provisions are contained in another local constitutional amendment set out at Ga. L. 1976, p. 1810.

STATUS: Continued, Ga. L. 1987, p. 3693.

(10) CITE: Ga. L. 1976, p. 1810.

DESCRIPTION: Authorizes the board of commissioners of Spalding County to engage in business licensing and to levy business license fees and taxes in the unincorporated area of the county.

COMMENTS: Identical provisions are contained in another local constitutional amendment set out at Ga. L. 1976, p. 1771.

STATUS: Not continued. Repealed, Article XI, Section I, Paragraph IV.

(11) CITE: Ga. L. 1978, p. 2315.

DESCRIPTION: Authorizes the governing authority to adopt ordinances protecting the health, safety, welfare, and morals of its citizens and regulating traffic and garbage and solid waste disposal and to provide penalties for violations of such ordinances and designate the court which shall have jurisdiction over such offenses.

COMMENTS: Code Section 36-1-20 authorizes the governing authority of each county to adopt ordinances preserving the public health, safety, and welfare of the unincorporated areas of the county, violations of which ordinances may be punished by fine or imprisonment of not more than \$500.00 or 60 days or both.

STATUS: Continued, Ga. L. 1987, p. 3689.

(12) CITE: Ga. L. 1979, p. 1793.

DESCRIPTION: Provides a homestead exemption from county school district ad valorem taxes, in an amount provided by general law, for residents 62 years of age or over whose specified income does not exceed \$10,000.00.

STATUS: Article VII, Section II, Paragraph IV continues in effect as statutory law those types of exemptions from ad valorem taxation provided for by law on June 30, 1983.

(13) CITE: Ga. L. 1981, p. 1933.

DESCRIPTION: Relates to jurisdiction, practice, and procedures in justice of the peace courts.

COMMENTS: The 1983 Constitution abolishes all justice of the peace courts and establishes a system of magistrate courts. Chapter 10 of Title 15 governs all magistrate courts and sets uniform jurisdiction, practice, and procedures for these courts. This amendment no longer has any applicability to an existing court.

STATUS: Not continued. Repealed, Article XI, Section I, Paragraph IV.

(14) CITE: Ga. L. 1982, p. 2677.

DESCRIPTION: Authorizes the imposition by Spalding County of a local sales and use tax for the purpose of financing public facilities.

COMMENTS: This local constitutional amendment provides for taxation which would not otherwise be authorized by general law.

STATUS: Continued, Ga. L. 1987, p. 3696.

GRIFFIN

(1) CITE: Ga. L. 1971, p. 935.

DESCRIPTION: Authorizes the Board of Trustees of the Griffin Employees Aid Fund to provide increases in retirement benefits.

COMMENTS: Article IX, Section II, Paragraph III(a)(14) and Article III, Section X, Paragraph II now provide general authorization for maintaining retirement systems and expending public funds for increasing benefits in systems wholly or partially supported by public funds. This amendment was to have been repealed if the 1978 revision of the article on retirement (Ga. L. 1978, p. 2510) had been ratified in 1978.

STATUS: Not continued. Repealed, Article XI, Section I, Paragraph IV.

(2) CITE: Ga. L. 1980, p. 2315.

DESCRIPTION: Creates the Griffin Development Authority.

STATUS: Continued, Ga. L. 1986, p. 3915.

(3) See Ga. L. 1952, p. 554, under Spalding County for amendment affecting Griffin.

- (4) See Ga. L. 1962, p. 945, under Spalding County for amendment affecting Griffin.

STEPHENS COUNTY

- (1) CITE: Ga. L. 1929, p. 142.

DESCRIPTION: Authorizes the county to incur limited general obligation debt for hospital purposes. This debt is in addition to the debt limitation of the Constitution which, at the time this amendment was ratified, was 7 percent of the assessed value of taxable property.

COMMENTS: The present Constitution limits general obligation debt to 10 percent of the assessed value of taxable property. It is unclear whether this amendment authorizes general obligation debt in excess of the limitation which existed at the time the amendment was ratified or whether it authorizes general obligation debt in excess of the present constitutional limitation.

STATUS: Not continued. Repealed, Article XI, Section I, Paragraph IV.

- (2) CITE: Ga. L. 1964, p. 948.

DESCRIPTION: Creates the Toccoa-Stephens County Building and Parks Authority.

STATUS: Not continued. Repealed, Article XI, Section I, Paragraph IV.

- (3) CITE: Ga. L. 1964, p. 1040.

DESCRIPTION: Authorizes the General Assembly by local Act to provide a joint city-county board of tax assessors and a board of tax appeals and equalization.

COMMENTS: Under general law a board of tax assessors is created for each county for the valuation of all real property in the county. Municipalities are required to assess and levy taxes on the basis of the fair market value determined by the county board of tax assessors. This amendment provides an exception to general law by the creation of a joint county-city board of tax assessors with unique authority.

STATUS: Not continued. Repealed, Article XI, Section I, Paragraph IV.

- (4) CITE: Ga. L. 1967, p. 925.

DESCRIPTION: Authorizes the General Assembly to grant to the governing authority of Stephens County the power to establish fire protection districts and to levy taxes therein upon referendum approval in the affected district. Provides that no exemptions from taxation shall apply to such fire district taxation.

COMMENTS: Article IX, Section II, Paragraph VI currently provides that counties may establish special services districts for the provision of governmental services and facilities therefor and may levy taxes, fees, and assessments within such districts for such purposes. This general constitutional provision does not require referendum approval and does not provide for the nonapplicability of tax exemptions. It may have eliminated the need for this local constitutional amendment.

STATUS: Not continued. Repealed, Article XI, Section I, Paragraph IV.

(5) CITE: Ga. L. 1968, p. 1854.

DESCRIPTION: Specifically supersedes Ga. L. 1962, p. 877, and creates the Stephens County Development Authority.

STATUS: Continued, Ga. L. 1986, p. 4153.

(6) CITE: Ga. L. 1978, p. 2440.

DESCRIPTION: Provides an \$8,000.00 homestead exemption from county and county school district ad valorem taxes for residents 65 years of age or over.

STATUS: Article VII, Section II, Paragraph IV continues in effect as statutory law those types of exemptions from ad valorem taxation provided for by law on June 30, 1983.

TOCCOA

(1) See Ga. L. 1964, p. 948, under Stephens County for amendment affecting Toccoa.

(2) See Ga. L. 1964, p. 1040, under Stephens County for amendment affecting Toccoa.

(3) See Ga. L. 1968, p. 1854, under Stephens County for amendment affecting Toccoa.

STEWART COUNTY

(1) CITE: Ga. L. 1953, Nov.-Dec. Sess. p. 224; Ga. L. 1956, p. 440.

DESCRIPTION: Limits the authority of the board of education of Stewart County relative to consolidation of schools within Stewart County by requiring the approval of the voters voting in a referendum for that purpose.

STATUS: Not continued. Repealed, Article XI, Section I, Paragraph IV.

(2) CITE: Ga. L. 1956, p. 463; Ga. L. 1958, p. 253.

DESCRIPTION: Provides for an elected board of education of Stewart County and defines the school districts.

COMMENTS: The amendment contains the current school board law for Stewart County.

STATUS: Continued, Ga. L. 1986, p. 3859.

(3) CITE: Ga. L. 1960, p. 1249.

DESCRIPTION: Authorizes the governing authority to provide for electrical power plant facilities to supply electricity to pulp or paper mill and related industries and issue revenue and general obligation bonds therefor.

COMMENTS: These are not purposes for which a county may tax under Code Section 48-5-220 nor does general law authorize expenditures for such purposes as would be necessary under Article IX, Section IV, Paragraph II. These are purposes for which revenue bonds may be issued under Code Section 36-82-61(4)(c)(iv) and Article IX, Section VI, Paragraph I but issuance thereunder is subject to referendum approval.

STATUS: Continued, Ga. L. 1986, p. 3861.

(4) CITE: Ga. L. 1960, p. 1251.

DESCRIPTION: Authorizes the governing authority to provide for bridges across Chattahoochee to State of Alabama, and to issue revenue or general obligation bonds therefor, and to contract with Alabama or any county therein with regard to those bridges.

COMMENTS: Code Section 48-5-220(4) authorizes taxation for building and repair of public buildings and bridges, and Article IX, Section IV, Paragraph III authorizes expenditure of public funds for purposes authorized by general law. Code Section 36-82-61(4)(A) and Article IX, Section VI, Paragraph I authorize revenue bonds for bridges. It is doubtful a long-term contract with another state would be authorized under Article IX, Section III, Paragraph I (see *State v. Blasingame*, 212 Ga. 222 (1956)).

STATUS: Continued, Ga. L. 1986, p. 3863.

(5) CITE: Ga. L. 1960, p. 1339.

DESCRIPTION: Authorizes Stewart County to issue revenue bonds to fund the purchase, etc., of facilities for use by industry or commercial enterprise.

COMMENTS: An amendment which was identical to this one (Ga. L. 1960, p. 1400, relating to Telfair County) was declared to be in violation of the due process and equal

protection clauses of the Fourteenth Amendment to the U.S. Constitution in the case of Smith v. State of Georgia, 222 Ga. 552 (1966).

STATUS: Not continued. Repealed, Article XI, Section I, Paragraph IV.

(6) CITE: Ga. L. 1962, p. 864.

DESCRIPTION: Authorizes the governing authority to build and maintain a natural gas system for commercial and residential use and finance such system with revenue or general obligation bonds.

COMMENTS: These are not purposes for which a county may tax under Code Section 48-5-220 nor does general law authorize expenditures for such purposes as would be necessary under Article IX, Section IV, Paragraph II. These are purposes for which revenue bonds may be issued under Code Section 36-82-61(4)(C)(iv) and Article IX, Section VI, Paragraph I, but issuance thereunder is subject to referendum approval.

STATUS: Continued, Ga. L. 1986, p. 3865.

(7) CITE: Ga. L. 1968, p. 1647.

DESCRIPTION: Creates the Stewart County Industrial Development Authority.

STATUS: Continued, Ga. L. 1986, p. 3867.

LUMPKIN

(1) See Ga. L. 1968, p. 1647, under Stewart County for amendment affecting Lumpkin.

OMAHA

(1) See Ga. L. 1968, p. 1647, under Stewart County for amendment affecting Omaha.

RICHLAND

(1) See Ga. L. 1968, p. 1647, under Stewart County for amendment affecting Richland.

SUMTER COUNTY

(1) CITE: Ga. L. 1962, p. 933.

DESCRIPTION: Creates the Americus-Sumter Payroll Development Authority.

STATUS: Continued, Ga. L. 1987, p. 3550, and by home rule ordinances Ga. L. 1987, pp. 5506 and 5575.

- (2) See Ga. L. 1910, p. 42, under Chatham County for amendment affecting Sumter County.

AMERICUS

- (1) See Ga. L. 1962, p. 933, under Sumter County for amendment affecting Americus.

TALBOT COUNTY

WOODLAND

- (1) Ga. L. 1968, p. 1699.

DESCRIPTION: Creates the City of Woodland Development Authority.

STATUS: Not continued. Repealed, Article XI, Section I, Paragraph IV.

TATTNALL COUNTY

- (1) CITE: Ga. L. 1939, p. 70.

DESCRIPTION: Authorizes the Reidsville school district of Tattnall County to issue bonds to refund and retire bonds which were outstanding and past due on January 1, 1940, and which became due by January 1, 1960.

COMMENTS: This amendment constitutes a one-time authority to issue refunding bonds for a specific series of bonds in default on January 1, 1940, and which became due by January 1, 1960. The authority so granted has expired and has no current applicability.

STATUS: Not continued. Repealed, Article XI, Section I, Paragraph IV.

- (2) CITE: Ga. L. 1966, p. 889.

DESCRIPTION: Authorizes the General Assembly to provide by law for the election and qualifications of the members of the board of education of Tattnall County without the necessity of a referendum.

COMMENTS: Former Article VIII, Section V, Paragraph IV(a), now repealed and reserved, provided that the composition of school boards, the term of office, and the method of selecting board members and school superintendents may be changed by local law

conditioned upon approval by the voters in a referendum. Former Article VIII, Section V, Paragraph IV(b) permitted school systems which were authorized on June 30, 1983, to make such changes listed in subparagraph (a) without a referendum to continue to do so. This amendment contains the authority for the Tattnall County school system to make such changes without a referendum.

STATUS: Continued, Ga. L. 1985, p. 4271.

- (3) CITE: Ga. L. 1968, p. 1662.

DESCRIPTION: Creates the Tattnall County Industrial Development Authority.

STATUS: Continued, Ga. L. 1985, p. 4754.

REIDSVILLE

- (1) CITE: Ga. L. 1941, p. 155.

DESCRIPTION: Authorizes the City of Reidsville to issue bonds to refund and retire bonds which were outstanding and past due on December 1, 1950.

COMMENTS: This amendment constitutes a one-time authority to issue refunding bonds for a specific series of bonds in default on December 1, 1950. The authority so granted has expired and has no current applicability.

STATUS: Not continued. Repealed, Article XI, Section I, Paragraph IV.

TAYLOR COUNTY

- (1) CITE: Ga. L. 1950, p. 482.

DESCRIPTION: Provides for an elected board of education of Taylor County.

COMMENTS: This amendment was superseded by Ga. L. 1975, p. 3486, as amended.

STATUS: Not continued. Repealed, Article XI, Section I, Paragraph IV.

- (2) CITE: Ga. L. 1960, p. 1289.

DESCRIPTION: Authorizes Taylor County to issue revenue bonds to fund the purchase, etc., of facilities for use by industry or commercial enterprise.

COMMENTS: An amendment which was identical to this one (Ga. L. 1960, p. 1400, relating to Telfair County) was declared to be in violation of the due process and equal

protection clauses of the Fourteenth Amendment to the U.S. Constitution in the case of Smith v. State of Georgia, 222 Ga. 552 (1966).

STATUS: Not continued. Repealed, Article XI, Section I, Paragraph IV.

- (3) CITE: Ga. L. 1968, p. 1709.

DESCRIPTION: Creates the Taylor County Industrial Development Authority.

STATUS: Not continued. Repealed, Article XI, Section I, Paragraph IV.

- (4) CITE: Ga. L. 1980, p. 2205.

DESCRIPTION: Grants a homestead exemption from all county school district ad valorem taxes to residents 62 years of age and over with specified income not exceeding \$10,000.00. The amount of the exemption is the same as the amount granted under general law enacted pursuant to 1976 Constitution Article VII, Section I, Paragraph IV and is in lieu of such general law.

STATUS: Article VII, Section II, Paragraph IV continues in effect as statutory law those types of exemptions from ad valorem taxation provided for by law on June 30, 1983.

TELFAIR COUNTY

- (1) CITE: Ga. L. 1960, p. 1400.

DESCRIPTION: Authorizes Telfair County to issue revenue bonds to fund the purchase, etc., of facilities for use by industry or commercial enterprise.

STATUS: This amendment was declared to be in violation of the due process and equal protection clauses of the Fourteenth Amendment to the U.S. Constitution in the case of Smith v. State of Georgia, 222 Ga. 552 (1966).

STATUS: Not continued. Repealed, Article XI, Section I, Paragraph IV.

- (2) CITE: Ga. L. 1963, p. 705.

DESCRIPTION: Prohibits the county officers from succeeding themselves after having served two successive terms and from holding any other elective county office within a four-year period following a second successive term of office.

COMMENTS: The amendment provides a specific limitation to the general constitutional provision found in Article IX, Section I, Paragraph III.

STATUS: Continued, Ga. L. 1986, p. 4527.

- (3) CITE: Ga. L. 1974, p. 1816.

DESCRIPTION: Sets the maximum millage rate for school purposes at 23 mills until changed in accordance with the current constitutional provisions.

COMMENTS: Article VIII, Section VI, Paragraph 1(c) continues the authorization for school systems, authorized on June 30, 1983, to levy a school tax in excess of 20 mills.

STATUS: Not continued. Repealed, Article XI, Section I, Paragraph IV.

M CRAE

- (1) CITE: Ga. L. 1927, p. 127; Ga. L. 1935, p. 1234; Ga. L. 1937, pp. 1132, 1137, 1139.

DESCRIPTION: Zoning and planning.

COMMENTS: The 1927 amendment to Art. III, Sec. VII, Para. XXV of the 1877 Constitution included Albany, Athens, Atlanta, Augusta, Brunswick, Columbus, Darien, Decatur, Dublin, East Thomaston, LaGrange, Macon, Newnan, Rome, Savannah, Thomaston, Valdosta, Waycross, and cities with a population of 25,000 or more according to the decennial census of 1920. The 1935 amendment added Moultrie. The first 1937 amendment added Carrolton, Cordele, Eastman, Forsyth, Fort Valley, McRae, and Milledgeville. The second 1937 amendment added Dalton. The third 1937 amendment added Quitman. Art. III, Sec. VII, Para. XXIII of the Constitution of 1945 (the revised counterpart of old Para. XXV) contained a direct grant of authority to the General Assembly to grant authority to cities and counties to pass zoning and planning laws. Amendment 19 (which included among other things, Art. XV, Sec. II-A, Para. III) granted some zoning and planning power directly to counties and was held to have impliedly repealed Para. XXIII insofar as it applied to unincorporated areas. Art. IX, Sec. IV, Para. II(15) conferred zoning and planning power in cities and counties.

STATUS: Not continued. Repealed, Article XI, Section I, Paragraph IV.

MILAN

- (1) See Ga. L. 1976, p. 1787, under Dodge County for amendment affecting Milan.

TERRELL COUNTY

- (1) CITE: Ga. L. 1958, pp. 149, 533.

DESCRIPTION: Creates the Terrell County Development Authority.

STATUS: Not continued. Repealed, Article XI, Section I, Paragraph IV.

(2) CITE: Ga. L. 1965, p. 746.

DESCRIPTION: Provides for an elected board of education of Terrell County and for the appointment of the school superintendent by the board.

COMMENTS: A local Act, Ga. L. 1993, p. 3620, as amended, contains the current school board law for Terrell County.

STATUS: Not continued. Repealed, Article XI, Section I, Paragraph IV.

THOMAS COUNTY

(1) CITE: Ga. L. 1956, p. 447.

DESCRIPTION: Provides for an elected board of education of Thomas County and provides that the school superintendent shall be appointed by the board.

COMMENTS: The amendment provides the current law regarding the board of education and school superintendent of Thomas County.

STATUS: Continued, Ga. L. 1985, p. 4554.

(2) CITE: Ga. L. 1964, p. 809.

DESCRIPTION: Authorizes the governing authority of Thomas County to incur bonded indebtedness in addition to the debt limitation in the Constitution for the purpose of acquiring property and constructing educational facilities for education beyond the twelfth grade and to convey such property to the board of regents.

COMMENTS: The authority to incur debt for the purpose outlined in this amendment is not covered by other provisions of this Constitution or general law. Also, this amendment authorizes the county to incur additional debt without regard to the general debt limitation applicable to counties in Article IX, Section V, Paragraph I.

STATUS: Not continued. Repealed, Article XI, Section I, Paragraph IV.

THOMASVILLE

(1) CITE: Ga. L. 1960, p. 1329.

DESCRIPTION: Creates the Thomasville Payroll Development Authority.

STATUS: Continued, Ga. L. 1985, p. 4552.

TIFT COUNTY

- (1) CITE: Ga. L. 1939, p. 85.

DESCRIPTION: Authorizes the county to issue hospital construction and equipment bonds without regard to the general debt limitation of the Constitution.

STATUS: Not continued. Repealed, Article XI, Section I, Paragraph IV.

- (2) CITE: Ga. L. 1953, Jan.-Feb. Sess., p. 553.

DESCRIPTION: Provides for the election and terms of office of the board of education of Tift County; provides that the school superintendent shall be appointed by the board; and authorizes, in addition to the school tax authorized by general law, a two-mill tax when recommended by the board of education.

COMMENTS: The local Act found at Ga. L. 1971, p. 2722, specifically superseded the provisions of this amendment relating to the manner of election and terms of office of the members of the board. However, this amendment still provides the current law and authority regarding the appointment of the school superintendent and the additional two-mill tax.

STATUS: Continued, Ga. L. 1987, p. 3531.

- (3) CITE: Ga. L. 1960, p. 1240.

DESCRIPTION: Creates the Tift County Development Authority.

STATUS: Continued, Ga. L. 1987, p. 3533.

- (4) CITE: Ga. L. 1965, p. 736.

DESCRIPTION: Authorizes the governing body of Tift County to levy an annual ad valorem tax not exceeding two mills to be used by the Tift County Development Authority for promotion of industry, agriculture, trade, and commerce.

COMMENTS: Code Section 48-5-220 provides that each county may levy up to one mill of ad valorem tax to provide for assistance to county development authorities for the purpose of developing trade, commerce, industry, and employment opportunities. This Code section provides that the authorization granted therein shall be in addition to any authorization granted by constitutional amendment.

STATUS: Continued, Ga. L. 1987, p. 3535.

- (5) CITE: Ga. L. 1982, p. 2557.

DESCRIPTION: Authorizes the General Assembly to create a charter commission for city-county consolidation.

COMMENTS: General provisions of the 1983 Constitution provide a mechanism for city-county consolidation (Art. IX, Sec. III, Par. II(a)).

STATUS: Not continued. Repealed, Article XI, Section I, Paragraph IV.

TIFTON

- (1) CITE: Ga. L. 1974, p. 1680.

DESCRIPTION: Grants a \$2,000.00 homestead exemption from municipal ad valorem taxation to each resident of the city.

STATUS: Article VII, Section II, Paragraph IV continues in effect as statutory law those types of exemptions from ad valorem taxation provided for by law on June 30, 1983.

- (2) See Ga. L. 1982, p. 2557, under Tift County for amendment affecting Tifton.

TOOMBS COUNTY

- (1) CITE: Ga. L. 1941, p. 117.

DESCRIPTION: Authorizes the Johnson Corner school district of Toombs County to issue bonds to refund and retire bonds which were outstanding and past due on November 1, 1940.

COMMENTS: This amendment constitutes a one-time authority to issue refunding bonds for a specific series of bonds in default on November 1, 1940. The authority so granted has expired and has no current applicability.

STATUS: Not continued. Repealed, Article XI, Section I, Paragraph IV.

- (2) CITE: Ga. L. 1941, p. 170.

DESCRIPTION: Authorizes Toombs County to issue bonds to retire all indebtedness of the county as it existed on July 1, 1941, requires the county thereafter to operate on a cash basis, and prohibits the county from issuing delayed warrants and payment orders.

COMMENTS: The provision relating to issuing bonds to retire indebtedness was a one-time authority and has no current applicability. The provision requiring the county to operate on a cash basis is probably not necessary because Article IX, Section V places limitations on the manner in which counties may incur debt through the issuance of bonds and by making temporary loans. The practice of using delayed warrants and payment orders beyond the fiscal year is not contemplated or authorized.

STATUS: Not continued. Repealed, Article XI, Section I, Paragraph IV.

(3) CITE: Ga. L. 1966, p. 787.

DESCRIPTION: Creates the Toombs County Development Authority.

STATUS: Continued, Ga. L. 1985, p. 3962.

(4) CITE: Ga. L. 1972, p. 1370.

DESCRIPTION: Authorizes the General Assembly to provide for the election of the members of the board of education of Toombs County and to provide for all matters relative thereto without the necessity of a referendum.

COMMENTS: Ga. L. 1973, p. 3022, provides the current school board law for Toombs County. The amendment permits the enactment of local Acts without the necessity of a referendum. Former Article VIII, Section V, Paragraph IV(a) now repealed and reserved provided that the composition of school boards, the term of office, and the method of selecting board members and school superintendents may be changed by local law conditioned upon approval by the voters in a referendum. Former Article VIII, Section V, Paragraph IV(b) permitted school systems which were authorized on June 30, 1983, to make such changes listed in subparagraph (a) without a referendum to continue to do so.

STATUS: Not continued. Repealed, Article XI, Section I, Paragraph IV.

LYONS

(1) CITE: Ga. L. 1957, p. 181.

DESCRIPTION: Creates the Lyons Development Authority.

STATUS: Continued, Ga. L. 1985, p. 4501.

VIDALIA

- (1) CITE: Ga. L. 1937-38, Ex. Sess., p. 57.

DESCRIPTION: Authorizes the city to issue bonds to refund and retire bonds which were outstanding and past due on January 1, 1938.

COMMENTS: This amendment constitutes a one-time authority to issue refunding bonds for a specific series of bonds in default on January 1, 1938. The authority so granted has expired and has no current applicability.

STATUS: Not continued. Repealed, Article XI, Section I, Paragraph IV.

- (2) CITE: Ga. L. 1941, p. 176.

DESCRIPTION: Authorizes the City of Vidalia to issue bonds to refund and retire bonds which were outstanding and past due on July 1, 1943.

COMMENTS: This amendment constitutes a one-time authority to issue refunding bonds for a specific series of bonds in default on July 1, 1943. The authority so granted has expired and has no current applicability.

STATUS: Not continued. Repealed, Article XI, Section I, Paragraph IV.

- (3) CITE: Ga. L. 1956, p. 426; Ga. L. 1962, p. 1131.

DESCRIPTION: Creates the Vidalia Development Authority.

STATUS: Unclear. The 1956 amendment was continued, Ga. L. 1985, p. 3957. However, the 1962 amendment was not continued. Repealed, Article XI, Section I, Paragraph IV.

TOWNS COUNTY

- (1) CITE: Ga. L. 1982, p. 2540.

DESCRIPTION: Authorizes a 1 percent sales and use tax for educational purposes.

STATUS: Continued, Ga. L. 1984, p. 3793.

TREUTLEN COUNTY

- (1) CITE: Ga. L. 1917, p. 44.

DESCRIPTION: Creates Treutlen County and describes the boundary thereof.

COMMENT: Following the adoption of the 1877 Constitution, 16 counties were created by local constitutional amendment. Each amendment provided a metes and bounds description of the county boundary and designated the county site.

STATUS: Article IX, Section I, Paragraph II(b) grandfathers in force and effect the boundary description of each of the 159 counties, as well as the county site, that existed as of June 30, 1983, and provides further that subsequent changes may be accomplished only under the operation of a general law.

- (2) CITE: Ga. L. 1966, p. 838.

DESCRIPTION: Creates the Treutlen County Development Authority.

STATUS: Continued, Ga. L. 1985, p. 3983.

- (3) See Ga. L. 1941, p. 13, under Emanuel County for amendment affecting Treutlen County.

TROUP COUNTY

- (1) CITE: Ga. L. 1952, p. 510.

DESCRIPTION: Provides that the board of education of Troup County shall be elected and that the school superintendent of Troup County shall be appointed by the board.

STATUS: The amendment was initially continued, Ga. L. 1984, p. 3860, but subsequently repealed, Ga. L. 1986, p. 3515.

- (2) CITE: Ga. L. 1964, p. 786.

DESCRIPTION: Creates the Troup County Development Authority.

STATUS: Continued, Ga. L. 1987, p. 3594.

- (3) CITE: Ga. L. 1972, p. 1367.

DESCRIPTION: Authorizes the governing authority of Troup County to engage in business licensing and to levy business license fees and taxes in the unincorporated area of the county.

COMMENTS: Article IX, Section IV, Paragraph I(a) authorizes local laws granting to counties the power to levy and collect license taxes only in the unincorporated area of the county. Article IX, Section II, Paragraph I provides for general home rule powers which are likely broad enough to authorize counties to enforce licensing ordinances, and Code Section 36-1-20 authorizes counties to enforce ordinances which could include licensing ordinances by imposing a maximum punishment not to exceed a fine of \$500.00 or imprisonment for 60 days, or both, for such ordinance violations with such violations triable in the magistrate's court.

STATUS: Continued, Ga. L. 1987, p. 3782.

(4) CITE: Ga. L. 1972, p. 1473.

DESCRIPTION: Grants certain powers to the clerk of the Small Claims Court of Troup County.

COMMENTS: This amendment appears to be legally obsolete because of the abolition of this court by the 1983 Constitution. These powers are vested in the magistrate under Code Section 15-10-2.

STATUS: Not continued. Repealed, Article XI, Section I, Paragraph IV.

HOGANSVILLE

(1) CITE: Ga. L. 1964, p. 794.

DESCRIPTION: Creates the Hogansville Development Authority.

STATUS: Continued, Ga. L. 1987, p. 3602.

LAGRANGE

(1) CITE: Ga. L. 1927, p. 113.

DESCRIPTION: Authorizes the city to incur limited general obligation debt for a waterworks system. This debt is in addition to the debt limitation of the Constitution which, at the time this amendment was ratified, was 7 percent of the assessed value of taxable property.

COMMENTS: The present Constitution limits general obligation debt to 10 percent of the assessed value of taxable property. It is unclear whether this amendment authorizes general obligation debt in excess of the limitation which existed at the time the amendment was ratified or whether it authorizes general obligation debt in excess of the present constitutional limitation.

STATUS: Continued, Ga. L. 1987, p. 3600.

- (2) CITE: Ga. L. 1927, p. 127; Ga. L. 1935, p. 1234; Ga. L. 1937, pp. 1132, 1137, 1139.

DESCRIPTION: Zoning and planning.

COMMENTS: The 1927 amendment to Art. III, Sec. VII, Para. XXV of the 1877 Constitution included Albany, Athens, Atlanta, Augusta, Brunswick, Columbus, Darien, Decatur, Dublin, East Thomaston, LaGrange, Macon, Newnan, Rome, Savannah, Thomaston, Valdosta, Waycross, and cities with a population of 25,000 or more according to the decennial census of 1920. The 1935 amendment added Moultrie. The first 1937 amendment added Carrolton, Cordele, Eastman, Forsyth, Fort Valley, McRae, and Milledgeville. The second 1937 amendment added Dalton. The third 1937 amendment added Quitman. Art. III, Sec. VII, Para. XXIII of the Constitution of 1945 (the revised counterpart of old Para. XXV) contained a direct grant of authority to the General Assembly to grant authority to cities and counties to pass zoning and planning laws. Amendment 19 (which included among other things, Art. XV, Sec. II-A, Para. III) granted some zoning and planning power directly to counties and was held to have impliedly repealed Para. XXIII insofar as it applied to unincorporated areas. Art. IX, Sec. IV, Para. II(15) conferred zoning and planning power in cities and counties.

STATUS: Not continued. Repealed, Article XI, Section I, Paragraph IV.

- (3) CITE: Ga. L. 1964, p. 779.

DESCRIPTION: Creates the LaGrange Development Authority.

STATUS: Continued, Ga. L. 1987, p. 3512.

- (4) CITE: Ga. L. 1974, p. 1681.

DESCRIPTION: Authorizes the General Assembly to create the Downtown LaGrange Development Authority.

STATUS: Continued, Ga. L. 1987, p. 3596.

WEST POINT

- (1) CITE: Ga. L. 1920, p. 29.

DESCRIPTION: Authorizes the city to incur limited bonded indebtedness for flood control purposes. This debt is in addition to the debt limitations of the Constitution which, at the time this amendment was ratified, was 7 percent of the assessed value of taxable property.

COMMENTS: The 1983 Constitution limits general obligation debt to 10 percent of the assessed value of taxable property. It is unclear whether this amendment authorizes general

obligation debt in excess of the limitation which existed at the time the amendment was ratified or whether it authorizes general obligation debt in excess of the present constitutional limitation.

STATUS: Continued, Ga. L. 1987, p. 3784.

(2) CITE: Ga. L. 1964, p. 801.

DESCRIPTION: Creates the West Point Development Authority.

STATUS: Continued, Ga. L. 1987, p. 3598.

(3) CITE: Ga. L. 1978, p. 2331.

DESCRIPTION: Authorizes the General Assembly to create the Downtown West Point Development Authority.

STATUS: Continued, Ga. L. 1987, p. 3592.

TURNER COUNTY

(1) CITE: Ga. L. 1958, p. 570.

DESCRIPTION: Provides an elected board of education of Turner County.

COMMENTS: The amendment has been superseded by Ga. L. 1984, p. 4862, as amended.

STATUS: Not continued. Repealed, Article XI, Section I, Paragraph IV.

(2) CITE: Ga. L. 1961, p. 624.

DESCRIPTION: Creates the Turner County Development Authority.

STATUS: Purportedly continued, Ga. L. 1986, p. 4708; actually continued, Ga. L. 1987, p. 5007.

(3) CITE: Ga. L. 1980, p. 2307.

DESCRIPTION: Grants an \$8,000.00 homestead exemption from all county and county school district ad valorem taxes to those residents 62 years of age or older or disabled whose specified income does not exceed \$10,000.00.

STATUS: Article VII, Section II, Paragraph IV continues in effect as statutory law those types of exemptions from ad valorem taxation provided for by law on June 30, 1983.

ASHBURN

- (1) CITE: Ga. L. 1955, p. 721.

DESCRIPTION: Authorizes the city to levy an ad valorem property tax not exceeding one mill for assisting, promoting, and encouraging the location of new industries in the city. The governing authority may select a board of citizens to give it advice regarding how to spend such funds.

COMMENTS: There is neither a general constitutional provision nor general law which would authorize taxation for these purposes. A local law so authorizing would require a determination as to whether these purposes are public services or public functions for which public funds may be expended pursuant to Article IX, Section IV, Paragraph II.

STATUS: Continued, Ga. L. 1985, p. 4148.

- (2) CITE: Ga. L. 1980, p. 2266.

DESCRIPTION: Provides an \$8,000.00 homestead exemption from all city ad valorem taxes to residents 62 years of age or older or disabled, provided that specified income does not exceed \$10,000.00.

STATUS: Article VII, Section II, Paragraph IV continues in effect as statutory law those types of exemptions from ad valorem taxation provided for by law on June 30, 1983.

TWIGGS COUNTY

- (1) CITE: Ga. L. 1937-38, Ex. Sess., p. 43.

DESCRIPTION: Authorizes the Jeffersonville consolidated school district of Twiggs County to issue bonds to refund and retire bonds which were outstanding and past due on February 1, 1937, and which became due by February 1, 1941.

COMMENTS: This amendment constitutes a one-time authority to issue refunding bonds for a specific series of bonds in default on February 1, 1937, and which became due by February 1, 1941. The authority so granted has expired and has no current applicability.

STATUS: Not continued. Repealed, Article XI, Section I, Paragraph IV.

- (2) CITE: Ga. L. 1980, p. 2180.

DESCRIPTION: Provides a \$6,000.00 basic homestead exemption from county and county school district ad valorem taxes and an \$8,000.00 homestead exemption to persons 65 and over from county ad valorem taxes. (\$8,000.00 exemption is from taxes for county purposes.)

STATUS: Article VII, Section II, Paragraph IV continues in effect as statutory law those types of exemptions from ad valorem taxation provided for by law on June 30, 1983.

DANVILLE

- (1) CITE: Ga. L. 1980, p. 2169.

DESCRIPTION: Provides a \$4,000.00 homestead exemption from city ad valorem taxes to persons who are 60 years of age or over.

STATUS: Article VII, Section II, Paragraph IV continues in effect as statutory law those types of exemptions from ad valorem taxation provided for by law on June 30, 1983.

JEFFERSONVILLE

- (1) CITE: Ga. L. 1980, p. 2194.

DESCRIPTION: Provides a \$4,000.00 homestead exemption from city ad valorem taxes to residents 60 years of age or over.

STATUS: Article VII, Section II, Paragraph IV continues in effect as statutory law those types of exemptions from ad valorem taxation provided for by law on June 30, 1983.

UNION COUNTY

- (1) CITE: Ga. L. 1952, p. 497; Ga. L. 1957, p. 581.

DESCRIPTION: Provides for an elected board of education.

COMMENTS: Ga. L. 1983, p. 4514, supersedes these amendments and contains the current law regarding the definition of the school districts and the method of election and filling of vacancies for the Union County board of education.

STATUS: Not continued. Repealed, Article XI, Section I, Paragraph IV.

(2) CITE: Ga. L. 1982, p. 2507.

DESCRIPTION: Authorizes the levy of an additional one mill sales and use tax beginning January 1, 1983, and ending December 31, 1984.

STATUS: This amendment expired by its own terms January 1, 1985.

UPSON COUNTY

(1) CITE: Ga. L. 1964, p. 817; Ga. L. 1982, p. 2607.

DESCRIPTION: Creates the Thomaston-Upson County Industrial Development Authority.

STATUS: Continued, Ga. L. 1985, p. 3737.

(2) CITE: Ga. L. 1970, p. 1036.

DESCRIPTION: Authorizes the General Assembly to consolidate the board of tax assessors of the City of Thomaston and Upson County.

COMMENTS: Under general law a board of tax assessors is created for each county for the valuation of all real property in the county. Municipalities are required to assess and levy taxes on the basis of the fair market value determined by the county board of tax assessors. This amendment provides an exception to general law by the creation of a joint county-city board of tax assessors with unique authority.

STATUS: Not continued. Repealed, Article XI, Section I, Paragraph IV.

(3) CITE: Ga. L. 1979, p. 1839.

DESCRIPTION: Relates to jurisdiction, practice, and procedures in justice of the peace courts.

COMMENTS: The 1983 Constitution abolishes all justice of the peace courts and establishes a system of magistrate courts. Chapter 10 of Title 15 governs all magistrate courts and sets uniform jurisdiction, practice, and procedures for these courts. This amendment no longer has any applicability to an existing court.

STATUS: Not continued. Repealed, Article XI, Section I, Paragraph IV.

- (4) CITE: Ga. L. 1979, p. 1854.

DESCRIPTION: Provides a homestead exemption from county school district ad valorem taxes in an amount provided by general law for residents who are 62 years of age or over and whose specified income does not exceed \$8,000.00.

STATUS: Article VII, Section II, Paragraph IV continues in effect as statutory law those types of exemptions from ad valorem taxation provided for by law on June 30, 1983.

- (5) See Ga. L. 1964, Ex. Sess., p. 338, under Thomaston for amendment affecting Upson County.

EAST THOMASTON

- (1) CITE: Ga. L. 1927, p. 127; Ga. L. 1935, p. 1234; Ga. L. 1937, pp. 1132, 1137, 1139.

DESCRIPTION: Zoning and planning.

COMMENTS: The 1927 amendment to Art. III, Sec. VII, Para. XXV of the 1877 Constitution included Albany, Athens, Atlanta, Augusta, Brunswick, Columbus, Darien, Decatur, Dublin, East Thomaston, LaGrange, Macon, Newnan, Rome, Savannah, Thomaston, Valdosta, Waycross, and cities with a population of 25,000 or more according to the decennial census of 1920. The 1935 amendment added Moultrie. The first 1937 amendment added Carrolton, Cordele, Eastman, Forsyth, Fort Valley, McRae, and Milledgeville. The second 1937 amendment added Dalton. The third 1937 amendment added Quitman. Art. III, Sec. VII, Para. XXIII of the Constitution of 1945 (the revised counterpart of old Para. XXV) contained a direct grant of authority to the General Assembly to grant authority to cities and counties to pass zoning and planning laws. Amendment 19 (which included among other things, Art. XV, Sec. II-A, Para. III) granted some zoning and planning power directly to counties and was held to have impliedly repealed Para. XXIII insofar as it applied to unincorporated areas. Art. IX, Sec. IV, Para. II(15) conferred zoning and planning power in cities and counties.

STATUS: Not continued. Repealed, Article XI, Section I, Paragraph IV.

THOMASTON

- (1) CITE: Ga. L. 1964, p. 897.

DESCRIPTION: Authorizes the city to combine its water and sewerage system with its electric system and to issue revenue bonds for construction, etc., of facilities for such combined systems.

COMMENTS: Code Section 36-82-61 authorizes the issuance of revenue bonds for the purposes provided in this local amendment, but an election is required for bonds for the electric system under the law. The home rule powers for municipalities contained in Chapters 34 and 35 of Title 36 may cover the remaining provisions of this local amendment.

STATUS: Continued, Ga. L. 1985, p. 3739.

- (2) CITE: Ga. L. 1964, Ex. Sess., p. 338.

DESCRIPTION: Creates the Thomaston Office Building Authority. Provides that the authority is created for the purpose of providing buildings and facilities for use by the City of Thomaston and other political subdivisions. Authorizes the authority to finance such buildings and facilities by issuance of revenue bonds to be repaid from rentals received by the authority from the city. The authority was renamed as the Thomaston-Upson County Office Building Authority by Ga. L. 1967, p. 3139.

COMMENTS: Generally the type of buildings and facilities which the authority is authorized to provide may be financed only by the issuance of general obligation debt which must be approved by the voters.

STATUS: Continued, Ga. L. 1985, p. 3735.

- (3) See Ga. L. 1964, p. 817, under Upson County for amendment affecting Thomaston.
(4) See Ga. L. 1970, p. 1036, under Upson County for amendment affecting Thomaston.

WALKER COUNTY

- (1) CITE: Ga. L. 1941, p. 178.

DESCRIPTION: Authorizes Walker County to issue bonds to retire all indebtedness of the county as it existed on approximately July 1, 1941, requires the county thereafter to operate on a cash basis, and prohibits the county from issuing delayed warrants and payment orders.

COMMENTS: The provision relating to issuing bonds to retire indebtedness was a one-time authority and has no current applicability. The provision requiring the county to operate on a cash basis is probably not necessary because Article IX, Section V places limitations on the manner in which counties may incur debt through the issuance of bonds and by making temporary loans. The practice of using delayed warrants and payment orders beyond the fiscal year is not contemplated or authorized.

STATUS: Not continued. Repealed, Article XI, Section I, Paragraph IV.

- (2) CITE: Ga. L. 1962, p. 912; Ga. L. 1964, p. 1013.

DESCRIPTION: Creates the Walker County Development Authority.

STATUS: Unclear. The 1962 amendment was continued, Ga. L. 1985, p. 4169. The 1964 amendment was not continued. Repealed, Article XI, Section I, Paragraph IV.

(3) CITE: Ga. L. 1964, p. 1017.

DESCRIPTION: Authorizes the General Assembly to grant to the governing authority of Walker County the power to establish fire protection districts and to levy taxes or special assessments therein upon 60 percent approval at a referendum in the affected district. Provides that homestead exemptions shall not apply to such taxes.

COMMENTS: Article IX, Section II, Paragraph VI currently authorizes counties to establish special services districts for the provision of governmental services and facilities therefor and authorizes the levy of taxes, fees, and assessments within such districts for such purposes. While this general provision of the Constitution does not require referendum approval and does not contain a provision for nonapplicability of the homestead exemption, it may be that this general provision of the Constitution has eliminated the need for this local constitutional amendment.

STATUS: Not continued. Repealed, Article XI, Section I, Paragraph IV.

WALTON COUNTY

(1) CITE: Ga. L. 1956, p. 433.

DESCRIPTION: Merges the school systems of the City of Monroe and Walton County and provides for an elected board of education and an appointed school superintendent. The amendment also authorizes the City of Social Circle to become a part of such system.

COMMENTS: The method of selection and terms of the members of the board have been superseded by Ga. L. 1968, p. 2974, as amended by Ga. L. 1969, p. 2054. The amendment contains the current law regarding the appointment of the school superintendent by the board and the powers and duties of the trustees.

STATUS: Continued, Ga. L. 1987, p. 3794.

(2) CITE: Ga. L. 1962, p. 904.

DESCRIPTION: Creates the Walton Industrial Building Authority.

STATUS: Continued, Ga. L. 1986, p. 4730.

MONROE

- (1) See Ga. L. 1956, p. 433, under Walton County for amendment affecting Monroe.

SOCIAL CIRCLE

- (1) See Ga. L. 1956, p. 433, under Walton County for amendment affecting Social Circle.

WARE COUNTY

- (1) CITE: Ga. L. 1927, p. 124.

DESCRIPTION: Authorizes the county to incur limited general obligation debt to construct and equip a hospital. This debt is in addition to the debt limitation of the Constitution which, at the time this amendment was ratified, was 7 percent of the assessed value of taxable property.

COMMENTS: The present Constitution limits general obligation debt to 10 percent of the assessed value of taxable property. It is unclear whether this amendment authorizes general obligation debt in excess of the limitation which existed at the time the amendment was ratified or whether it authorizes general obligation debt in excess of the present constitutional limitation.

STATUS: Not continued. Repealed, Article XI, Section I, Paragraph IV.

- (2) CITE: Ga. L. 1937, p. 1129.

DESCRIPTION: Authorizes county to levy up to one mill for promoting and encouraging location of new industries in the county.

COMMENTS: There is neither a general constitutional provision nor general law which would authorize taxation for these purposes. A local law so authorizing would require a determination as to whether these purposes are public services or public functions for which public funds may be expended pursuant to Article IX, Section IV, Paragraph II.

STATUS: Continued, Ga. L. 1986, p. 3904.

- (3) CITE: Ga. L. 1937-38, Ex. Sess., p. 49.

DESCRIPTION: Authorizes the Pineview-Jamestown consolidated school district of Ware County to issue bonds to refund and retire bonds which were outstanding and past due on March 1, 1937, and which became due up to March 1, 1951.

COMMENTS: This amendment constitutes a one-time authority to issue refunding bonds for a specific series of bonds in default on March 1, 1937, and which became due up to and including March 1, 1951. The authority so granted has expired and has no current applicability.

STATUS: Not continued. Repealed, Article XI, Section I, Paragraph IV.

- (4) CITE: Ga. L. 1953, Nov.-Dec. Sess., p. 266.

DESCRIPTION: Creates the Waycross and Ware County Development Authority.

STATUS: Continued, Ga. L. 1986, p. 4379.

- (5) CITE: Ga. L. 1960, p. 1351.

DESCRIPTION: Authorizes the board of commissioners to regulate and assess license taxes on businesses in unincorporated areas of county, except those subject to Public Service Commission regulation, with violations of such regulations to constitute misdemeanors.

COMMENTS: Article IX, Section IV, Paragraph 1(a) authorizes local laws granting to counties the power to levy and collect license taxes only in the unincorporated area of the county. Article IX, Section II, Paragraph I provides for general home rule powers which are likely broad enough to authorize counties to enforce licensing ordinances, and Code Section 36-1-20 authorizes counties to enforce ordinances which could include licensing ordinances by imposing a maximum punishment not to exceed a fine of \$500.00 or imprisonment for 60 days, or both, for such ordinance violations with such violations triable in the magistrate's court.

STATUS: Not continued. Repealed, Article XI, Section I, Paragraph IV.

- (6) CITE: Ga. L. 1964, Ex. Sess., p. 335; Ga. L. 1966, p. 896.

DESCRIPTION: Provides an elected board of education of Ware County and provides for the appointment of the school superintendent by the board.

STATUS: This amendment was initially continued by Ga. L. 1984, p. 3760, but was subsequently repealed, Ga. L. 1991, Ex. Sess., p. 445.

- (7) CITE: Ga. L. 1968, p. 1846.

DESCRIPTION: Authorizes the General Assembly by law to reorganize Waycross and Ware County governments including city-county consolidation.

STATUS: Not continued. Repealed, Article XI, Section I, Paragraph IV.

(8) CITE: Ga. L. 1968, p. 1880; Ga. L. 1970, p. 1115.

DESCRIPTION: Authorizes the governing authority of Ware County to remove law enforcement powers from the sheriff and provide for the exercise of such powers by the county police force.

COMMENTS: This amendment provides an exception to Article IX, Section I, Paragraph III which provides that the sheriff shall have such powers and duties as provided by general law.

STATUS: Continued, Ga. L. 1986, p. 4373.

(9) CITE: Ga. L. 1972, p. 1454.

DESCRIPTION: Authorizes the governing authority of Ware County to incur bonded indebtedness in addition to the debt limitation in the Constitution for the purpose of acquiring property and constructing educational facilities for education beyond the twelfth grade and to convey such property to the board of regents.

COMMENTS: The authority to incur debt for the purpose outlined in this amendment is not covered by other provisions of the Constitution or general law. Also, this amendment authorizes the county to incur additional debt without regard to the general debt limitation applicable to counties in Article IX, Section V, Paragraph I.

STATUS: Not continued. Repealed, Article XI, Section I, Paragraph IV.

(10) CITE: Ga. L. 1976, p. 1851.

DESCRIPTION: Provides a method for recalling the clerk of the superior court, coroner, judge of the probate court, sheriff, tax commissioner, treasurer, county treasurer, county surveyor, judge of the state court, solicitor of the state court, and members of county board of education.

COMMENTS: Article II, Section II, Paragraph IV authorizes the General Assembly by general law to provide for the recall of elected public officials. Chapter 4 of Title 21 establishes the procedure for recalling all elected public officers.

STATUS: Not continued. Repealed, Article XI, Section I, Paragraph IV.

(11) CITE: Ga. L. 1977, p. 1618.

DESCRIPTION: Relates to jurisdiction, practice, and procedures in justice of the peace courts.

COMMENTS: The 1983 Constitution abolishes all justice of the peace courts and establishes a system of magistrate courts. Chapter 10 of Title 15 governs all magistrate courts and sets uniform jurisdiction, practice, and procedures for these courts. This amendment no longer has any applicability to an existing court.

STATUS: Not continued. Repealed, Article XI, Section I, Paragraph IV.

(12) CITE: Ga. L. 1980, p. 2299.

DESCRIPTION: Grants a \$10,000.00 homestead exemption from all county school district ad valorem taxes to those residents 62 years of age or older whose specified income does not exceed \$12,000.00.

STATUS: Article VII, Section II, Paragraph IV continues in effect as statutory law those types of exemptions from ad valorem taxation provided for by law on June 30, 1983.

(13) CITE: Ga. L. 1982, p. 2563.

DESCRIPTION: Authorizes the governing authority of Ware County to appoint and remove the county manager, fix the county manager's compensation, and prescribe the county manager's duties, powers, and responsibilities by local ordinance or resolution.

COMMENTS: Code Section 36-5-22 authorizes the governing authority of the county or the General Assembly to create the office of county manager and vest in such office administrative powers, duties, and responsibilities. This amendment is an exception to county home rule because it authorizes the county to take an action affecting an elected office and changing the form of county government.

STATUS: Continued, Ga. L. 1986, p. 3679.

(14) See Ga. L. 1937, p. 1131; Ga. L. 1962, p. 1158 under Waycross for amendment affecting Ware County.

WAYCROSS

(1) CITE: Ga. L. 1927, p. 127; Ga. L. 1935, p. 1234; Ga. L. 1937, pp. 1132, 1137, 1139.

DESCRIPTION: Zoning and planning.

COMMENTS: The 1927 amendment to Art. III, Sec. VII, Para. XXV of the 1877 Constitution included Albany, Athens, Atlanta, Augusta, Brunswick, Columbus, Darien, Decatur, Dublin, East Thomaston, LaGrange, Macon, Newnan, Rome, Savannah, Thomaston, Valdosta, Waycross, and cities with a population of 25,000 or more according to the decennial census of 1920. The 1935 amendment added Moultrie. The first 1937 amendment added Carrolton, Cordele, Eastman, Forsyth, Fort Valley, McRae, and Milledgeville. The second

1937 amendment added Dalton. The third 1937 amendment added Quitman. Art. III, Sec. VII, Para. XXIII of the Constitution of 1945 (the revised counterpart of old Para. XXV) contained a direct grant of authority to the General Assembly to grant authority to cities and counties to pass zoning and planning laws. Amendment 19 (which included among other things, Art. XV, Sec. II-A, Para. III) granted some zoning and planning power directly to counties and was held to have impliedly repealed Para. XXIII insofar as it applied to unincorporated areas. Art. IX, Sec. IV, Para. II(15) conferred zoning and planning power in cities and counties.

STATUS: Not continued. Repealed, Article XI, Section I, Paragraph IV.

- (2) CITE: Ga. L. 1937, p. 1131; Ga. L. 1962, p. 1158.

DESCRIPTION: Authorizes the city to levy up to one mill of ad valorem tax for the purpose of assisting, encouraging, and promoting the location of new industries in the city or in Ware County.

COMMENTS: There is neither a general constitutional provision nor general law which would authorize taxation for these purposes. A local law so authorizing would require a determination as to whether these purposes are public services or public functions for which public funds may be expended pursuant to Article IX, Section IV, Paragraph II.

STATUS: Continued, Ga. L. 1986, pp. 3639, 4377.

- (3) CITE: Ga. L. 1941, p. 184.

DESCRIPTION: Authorizes the City of Waycross to incur limited bonded indebtedness for the purpose of making additions and improvements to the existing water works system of said city. Said debt is in addition to the general debt limitation in the Constitution which at the time this amendment was ratified was 7 percent of the assessed value of taxable property. Such indebtedness does not require approval of the voters.

COMMENTS: Since the general debt limitation in Article IX, Section V, Paragraph I was changed after the passage of this amendment, it is unclear as to the exact amount of additional indebtedness which may be incurred by the city pursuant to this amendment. This amendment also authorizes the city to incur bonded indebtedness without the necessity of a referendum.

STATUS: Continued, Ga. L. 1986, p. 4375.

- (4) CITE: Ga. L. 1953, Nov.-Dec. Sess., p. 510.

DESCRIPTION: Provides an exemption from all Waycross School District ad valorem taxes for any dwelling house used as a residence by its owner where such owner has attained the age of 65 years, provided such owner with his or her spouse has a combined total income of less than \$2,500.00 per annum.

STATUS: Article VII, Section II, Paragraph IV continues in effect as statutory law those types of exemptions from ad valorem taxation provided for by law on June 30, 1983.

- (5) CITE: Ga. L. 1974, p. 1764.

DESCRIPTION: Authorizes the General Assembly to create the Downtown Waycross Development Authority.

STATUS: Continued, Ga. L. 1986, p. 3906.

- (6) CITE: Ga. L. 1980, p. 2301.

DESCRIPTION: Grants a \$10,000.00 homestead exemption from all city school ad valorem taxes to those residents 62 years of age or older whose specified income does not exceed \$12,000.00.

STATUS: Article VII, Section II, Paragraph IV continues in effect as statutory law those types of exemptions from ad valorem taxation provided for by law on June 30, 1983.

- (7) See Ga. L. 1953, Nov.-Dec. Sess., p. 266, under Ware County for amendment affecting Waycross.

- (8) See Ga. L. 1968, p. 1846, under Ware County for amendment affecting Waycross.

WASHINGTON COUNTY

- (1) CITE: Ga. L. 1929, p. 147.

DESCRIPTION: Authorizes the county to incur limited debt by making temporary loans.

COMMENTS: It would appear that this amendment is obsolete. Article IX, Section V, Paragraph V authorizes counties to make temporary loans.

STATUS: Not continued. Repealed, Article XI, Section I, Paragraph IV.

- (2) CITE: Ga. L. 1941, p. 67.

DESCRIPTION: Authorizes the Davisboro consolidated school district of Washington County to issue bonds to refund and retire bonds which were outstanding and past due on January 1, 1941, and which became due by July 1, 1941.

COMMENTS: This amendment constitutes a one-time authority to issue refunding bonds for a specific series of bonds in default on January 1, 1941, and which became due by July 1, 1941. The authority so granted has expired and has no current applicability.

STATUS: Not continued. Repealed, Article XI, Section I, Paragraph IV.

(3) CITE: Ga. L. 1962, p. 842.

DESCRIPTION: Provides that a vacancy in the office of school superintendent of Washington County shall be filled for the unexpired term by appointment of the board of education.

COMMENTS: The amendment provides the current law with regard to the method of filling vacancies in the office of school superintendent of Washington County.

STATUS: Not continued. Repealed, Article XI, Section I, Paragraph IV.

(4) CITE: Ga. L. 1964, p. 993.

DESCRIPTION: Creates the Washington County Development Authority.

STATUS: Not continued. Repealed, Article XI, Section I, Paragraph IV.

WAYNE COUNTY

(1) CITE: Ga. L. 1958, p. 549; Ga. L. 1960, p. 1234.

DESCRIPTION: Provides for an elected board of education for Wayne County.

COMMENTS: Ga. L. 1968, p. 3361, redefined the terms and method of electing members of the board. The provisions in the local amendment regarding vacancies and selection of the board chairperson were not superseded in the local Act.

STATUS: Continued, Ga. L. 1987, p. 3802.

(2) CITE: Ga. L. 1962, p. 895.

DESCRIPTION: Provides a procedure for the recall of all elected county officers of Wayne County.

COMMENTS: Article II, Section II, Paragraph IV and Chapter 4 of Title 21 authorize and establish a uniform procedure for the recall of all elected public officials.

STATUS: Not continued. Repealed, Article XI, Section I, Paragraph IV.

- (3) CITE: Ga. L. 1962, p. 1117.

DESCRIPTION: Provides that, if the governing authority of Wayne County establishes a county police force, the sheriff shall be relieved of all law enforcement duties and duties as jailer of the county.

COMMENTS: The amendment provides an exception to general law provisions regarding the duties of sheriff.

STATUS: Not continued. Repealed, Article XI, Section I, Paragraph IV.

- (4) CITE: Ga. L. 1962, p. 1118.

DESCRIPTION: Creates the office of county administrator for Wayne County and provides for appointment, powers, and duties.

COMMENTS: Code Section 36-5-22 authorizes the governing authority of any county or the General Assembly to create the office of county manager and to vest in such office powers, duties, and responsibilities of an administrative nature.

STATUS: Continued, Ga. L. 1987, p. 3804.

- (5) CITE: Ga. L. 1964, p. 1002.

DESCRIPTION: Creates the Wayne County Industrial Development Authority.

STATUS: Continued, Ga. L. 1987, p. 3805.

- (6) CITE: Ga. L. 1976, p. 1892.

DESCRIPTION: Authorizes the governing authority of Wayne County to levy an annual ad valorem tax not exceeding one-half mill for promotion of industry. Provides that the governing authority may appropriate funds so raised to the Wayne County Industrial Development Authority.

COMMENTS: Code Section 48-5-220 provides that each county may levy up to one mill of ad valorem tax to provide for assistance to county development authorities for the purpose of developing trade, commerce, industry, and employment opportunities. This Code section provides that the authorization granted therein shall be in addition to any authorization granted by local constitutional amendment.

STATUS: Continued, Ga. L. 1985, p. 4589.

(7) CITE: Ga. L. 1978, p. 2434.

DESCRIPTION: Relates to jurisdiction, practice, and procedures in justice of the peace courts.

COMMENTS: The 1983 Constitution abolishes all justice of the peace courts and establishes a system of magistrate courts. Chapter 10 of Title 15 governs all magistrate courts and sets uniform jurisdiction, practice, and procedures for these courts. This amendment no longer has any applicability to an existing court.

STATUS: Not continued. Repealed, Article XI, Section I, Paragraph IV.

(8) CITE: Ga. L. 1980, p. 2109.

DESCRIPTION: Provides a \$5,000.00 homestead exemption from county ad valorem taxes for residents' homesteads.

STATUS: Article VII, Section II, Paragraph IV continues in effect as statutory law those types of exemptions from ad valorem taxation provided for by law on June 30, 1983. While this amendment appears to apply to taxes levied on behalf of the Wayne County School District, it may not have been so interpreted.

WEBSTER COUNTY

(1) CITE: Ga. L. 1968, p. 1748.

DESCRIPTION: Creates the Webster County Industrial Development Authority.

STATUS: Continued, Ga. L. 1986, p. 4619.

PRESTON

(1) See Ga. L. 1968, p. 1748, under Webster County for amendment affecting Preston.

WESTON

(1) See Ga. L. 1968, p. 1748, under Webster County for amendment affecting Weston.

WHEELER COUNTY

- (1) CITE: Ga. L. 1912, p. 41.

DESCRIPTION: Creates Wheeler County and describes the boundary thereof.

COMMENTS: Following the adoption of the 1877 Constitution, 16 counties were created by local constitutional amendment. Each amendment provided a metes and bounds description of the county boundary and designated the county site.

STATUS: Article IX, Section I, Paragraph II(b) grandfathers in force and effect the boundary description of each of the 159 counties, as well as the county site, that existed as of June 30, 1983, and provides further that subsequent changes may be accomplished only under the operation of a general law.

- (2) CITE: Ga. L. 1955, p. 711.

DESCRIPTION: Provides for an elected board of education of Wheeler County, for qualifications and terms of office of board members, and for the filling of vacancies on the board.

COMMENTS: The amendment provides for the six board members to be elected from each militia district in Wheeler County. A local Act found at Ga. L. 1984, p. 3601, superseded the provisions of this amendment. Declared void in part, 226 Ga. 196 (1970).

STATUS: Not continued. Repealed, Article XI, Section I, Paragraph IV.

GLENWOOD

- (1) CITE: Ga. L. 1943, p. 31.

DESCRIPTION: Authorizes the Town of Glenwood to issue bonds to refund and retire bonds which were outstanding and past due on January 1, 1958.

COMMENTS: This amendment constitutes a one-time authority to issue refunding bonds for a specific series of bonds in default on January 1, 1958. The authority so granted has expired and has no current applicability.

STATUS: Not continued. Repealed, Article XI, Section I, Paragraph IV.

WHITE COUNTY

- (1) CITE: Ga. L. 1962, p. 1046.

DESCRIPTION: Creates the White County Industrial Building Authority.

STATUS: Continued, Ga. L. 1985, p. 4565.

- (2) CITE: Ga. L. 1963, p. 670.

DESCRIPTION: Provides for an elected board of education of White County.

COMMENTS: The amendment contains the current school board law for White County.

STATUS: Continued, Ga. L. 1985, p. 4563.

- (3) CITE: Ga. L. 1980, p. 2252.

DESCRIPTION: Grants a \$10,000.00 homestead exemption from county and county school district ad valorem taxes to residents 65 years of age or older whose specified income does not exceed \$10,000.00. The amendment is based on and correlates to the general exemption now found at Code Section 48-5-47.

STATUS: Article VII, Section II, Paragraph IV continues in effect as statutory law those types of exemptions from ad valorem taxation provided for by law on June 30, 1983.

WHITFIELD COUNTY

- (1) CITE: Ga. L. 1960, p. 1357.

DESCRIPTION: Authorizes the governing authority of Whitfield County to establish fire protection districts and to contract with municipalities for the furnishing of fire protection services. Authorizes the county to levy taxes for fire protection within such districts upon approval at a referendum within the district. Authorizes the county to issue bonds on behalf of such special districts upon approval at a referendum within the affected district.

COMMENTS: Similar authority is now provided by general provisions of the Constitution. Article IX, Section II, Paragraph VI authorizes the creation of special districts for the provision of governmental services and the levy of taxes, fees, and assessments for such purposes, but this general provision of the Constitution does not require referendum approval of such taxes. Article IX, Section III, Paragraph I authorizes counties and municipalities to contract for the provision of fire protection services and other governmental services. Article IX, Section V, Paragraph II authorizes counties to issue bonded debt on

behalf of special districts, but this general provision does not exempt such bonded debt from the county's 10 percent debt limit as the local amendment does.

STATUS: Not continued. Repealed, Article XI, Section I, Paragraph IV.

(2) CITE: Ga. L. 1964, p. 811.

DESCRIPTION: Authorizes the governing authority of Whitfield County to incur bonded indebtedness in addition to the debt limitation in the Constitution for the purpose of acquiring property and constructing educational facilities for education beyond the twelfth grade and to convey such property to the board of regents.

COMMENTS: The authority to incur debt for the purpose outlined in this amendment is not covered by other provisions of the Constitution or general law. Also, this amendment authorizes the county to incur additional debt without regard to the general debt limitation applicable to counties in Article IX, Section V, Paragraph I.

STATUS: Not continued. Repealed, Article XI, Section I, Paragraph IV.

(3) CITE: Ga. L. 1964, p. 978.

DESCRIPTION: Provides for an elected board of education of Whitfield County and for an appointed school superintendent.

COMMENTS: The amendment contains the current school board law for Whitfield County.

STATUS: Continued, Ga. L. 1987, p. 3707.

(4) CITE: Ga. L. 1966, p. 867.

DESCRIPTION: Authorizes the governing authority of Whitfield County to collect license fees from persons hauling or dumping personal property in the county and to regulate by ordinance such hauling or dumping.

COMMENTS: Code Section 36-1-20 now authorizes the governing authority of each county to adopt ordinances for the purpose of protecting and preserving the public health, safety, and welfare. Such ordinances affect only unincorporated areas.

STATUS: Not continued. Repealed, Article XI, Section I, Paragraph IV.

(5) CITE: Ga. L. 1968, p. 1482.

DESCRIPTION: Creates the Dalton-Whitfield County Development Authority.

STATUS: Not continued. Repealed, Article XI, Section I, Paragraph IV.

- (6) CITE: Ga. L. 1976, p. 1849.

DESCRIPTION: Authorizes the General Assembly to create a small claims court for Whitfield County.

COMMENTS: A small claims court was created by Ga. L. 1978, p. 3792, as amended, and became a magistrate court under the present Constitution. Continuation and attempted further utilization of this amendment would create an inconsistency for the uniformity of courts scheme of Article VI and Chapter 10 of Title 15.

STATUS: Not continued. Repealed, Article XI, Section I, Paragraph IV.

- (7) CITE: Ga. L. 1982, p. 2576.

DESCRIPTION: Grants a \$10,000.00 homestead exemption from county ad valorem taxes to each resident in lieu of the basic \$2,000.00 homestead exemption of Code Section 48-5-44.

COMMENTS: Article VII, Section II, Paragraph IV continues in effect as statutory law those types of exemptions from ad valorem taxation provided for by law on June 30, 1983.

STATUS: Because this general provision of the Constitution continues this exemption in effect, it was not necessary that the local amendment be specifically continued in order for this exemption to continue to be granted. Nonetheless, the amendment was continued, Ga. L. 1987, p. 3711.

- (8) CITE: Ga. L. 1982, p. 2595.

DESCRIPTION: Authorizes the creation of a merit system of employment and personnel administration for employees of Whitfield County.

COMMENTS: Article IX, Section I, Paragraph IV authorizes the General Assembly by general law to authorize the establishment by county governing authorities of civil service systems covering both county employees and employees of county officers.

STATUS: Continued, home rule ordinance Ga. L. 1988, p. 5066.

- (9) See Ga. L. 1972, p. 1485, under Gordon County for amendment affecting Whitfield County.

DALTON

- (1) CITE: Ga. L. 1927, p. 127; Ga. L. 1935, p. 1234; Ga. L. 1937, pp. 1132, 1137, 1139.

DESCRIPTION: Zoning and planning.

COMMENTS: The 1927 amendment to Art. III, Sec. VII, Para. XXV of the 1877 Constitution included Albany, Athens, Atlanta, Augusta, Brunswick, Columbus, Darien, Decatur, Dublin, East Thomaston, LaGrange, Macon, Newnan, Rome, Savannah, Thomaston, Valdosta, Waycross, and cities with a population of 25,000 or more according to the decennial census of 1920. The 1935 amendment added Moultrie. The first 1937 amendment added Carrolton, Cordele, Eastman, Forsyth, Fort Valley, McRae, and Milledgeville. The second 1937 amendment added Dalton. The third 1937 amendment added Quitman. Art. III, Sec. VII, Para. XXIII of the Constitution of 1945 (the revised counterpart of old Para. XXV) contained a direct grant of authority to the General Assembly to grant authority to cities and counties to pass zoning and planning laws. Amendment 19 (which included among other things, Art. XV, Sec. II-A, Para. III) granted some zoning and planning power directly to counties and was held to have impliedly repealed Para. XXIII insofar as it applied to unincorporated areas. Art. IX, Sec. IV, Para. II(15) conferred zoning and planning power in cities and counties.

STATUS: Not continued. Repealed, Article XI, Section I, Paragraph IV.

- (2) CITE: Ga. L. 1968, p. 1466.

DESCRIPTION: Creates the City of Dalton Building Authority. Provides that the authority is created for the purpose of providing buildings and facilities for use by the City of Dalton and other political subdivisions. Authorizes the authority to finance such buildings and facilities by issuance of revenue bonds to be repaid from rentals received by the authority from the city.

COMMENTS: Generally the type of buildings and facilities which the authority is authorized to provide may be financed only by the issuance of general obligation debt which must be approved by the voters.

STATUS: Continued, Ga. L. 1986, p. 5547.

- (3) CITE: Ga. L. 1980, p. 2119.

DESCRIPTION: Authorizes the General Assembly to create the Downtown Dalton Development Authority.

STATUS: Continued, Ga. L. 1986, p. 3881.

- (4) CITE: Ga. L. 1980, p. 2223.

DESCRIPTION: Grants a \$10,000.00 homestead exemption from all ad valorem taxation by the city to residents 62 years of age or older or totally disabled, provided that in either case such recipients have specified income not exceeding \$6,000.00.

COMMENTS: Article VII, Section II, Paragraph IV continues in effect as statutory law those types of exemptions from ad valorem taxation provided for by law on June 30, 1983.

STATUS: Because this general provision of the Constitution continues this exemption in effect, it was not necessary that the local amendment be specifically continued in order for this exemption to continue to be granted. Nonetheless, the amendment was continued, Ga. L. 1987, p. 3709.

- (5) See Ga. L. 1968, p. 1482, under Whitfield County for amendment affecting Dalton.

WILCOX COUNTY

- (1) CITE: Ga. L. 1941, p. 9.

DESCRIPTION: Authorizes the Abbeville consolidated school district of Wilcox County to issue bonds to refund and retire bonds which were outstanding and past due on January 1, 1941, and which became due by January 1, 1942.

COMMENTS: This amendment constitutes a one-time authority to issue refunding bonds for a specific series of bonds in default on January 1, 1941, and which became due by January 1, 1942. The authority so granted has expired and has no current applicability.

STATUS: Not continued. Repealed, Article XI, Section I, Paragraph IV.

- (2) CITE: Ga. L. 1941, p. 187.

DESCRIPTION: Authorizes Wilcox County to issue bonds to refund and retire bonds which were outstanding and past due on July 1, 1942.

COMMENTS: This amendment constitutes a one-time authority to issue refunding bonds for a specific series of bonds in default on July 1, 1942. The authority so granted has expired and has no current applicability.

STATUS: Not continued. Repealed, Article XI, Section I, Paragraph IV.

- (3) CITE: Ga. L. 1941, p. 189.

DESCRIPTION: Authorizes Wilcox County to issue bonds to retire all indebtedness of the county as it existed on July 1, 1941, requires the county thereafter to operate on a cash basis, and prohibits the county from issuing delayed warrants and payment orders.

COMMENTS: The provision relating to issuing bonds to retire indebtedness was a one-time authority and has no current applicability. The provision requiring the county to operate on a cash basis is probably not necessary because Article IX, Section V places limitations on the manner in which counties may incur debt through the issuance of bonds and

by making temporary loans. The practice of using delayed warrants and payment orders beyond the fiscal year is not contemplated or authorized.

STATUS: Not continued. Repealed, Article XI, Section I, Paragraph IV.

- (4) CITE: Ga. L. 1952, p. 543; Ga. L. 1962, p. 1092.

DESCRIPTION: Provides for an elected board of education of Wilcox County.

STATUS: Initially continued, Ga. L. 1987, p. 3580, subsequently repealed, Ga. L. 1989, p. 4452.

- (5) CITE: Ga. L. 1960, p. 1292.

DESCRIPTION: Authorizes Wilcox County to issue revenue bonds to fund the purchase, etc., of facilities for use by industry or commercial enterprise.

COMMENTS: An amendment which was identical to this one (Ga. L. 1960, p. 1400, relating to Telfair County) was declared to be in violation of the due process and equal protection clauses of the Fourteenth Amendment to the U.S. Constitution in the case of *Smith v. State of Georgia*, 222 Ga. 552 (1966).

STATUS: Not continued. Repealed, Article XI, Section I, Paragraph IV.

ABBEVILLE

- (1) CITE: Ga. L. 1941, p. 11.

DESCRIPTION: Authorizes the city to issue bonds to refund and retire bonds which were outstanding and past due on July 1, 1940, and which became due by May 1, 1943.

COMMENTS: This amendment constitutes a one-time authority to issue refunding bonds for a specific series of bonds in default on July 1, 1940, and which became due by May 1, 1943. The authority so granted has expired and has no current applicability.

STATUS: Not continued. Repealed, Article XI, Section I, Paragraph IV.

- (2) See Ga. L. 1976, p. 1787, under Dodge County for amendment affecting Abbeville.

WILKES COUNTY

- (1) CITE: Ga. L. 1958, p. 460; Ga. L. 1972, p. 1518.

DESCRIPTION: Provides for an elected board of education of Wilkes County.

STATUS: Not continued. Repealed, Article XI, Section I, Paragraph IV.

- (2) CITE: Ga. L. 1962, p. 847.

DESCRIPTION: Creates the Wilkes County/Washington Payroll Development Authority.

STATUS: Continued, Ga. L. 1987, p. 3606.

WASHINGTON

- (1) CITE: Ga. L. 1941, p. 182.

DESCRIPTION: Authorizes the City of Washington to issue bonds to refund and retire bonds which were outstanding and past due on November 1, 1949.

COMMENTS: This amendment constitutes a one-time authority to issue refunding bonds for a specific series of bonds in default on November 1, 1949. The authority so granted has expired and has no current applicability.

STATUS: Not continued. Repealed, Article XI, Section I, Paragraph IV.

- (2) See Ga. L. 1962, p. 847, under Wilkes County for amendment affecting Washington.

WORTH COUNTY

- (1) CITE: Ga. L. 1960, p. 1436.

DESCRIPTION: Authorizes Worth County to issue revenue bonds to fund the purchase, etc., of facilities for use by industry or commercial enterprise.

COMMENTS: An amendment which was identical to this one (Ga L. 1960, p. 1400, relating to Telfair County) was declared to be in violation of the due process and equal protection clauses of the Fourteenth Amendment to the U.S. Constitution in the case of *Smith v. State of Georgia*, 222 Ga. 552 (1966).

STATUS: Not continued. Repealed, Article XI, Section I, Paragraph IV.

(2) CITE: Ga. L. 1966, p. 860.

DESCRIPTION: Creates the Worth County Industrial Development Authority.

STATUS: Continued, Ga. L. 1987, p. 3800.

(3) CITE: Ga. L. 1980, p. 2263.

DESCRIPTION: Grants an \$8,000.00 homestead exemption from all county and county school district ad valorem taxes to residents 62 years of age or older or disabled, provided that specified income does not exceed \$10,000.00.

STATUS: Article VII, Section II, Paragraph IV continues in effect as statutory law those types of exemptions from ad valorem taxation provided for by law on June 30, 1983.

SYLVESTER

(1) CITE: Ga. L. 1980, p. 2268.

DESCRIPTION: Grants an \$8,000.00 homestead exemption from all city ad valorem taxes to residents 62 years of age or older or disabled, provided that specified income of the recipient does not exceed \$10,000.00.

STATUS: Article VII, Section II, Paragraph IV continues in effect as statutory law those types of exemptions from ad valorem taxation provided for by law on June 30, 1983.

POPULATION AMENDMENTS

CITIES OF 25,000 OR MORE

- (1) CITE: Ga. L. 1927, p. 127; Ga. L. 1935, p. 1234; Ga. L. 1937, pp. 1132, 1137, 1139.

DESCRIPTION: Zoning and planning.

COMMENTS: The 1927 amendment to Art. III, Sec. VII, Para. XXV of the 1877 Constitution included Albany, Athens, Atlanta, Augusta, Brunswick, Columbus, Darien, Decatur, Dublin, East Thomaston, LaGrange, Macon, Newnan, Rome, Savannah, Thomaston, Valdosta, Waycross, and cities with a population of 25,000 or more according to the decennial census of 1920. The 1935 amendment added Moultrie. The first 1937 amendment added Carrolton, Cordele, Eastman, Forsyth, Fort Valley, McRae, and Milledgeville. The second 1937 amendment added Dalton. The third 1937 amendment added Quitman. Art. III, Sec. VII, Para. XXIII of the Constitution of 1945 (the revised counterpart of old Para. XXV) contained a direct grant of authority to the General Assembly to grant authority to cities and counties to pass zoning and planning laws. Amendment 19 (which included among other things, Art. XV, Sec. II-A, Para. III) granted some zoning and planning power directly to counties and was held to have impliedly repealed Para. XXIII insofar as it applied to unincorporated areas. Art. IX, Sec. IV, Para. II(15) conferred zoning and planning power in cities and counties.

STATUS: Not continued. Repealed, Article XI, Section I, Paragraph IV.

CITIES OF 150,000 OR MORE

- (1) CITE: Ga. L. 1918, p. 915.

DESCRIPTION: Authorizes the General Assembly to permit cities having a population of 150,000 or more to incur bonded debt for the public purposes of the municipality and to repay the principal and interest as provided by law.

STATUS: Not continued. Repealed, Article XI, Section I, Paragraph IV.

- (2) CITE: Ga. L. 1920, p. 25.

DESCRIPTION: Authorizes certain cities to issue street improvement bonds subject to certain limitations. This debt is in addition to the debt limitations of the Constitution which, at the time this amendment was ratified, was 7 percent of the assessed value of taxable property.

COMMENTS: The present Constitution limits general obligation debt to 10 percent of the assessed value of taxable property. It is unclear whether this amendment authorizes general obligation debt in excess of the limitation which existed at the time the amendment was ratified or whether it authorizes general obligation debt in excess of the present constitutional limitation.

STATUS: Continued, Ga. L. 1986, p. 4808.

ANY COUNTY HAVING WHOLLY OR PARTIALLY WITHIN ITS BOUNDARIES A CITY OF NOT LESS THAN 200,000 POPULATION

(1) CITE: Ga. L. 1926, Ex. Sess., p. 20; Ga. L. 1937, p. 18.

DESCRIPTION: Authorizes county, upon request of county board of education, to levy not more than 1 1/2 mills tax for educational purposes throughout the entire county, including the Atlanta independent school systems.

COMMENTS: This amendment was repealed by implication in a local constitutional amendment found at Ga. L. 1979, p. 1797, creating the Fulton County Industrial District and prohibiting Fulton County from levying any tax for educational purposes within the boundaries of an independent school system.

STATUS: Not continued. Repealed, Article XI, Section I, Paragraph IV.

COUNTIES HAVING A CITY OF 300,000 OR MORE

(1) CITE: Ga. L. 1952, p. 591.

DESCRIPTION: Authorizes the General Assembly by local Act to provide a joint city-county board of tax assessors and a board of tax appeals and equalization.

COMMENTS: Under general law a board of tax assessors is created for each county for the valuation of all real property in the county. Municipalities are required to assess and levy taxes on the basis of the fair market value determined by the county board of tax assessors. This amendment provides an exception to general law by the creation of a joint county-city board of tax, assessors with unique authority.

STATUS: Continued, Ga. L. 1986, p. 4456.

CITIES OF 300,000 OR MORE

(1) CITE: Ga. L. 1967, p. 963.

DESCRIPTION: Authorizes the creation of a traffic court.

COMMENTS: This amendment is the basis for the creation of the Atlanta Traffic Court.

STATUS: Continued, Ga. L. 1986, p. 4820. The implementing local Acts were repealed effective January 1, 2005, by Ga. L. 2004, p. 885; however, the amendment itself was not repealed.

CITIES OF GREATER THAN 300,000

(1) CITE: Ga. L. 1973, p. 1493.

DESCRIPTION: Authorizes the city governing authority of each city having a population greater than 300,000 to provide increases in benefits to persons retired from employment pursuant to any system to which the city appropriates funds.

COMMENTS: Article IX, Section II, Paragraph III(a)(14) and Article III, Section X, Paragraph II now provide general authorization for maintaining retirement systems and expending public funds for increasing benefits in systems wholly or partially supported by public funds. This amendment was to have been repealed if the 1978 revision of the article on retirement (Ga. L. 1978, p. 2510) had been ratified in 1978.

STATUS: Not continued. Repealed, Article XI, Section I, Paragraph IV.

CITIES OVER 400,000

(1) CITE: Ga. L. 1974, p. 1663.

DESCRIPTION: Authorizes the General Assembly to provide by law for the demolition of certain buildings and structures.

COMMENTS: This amendment is the basis for the law now appearing as Code Sections 41-2-7 through 41-2-17. The original law (Ga. L. 1966, p. 3089) was reenacted in 1977 (Ga. L. 1977, p. 4445) following the ratification of this amendment. The general law has been amended to remove the population qualification.

STATUS: Continued, Ga. L. 1986, p. 4566.