

PROPOSED  
CONSTITUTIONAL AMENDMENTS  
AND  
STATE-WIDE REFERENDUM QUESTION  
GENERAL ELECTION  
NOVEMBER 4, 2014

Constitutional Amendments 1 and 2  
Summaries of Amendments and  
State-wide Referendum Question

This booklet contains copies of the two proposed amendments to the Constitution in their entirety. These amendments will be submitted at the general election on November 4, 2014. As required by the Constitution, these proposed amendments in their entirety are on file in the office of the judge of the probate court in each county and are available for public inspection. This booklet also includes summaries of the two proposals as prepared by Attorney General Samuel S. Olens, Secretary of State Brian P. Kemp, and Legislative Counsel Wayne R. Allen and published in the newspaper which is each county's official legal organ. In addition, a summary of the state-wide referendum question prepared by Secretary of State Brian P. Kemp is included.

CONSTITUTIONAL  
AMENDMENTS  
1 and 2

Senate Resolution No. 415  
Resolution Act No. 592  
Ga. L. 2014, p. 888

**A RESOLUTION**

Proposing an amendment to the Constitution so as to prohibit the General Assembly from increasing the maximum state income tax rate; to provide for submission of this amendment for ratification or rejection; and for other purposes.

BE IT RESOLVED BY THE GENERAL ASSEMBLY OF GEORGIA:

**SECTION 1.**

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

"Paragraph IV. *Increase in state income tax rate prohibited.* The General Assembly shall not increase the maximum marginal rate of the state income tax above that in effect on January 1, 2015."

**SECTION 2.**

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

"( ) YES Shall the Constitution of Georgia be amended to prohibit the General Assembly from increasing the maximum state income tax rate?"  
( ) NO

All persons desiring to vote in favor of ratifying the proposed amendment shall vote "Yes." All persons desiring to vote against ratifying the proposed amendment shall vote "No." If such amendment shall be ratified as provided in said Paragraph of the Constitution, it shall become

a part of the Constitution of this state.

House Resolution No. 1183  
Resolution Act No. 589  
Ga. L. 2014, p. 887

**A RESOLUTION**

Proposing an amendment to the Constitution so as to provide that the General Assembly by general law may impose additional penalties or fees for the offense of reckless driving and may provide for the allocation of such additional penalties or fees to the Brain and Spinal Injury Trust Fund, as provided by law, for the specified purpose of meeting any and all costs, or any portion of the costs, of providing care and rehabilitative services to citizens of this state who have survived neurotrauma with head or spinal cord injuries; to provide for related matters; to provide for the submission of this amendment for ratification or rejection; and for other purposes.

BE IT RESOLVED BY THE GENERAL ASSEMBLY OF GEORGIA:

**SECTION 1.**

Article III, Section IX, Paragraph VI of the Constitution is amended by revising subparagraph (k) as follows:

"(k) The General Assembly is authorized to provide by general law for additional penalties or fees in any case in any court in this state in which a person is adjudged guilty of an offense involving driving under the influence of alcohol or drugs or reckless driving. The General Assembly is authorized to provide by general law for the allocation of such additional penalties or fees to the Brain and Spinal Injury Trust Fund, as provided by law, for the specified purpose of meeting any and all

costs, or any portion of the costs, of providing care and rehabilitative services to citizens of the state who have survived neurotrauma with head or spinal cord injuries. Moneys appropriated for such purposes shall not lapse. The General Assembly may provide by general law for the administration of such fund by such authority as the General Assembly shall determine."

**SECTION 2.**

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

"( ) YES Shall the Constitution of Georgia be amended to allow additional reckless driving penalties or fees to be added to the Brain and Spinal Injury Trust Fund to pay for care and rehabilitative services for Georgia citizens who have survived neurotrauma with head or spinal cord injuries?"  
( ) NO

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

SUMMARIES OF PROPOSED  
CONSTITUTIONAL AMENDMENTS  
AND  
STATE-WIDE REFERENDUM QUESTION  
ON THE GENERAL ELECTION BALLOT  
NOVEMBER 4, 2014

Constitutional Amendments 1 and 2  
and  
State-wide Referendum Question A

**SUMMARIES OF  
PROPOSED  
CONSTITUTIONAL  
AMENDMENTS**

Pursuant to requirements of the Georgia Constitution, Attorney General Samuel S. Olens, Secretary of State Brian P. Kemp, and Legislative Counsel Wayne R. Allen hereby provide the summaries of the proposed constitutional amendments that will appear on the November 4, 2014, general election ballot for consideration by the people of Georgia:

- 1 -

**To prohibit an increase in the state income tax rate in effect January 1, 2015.**

Senate Resolution No. 415  
Resolution Act No. 592  
Ga. L. 2014, p. 888

"( ) YES Shall the Constitution  
( ) NO of Georgia be amended to prohibit the General Assembly from increasing the maximum state income tax rate?"

Summary

This proposal prohibits the General Assembly from increasing the maximum marginal state income tax rate above the rate in effect on January 1, 2015. It adds a new Paragraph IV to Article VII, Section III of the Georgia Constitution.

A copy of this entire proposed constitutional amendment is on file in the office of the judge of the probate court and is available for public inspection.

- 2 -

**Adding reckless driving penalties or fees to the brain and spinal injury trust fund.**

House Resolution No. 1183  
Resolution Act No. 589  
Ga. L. 2014, p. 887

"( ) YES Shall the Constitution  
( ) NO of Georgia be amended to allow additional reckless driving penalties or fees to be added to the Brain and Spinal Injury Trust Fund to pay for care and rehabilitative services for Georgia citizens who have survived neurotrauma with head or spinal cord injuries?"

Summary

This proposal authorizes the General Assembly to provide by law for the imposition of additional penalties or fees for the offense of reckless driving and to provide for the allocation of such additional penalties or fees to the Brain and Spinal Injury Trust Fund, for the specified purpose of meeting any and all costs, or any portion of the costs, of providing care and rehabilitative services to citizens of this state who have survived

neurotrauma with head or spinal cord injuries. It amends Paragraph VI (k) of Article III, Section IX of the Georgia Constitution.

A copy of this entire proposed constitutional amendment is on file in the office of the judge of the probate court and is available for public inspection.

**SUMMARY OF  
PROPOSED STATE-WIDE  
REFERENDUM  
QUESTION**

Pursuant to Code Section 21-2-4 of the O.C.G.A., the Secretary of State is authorized to include with the summaries of proposed constitutional amendments a summary of any state-wide referendum question to be voted on at the same general election:

- A -

**Allows property owned by the University System of Georgia and operated by providers of student housing and other facilities to remain exempt from taxation.**

House Bill No. 788  
Act No. 613  
Ga. L. 2014, p. 679

"( ) YES Shall property owned  
( ) NO by the University System of Georgia and utilized by providers of college and university student housing and other facilities continue to be exempt from

taxation to keep costs affordable?"

Summary

This Act provides for an ad valorem tax exemption for private interests in property of the Board of Regents of the University System of Georgia that is operated by a private party and further provides that such arrangements shall not constitute special franchises for purposes of ad valorem taxation.

If approved by a majority of the voters, the tax exemption provided by the Act becomes effective January 1, 2015, and applies to all tax years beginning on or after that date.