

## **VOTERGA - CONSTITUTIONAL AMENDMENT HELP**

We received numerous requests for explanations of the complex constitutional amendments and referendum questions on the November 6, 2018 ballot. A panel of VoterGA members have looked at the questions and attempted to simplify them. Since an amendment or question frequently has hidden meaning we posed the question: "Is it beneficial and equitable to most Georgians?" Our consensus answer for each is included below. Special thanks to Mike Scupin and Ted Metz for their research. A link to an article with more detail and a slightly different perspective is also included:

Garland

### **2018 Proposed Amendments**

1. **Georgia Outdoor Stewardship Trust Fund - [HR238](#)**

This amendment requires the legislature to allocate up to 80% of sales tax revenue from sporting goods sales toward land conservation. The legislature can do this annually now in the budgeting process. The amendment would prevent them from allocating those proceeds annually to causes such as education, medical care and transportation unless it is repealed later by another amendment. This amendment ties the hands of the legislature in regards to this revenue and could even result in tax increases to support other needs. Consensus: NO

2. **Business Courts - [HR993](#)**

This amendment authorizes the establishment of a new statewide business court with judges that are appointed by the governor. Large well connected, businesses could exercise undue political influence over their own court proceedings by advocating the selection of judges favorable to their cause. Localities already have authority to appoint business courts with judges that are elected by the people and accountable to the people. Consensus: NO

3. **Forest Tax Conservation – [HR51](#)**

This complicated amendment reduces the ad valorem tax on large tracts of land that are placed under a conservation covenant. It compensates localities with assistance grants from state funds for loss of revenue. It also allows the state revenue commissioner to retain 5% of a grant for administrative costs. The covenant contents are not specified and the amendment appears to be custom tailored to give a tax break for a special interest. Consensus: NO

4. **Victim's Rights – [SR146](#)**

This amendment allows victims of an alleged crime the rights to timely notice of all court proceedings of the accused and arrest releases of those convicted. It also provides victims the right to be heard at a release, plea or sentencing hearing of the accused. It originally had language that could have negatively impacted the right of a defendant but that was removed during the legislative process. Consensus YES

5. **School District Tax Proceeds Allocation – [SR95](#)**

This amendment allows school districts, including independent districts, to call for an educational referendum tax. It also allows districts to distribute proceeds that are normally allocated on a per student basis, to be allocated disproportionately across school districts if an agreement is reached among those districts. It may allow a larger school district to pressure a smaller school district into accepting a disproportionately smaller share of tax revenues. Consensus: NO

**2018 Statewide Referenda:**

**A. Homestead Exemption for Residents of Multi-County Municipalities - [HB820](#)**

This referendum would allow residents in multi-county municipalities such as the City of Atlanta to apply for and receive homestead tax exemptions that other residents in those counties already receive. Consensus YES

**B. Tax Exemption for Homes Run for Mentally Disabled – [HB196](#)**

This referendum would provide an ad valorem tax exemption for non-profit or for profit corporations who operate homes for the mentally disabled. Exemptions are typically reserved for citizens not corporations. Consensus: NO

For more information and another perspective on some amendments and referenda read this:

<https://www.americustimesrecorder.com/2018/10/09/david-hudson-georgia-2018-constitutional-amendments-resolutions/>