



OFFICIAL ABSENTEE/PROVISIONAL/EMERGENCY BALLOT
OFFICIAL GENERAL AND SPECIAL ELECTION BALLOT OF THE STATE OF GEORGIA
NOVEMBER 3, 2020

INSTRUCTIONS:

To Vote

1. Use black or blue ink to mark the ballot.
2. Completely fill in the empty oval to the left of the candidate name or choice in all races you wish to vote.
3. If voting for a Write-In candidate, completely fill in the empty oval to the left of the write-in candidate in the space provided.

Warning

- Do **NOT** use red ink or felt tip pen to mark ballot
- Do **NOT** circle, underline or mark through choices
- Do **NOT** use check marks or X to mark ballot
- Do **NOT** mark more choices per race than allowed
- Do **NOT** sign, cut, tear or damage the ballot

If you make a mistake or change your mind on a selection:

- A.** Do not attempt to mark through the selection or attempt to erase. Write **"Spoiled"** across the ballot and across the return envelope
- B.** Mail or return the spoiled ballot and envelope to your county board of registrars; a new official absentee ballot will be mailed to you

If you decide to vote in-person: Surrender the ballot to the poll manager of an early voting site within your county or the precinct to which you are assigned. You will then be permitted to vote a regular ballot.

"I understand that the offer or acceptance of money or any other object of value to vote for any particular candidate, list of candidates, issue or list of issues included in this election constitutes an act of voter fraud and is a felony under Georgia law" [O.C.G.A. 21-2-284(e), 21-2-285(h) and 21-2-383(a)]

SPECIAL ELECTION		
<p align="center">For President of the United States (Vote for One)</p> <p><input type="radio"/> Donald J. Trump - President Michael R. Pence - Vice President (Incumbent) Republican</p> <p><input type="radio"/> Joseph R. Biden - President Kamala D. Harris - Vice President Democrat</p> <p><input type="radio"/> Jo Jorgensen - President Jeremy "Spike" Cohen - Vice President Libertarian</p> <p><input type="radio"/></p> <p>_____</p> <p>Write-In</p>	<p align="center">For United States Senate (To fill the Unexpired Term of Johnny Isakson, Resigned) (Vote for One)</p> <p><input type="radio"/> Al Bartell Independent</p> <p><input type="radio"/> Allen Buckley Independent</p> <p><input type="radio"/> Doug Collins Republican</p> <p><input type="radio"/> John Fortuin Green</p> <p><input type="radio"/> Derrick E. Grayson Republican</p> <p><input type="radio"/> Michael Todd Greene Independent</p> <p><input type="radio"/> Annette Davis Jackson Republican</p> <p><input type="radio"/> Deborah Jackson Democrat</p> <p><input type="radio"/> Jamesia James Democrat</p> <p><input type="radio"/> A. Wayne Johnson Republican</p> <p><input type="radio"/> Tamara Johnson-Shealey Democrat</p> <p><input type="radio"/> Matt Lieberman Democrat</p> <p><input type="radio"/> Kelly Loeffler (Incumbent) Republican</p> <p><input type="radio"/> Joy Felicia Slade Democrat</p> <p><input type="radio"/> Brian Slowinski Libertarian</p> <p><input type="radio"/> Valencia Stovall Independent</p> <p><input type="radio"/> Ed Tarver Democrat</p> <p><input type="radio"/> Kandiss Taylor Republican</p> <p><input type="radio"/> Raphael Warnock Democrat</p> <p><input type="radio"/> Richard Dien Winfield Democrat</p> <p><input type="radio"/></p> <p>_____</p> <p>Write-In</p>	<p align="center">For Public Service Commissioner (To succeed Jason Shaw) (Vote for One)</p> <p><input type="radio"/> Jason Shaw (Incumbent) Republican</p> <p><input type="radio"/> Robert G. Bryant Democrat</p> <p><input type="radio"/> Elizabeth Melton Libertarian</p> <p><input type="radio"/></p> <p>_____</p> <p>Write-In</p>
<p align="center">For United States Senate (Vote for One)</p> <p><input type="radio"/> David A. Purdue (Incumbent) Republican</p> <p><input type="radio"/> Jon Ossoff Democrat</p> <p><input type="radio"/> Shane Hazel Libertarian</p> <p><input type="radio"/></p> <p>_____</p> <p>Write-In</p>		<p align="center">For Public Service Commissioner (To succeed Lauren Bubba McDonald, Jr.) (Vote for One)</p> <p><input type="radio"/> Lauren Bubba McDonald, Jr. (Incumbent) Republican</p> <p><input type="radio"/> Daniel Blackman Democrat</p> <p><input type="radio"/> Nathan Wilson Libertarian</p> <p><input type="radio"/></p> <p>_____</p> <p>Write-In</p>
		<p align="center">For U.S. Representative in 117th Congress From the 5th Congressional District of Georgia (Vote for One)</p> <p><input type="radio"/> Angela Stanton-King Republican</p> <p><input type="radio"/> Nikema Williams Democrat</p> <p><input type="radio"/></p> <p>_____</p> <p>Write-In</p>
		<p align="center">For U.S. Representative in 117th Congress From the 13th Congressional District of Georgia (Vote for One)</p> <p><input type="radio"/> Becky E. Hites Republican</p> <p><input type="radio"/> David Scott (Incumbent) Democrat</p> <p><input type="radio"/></p> <p>_____</p> <p>Write-In</p>

<p>For State Senate From 34th District (Vote for One)</p> <p><input type="radio"/> Valencia M. Seay (Incumbent) Democrat</p> <p><input type="radio"/></p> <p>_____</p> <p>Write-In</p>	<p>For State Representative in the General Assembly From 77th District (Vote for One)</p> <p><input type="radio"/> Rhonda Burnough (Incumbent) Democrat</p> <p><input type="radio"/></p> <p>_____</p> <p>Write-In</p>	<p>For Surveyor (Vote for One)</p> <p><input type="radio"/></p> <p>_____</p> <p>Write-In</p>
<p>For State Senate From 44th District (Vote for One)</p> <p><input type="radio"/> Benjamin Brooks Republican</p> <p><input type="radio"/> Gail Davenport (Incumbent) Democrat</p> <p><input type="radio"/></p> <p>_____</p> <p>Write-In</p>	<p>For State Representative in the General Assembly From 78th District (Vote for One)</p> <p><input type="radio"/> Demetrius Douglas (Incumbent) Democrat</p> <p><input type="radio"/></p> <p>_____</p> <p>Write-In</p>	<p>For Chief Magistrate (Vote for One)</p> <p><input type="radio"/> Keisha Wright Hill Democrat</p> <p><input type="radio"/></p> <p>_____</p> <p>Write-In</p>
<p>For State Representative in the General Assembly From 60th District (Vote for One)</p> <p><input type="radio"/> Kim Schofield (Incumbent) Democrat</p> <p><input type="radio"/></p> <p>_____</p> <p>Write-In</p>	<p style="text-align: center;">SPECIAL ELECTION</p> <p>For District Attorney of the Clayton Judicial Circuit (Vote for One)</p> <p><input type="radio"/> Tasha M. Mosley (Incumbent) Democrat</p> <p><input type="radio"/></p> <p>_____</p> <p>Write-In</p>	<p>For Solicitor-General (Vote for One)</p> <p><input type="radio"/> Charles Brooks (Incumbent) Democrat</p> <p><input type="radio"/></p> <p>_____</p> <p>Write-In</p>
<p>For State Representative in the General Assembly From 63rd District (Vote for One)</p> <p><input type="radio"/> David Callahan Republican</p> <p><input type="radio"/> Debra Bazemore (Incumbent) Democrat</p> <p><input type="radio"/></p> <p>_____</p> <p>Write-In</p>	<p>For Judge of Probate Court (Vote for One)</p> <p><input type="radio"/> Pamela P. Ferguson (Incumbent) Democrat</p> <p><input type="radio"/></p> <p>_____</p> <p>Write-In</p>	<p>For County Commission Chairman (Vote for One)</p> <p><input type="radio"/> Jeffrey E. Turner (Incumbent) Democrat</p> <p><input type="radio"/></p> <p>_____</p> <p>Write-In</p>
<p>For State Representative in the General Assembly From 74th District (Vote for One)</p> <p><input type="radio"/> Yasmin Neal Democrat</p> <p><input type="radio"/></p> <p>_____</p> <p>Write-In</p>	<p>For Clerk of Superior Court (Vote for One)</p> <p><input type="radio"/> Jacqueline D. Wills (Incumbent) Democrat</p> <p><input type="radio"/></p> <p>_____</p> <p>Write-In</p>	<p>For County Commissioner, District 2 (Vote for One)</p> <p><input type="radio"/> Gail Hambrick (Incumbent) Democrat</p> <p><input type="radio"/></p> <p>_____</p> <p>Write-In</p>
<p>For State Representative in the General Assembly From 75th District (Vote for One)</p> <p><input type="radio"/> Michael Glanton (Incumbent) Democrat</p> <p><input type="radio"/></p> <p>_____</p> <p>Write-In</p>	<p>For Sheriff (Vote for One)</p> <p><input type="radio"/> Victor Hill (Incumbent) Democrat</p> <p><input type="radio"/></p> <p>_____</p> <p>Write-In</p>	<p>For County Commissioner, District 3 (Vote for One)</p> <p><input type="radio"/> Felicia Franklin Warner (Incumbent) Democrat</p> <p><input type="radio"/></p> <p>_____</p> <p>Write-In</p>
<p>For State Representative in the General Assembly From 76th District (Vote for One)</p> <p><input type="radio"/> Sandra Givens Scott (Incumbent) Democrat</p> <p><input type="radio"/></p> <p>_____</p> <p>Write-In</p>	<p>For Tax Commissioner (Vote for One)</p> <p><input type="radio"/> Terry L. Baskin (Incumbent) Democrat</p> <p><input type="radio"/></p> <p>_____</p> <p>Write-In</p>	<p>For Board of Education, District 2 (Vote for One)</p> <p><input type="radio"/> Mark Anthony Christmas (Incumbent) Democrat</p> <p><input type="radio"/></p> <p>_____</p> <p>Write-In</p>
		<p>For Board of Education, District 3 (Vote for One)</p> <p><input type="radio"/> Jessie Goree (Incumbent) Democrat</p> <p><input type="radio"/></p> <p>_____</p> <p>Write-In</p>

<p>For Board of Education, District 5 (Vote for One)</p> <p><input type="radio"/> Deatrice “Dee” Haney Democrat</p> <p><input type="radio"/></p> <p>_____</p> <p>Write-In</p>	<p align="center">-2-</p> <p>Waives state and local sovereign immunity for violation of state laws, state and federal constitutions.</p> <p>House Resolution 1023 Act No. 596</p> <p>“Shall the Constitution of Georgia be amended to waive sovereign immunity and allow the people of Georgia to petition the superior court for relief from governmental acts done outside the scope of lawful authority or which violate the laws of this state, the Constitution of Georgia, or the Constitution of the United States?”</p> <p><input type="radio"/> Yes</p> <p><input type="radio"/> No</p>
<p>For Board of Education, District 6 (Vote for One)</p> <p><input type="radio"/> Mary L. Baker (Incumbent) Democrat</p> <p><input type="radio"/></p> <p>_____</p> <p>Write-In</p>	<p><input type="radio"/> Yes</p> <p><input type="radio"/> No</p>
<p>For Board of Education, District 7 (Vote for One)</p> <p><input type="radio"/> Sabrina Hill Democrat</p> <p><input type="radio"/></p> <p>_____</p> <p>Write-In</p>	<p align="center">STATEWIDE REFERENDUM</p> <p align="center">-A-</p> <p>Establishes a tax exemption for certain real property owned by charities.</p> <p>House Bill 344 Act No. 149</p> <p>“Shall the Act be approved which provides an exemption from ad valorem taxes for all real property owned by a purely public charity, if such charity is exempt from taxation under Section 501(c)(3) of the federal Internal Revenue Code and such real property is held exclusively for the purpose of building or repairing single-family homes to be financed by such charity to individuals using loans that shall not bear interest?”</p> <p><input type="radio"/> Yes</p> <p><input type="radio"/> No</p>
<p>For Clayton County Soil and Water Conservation District Supervisor (Vote for One)</p> <p><input type="radio"/> Deetra Denise Poindexter</p> <p><input type="radio"/></p> <p>_____</p> <p>Write-In</p>	<p><input type="radio"/> Yes</p> <p><input type="radio"/> No</p>
<p align="center">PROPOSED CONSTITUTIONAL AMENDMENTS</p>	
<p align="center">-1-</p> <p>Authorizes dedication of fees and taxes to their intended purposes by general state law.</p> <p>House Resolution 164 Act No. 597</p> <p>“Shall the Constitution of Georgia be amended so as to authorize the General Assembly to dedicate revenues derived from fees or taxes to the public purpose for which such fees or taxes were intended?”</p> <p><input type="radio"/> Yes</p> <p><input type="radio"/> No</p>	<p align="center">SPECIAL ELECTION</p> <p align="center">Sunday On-Premise Alcohol Consumption Starting at 11:00 AM (Vote for One)</p> <p>“Shall the Clayton County Board of Commissioners be authorized to permit and regulate Sunday sales of distilled spirits or alcoholic beverages for beverage purposes by the drink from 11:00 A.M. to 1:00 P.M.?”</p> <p><input type="radio"/> Yes</p> <p><input type="radio"/> No</p>

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**CLAYTON COUNTY
BOARD OF ELECTIONS & REGISTRATION**

121 S. McDonough Street
Jonesboro, Georgia 30236
Phone: (770) 477-3372
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**2020 QUALIFIED WRITE-IN
CANDIDATES IN FEDERAL, STATE,
& LOCAL ELECTIONS
NOVEMBER 3, 2020**

CERTIFIED WRITE-IN CANDIDATES:

PRESIDENT OF THE UNITED STATES

BARBARA BELLAR
BRIAN CARROLL
DAVID BYRNE
DEBORAH ROUSE
DON BLANKENSHIP
GLORIA LA RIVA
HOWIE HAWKINS
JADE SIMMONS

KASEY WELLS
KATHRYN GIBSON
LOREN COLLINS
MARK CHARLES
PETER SHERRILL
PRESIDENT R19 BODDIE
SHAWN HOWARD
PRINCESS JACOB-FAMBRO

UNITED STATES SENATE

ROD MACK

**UNITED STATES HOUSE OF REPRESENTATIVES,
DISTRICT 13**

MARTIN COWEN

FOR CLAYTON COUNTY SHERIFF

DWAYNE FABIAN

PROPOSED
CONSTITUTIONAL AMENDMENTS
AND
STATE-WIDE REFERENDUM QUESTIONS
GENERAL ELECTION
NOVEMBER 3, 2020

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

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 3, 2020. 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 Christopher Carr, Secretary of State Brad Raffensperger, and Legislative Counsel Rick Ruskell 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 Brad Raffensperger is included.

CONSTITUTIONAL
AMENDMENTS

1-2

A RESOLUTION

Proposing an amendment to the Constitution so as to authorize the General Assembly to provide by general law for the creation or renewal and dedication of revenues derived from fees or taxes to the public purpose for which such fees or taxes were intended; to provide for procedures, conditions, and limitations; to provide for the redesignation of current subparagraphs of the Constitution; 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 redesignating the second subparagraph (o), relating to the dedication of the excise tax on the sale of fireworks, as subparagraph (p), by redesignating subparagraph (p), relating to the Georgia Outdoor Stewardship Fund, as subparagraph (q), and by adding a new subparagraph to read as follows:

"(r)(1) Subject to the limitations in this subparagraph, the General Assembly may provide by general law for the creation or renewal and dedication of revenues, in whole or in part, derived from fees or taxes to the public purpose for which such fees or taxes were intended; provided that the general law dedicating such fee or tax shall reference this provision of the Constitution, provide the specific public

purpose for which the revenue derived from such fee or tax shall be used, identify the agency to administer such revenue, require annual reporting of the revenues and expenses by such agency, and include an automatic expiration of such fee or tax within a period not to exceed ten years. Any such general law may also be authorized to offset, in whole or in part, the costs to the state of implementing and administering such dedication of revenue.

(2) The General Assembly shall not be authorized to dedicate state revenues pursuant to this subparagraph when the total revenues dedicated hereunder, including any nonlapsed funds, are equal to or exceed one percent of the total state revenues based on the previous fiscal year's state revenues subject to appropriation.

(3) Any general law enacted pursuant to this subparagraph shall not be subject to the limitations of Article III, Section IX, Paragraph IV(c), relating to the lapsing of funds; Article III, Section IX, Paragraph VI(a), relating to allocation of proceeds; or Article VII, Section III, Paragraph II(a), relating to payment into the general fund of the state treasury.

(4) Any general law enacted creating or renewing and dedicating revenues shall not become effective unless approved by two-thirds of the members elected to each chamber of the General Assembly in a roll-call vote; provided, however, that such a general law may be repealed by a majority vote of the members elected to each chamber of the General Assembly in a roll-call vote. Except in the case of a financial emergency as provided in paragraph (5) of this subparagraph, no amendment to any general law enacted pursuant to this subparagraph shall become effective unless approved by two-thirds of the members

elected to each chamber of the General Assembly in a roll-call vote.

(5) No revenues which are dedicated by a general law enacted pursuant to this subparagraph shall be subject to any further dedication, any rededication to another purpose, or any alteration whatsoever through the general appropriations Act, or any amendment thereto, or any supplementary appropriations Act, or any amendment thereto, and any such further dedication, rededication to another purpose, or alteration shall be void and of no force and effect. If in the case of a financial emergency the Governor or General Assembly intends to suspend the dedication of revenues enacted pursuant to this subparagraph, the Governor or the General Assembly shall do so only in strict compliance with the following procedures.

(A) In the event the Governor declares a financial emergency in the state, where such financial emergency shall be deemed to exist only if the revenue collection in the most recently completed fiscal year decreased by three percent or more below the revenue estimate for such fiscal year or the state experiences three consecutive months of declining revenues during the current fiscal year, the Governor by executive order may temporarily suspend the dedication of any revenues enacted pursuant to this subparagraph, in whole or in part, and shall appropriate such revenues to maintain the fiscal integrity of the state. Such executive order and associated suspension and appropriation of dedicated revenues shall remain in effect until the fifth day of the session of the General Assembly immediately following the execution of such executive order. Any previously dedicated revenues which remain unspent as of the fifth day of such

session, may be appropriated in a supplemental appropriations Act for that same fiscal year. The Governor shall not exercise this executive privilege more than three times during any ten consecutive fiscal-year period or if the General Assembly has acted pursuant to subparagraph (5)(B).

(B) In the event the Governor declares a financial emergency in the state as provided in subparagraph (5)(A) or where a majority vote of the members elected to each chamber of the General Assembly in a roll-call vote approves a joint resolution finding a financial emergency, which shall be deemed to exist only if the revenue collection in the most recently completed fiscal year decreased by three percent or more below the revenue estimate for such fiscal year or the state experiences three consecutive months of declining revenues during the current fiscal year, the General Assembly may temporarily suspend the dedication of revenues enacted pursuant to this subparagraph, in whole or part, and may appropriate such unspent revenues to maintain the fiscal integrity of the state. Such joint resolution shall not be effective for more than two consecutive fiscal years and may be adopted not more than three times in any ten consecutive fiscal-year period.

(6) No revenues which are dedicated pursuant to any other provision of this Constitution by a general law enacted pursuant to any other provision of this Constitution shall be subject to any further dedication, any rededication to another purpose, or any alteration whatsoever unless specifically authorized pursuant to such other provision of the Constitution, and in the absence of such specific authorization, any such further dedication, rededication to

another purpose, or alteration shall be void and of no force and effect."

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
- () NO amended so as to authorize the General Assembly to dedicate revenues derived from fees or taxes to the public purpose for which such fees or taxes were intended?"

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.

- 2 -

House Resolution No. 1023
Resolution Act No. 596
Ga. L. 2020, p. 917

A RESOLUTION

Proposing an amendment to the Constitution so as to waive sovereign immunity and allow petitions to the superior court for relief from certain acts of this state or certain local governments or officers or employees thereof that violate the laws of this state, the Constitution of Georgia, or the Constitution of the United States; 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 I, Section II of the Constitution is amended by revising Paragraph V as follows:

"Paragraph V. *What acts void.*

(a) Legislative acts in violation of this Constitution or the Constitution of the United States are void, and the judiciary shall so declare them.

(b)(1) Sovereign immunity is hereby waived for actions in the superior court seeking declaratory relief from acts of the state or any agency, authority, branch, board, bureau, commission, department, office, or public corporation of this state or officer or employee thereof or any county, consolidated government, or municipality of this state or officer or employee thereof outside the scope of lawful authority or in violation of the laws or the Constitution of this state or the Constitution of the United States. Sovereign immunity is further waived so that a court awarding declaratory relief pursuant to this Paragraph may, only after awarding declaratory relief, enjoin such acts to enforce its judgment. Such waiver of sovereign immunity under this Paragraph shall apply to past, current, and prospective acts which occur on or after January 1, 2021.

(2) Actions filed pursuant to this Paragraph against this state or any agency, authority, branch, board, bureau, commission, department, office, or public corporation of this state or officer or employee thereof shall be brought exclusively against the state and in the name of the State of Georgia. Actions filed pursuant to this Paragraph against any county, consolidated government, or municipality of

the state or officer or employee thereof shall be brought exclusively against such county, consolidated government, or municipality and in the name of such county, consolidated government, or municipality. Actions filed pursuant to this Paragraph naming as a defendant any individual, officer, or entity other than as expressly authorized under this Paragraph shall be dismissed.

(3) Unless otherwise provided herein, this Paragraph shall not affect the power or duty of a court to dismiss any action or deny relief based on any other appropriate legal or equitable ground or other limitation on judicial review, including, but not limited to, administrative exhaustion requirements, ante litem notice requirements, sanctions for frivolous petitions, standing, statutes of limitation and repose, and venue. The General Assembly by an Act may limit the power or duty of a court under this Paragraph to dismiss any action or deny relief.

(4) No damages, attorney's fees, or costs of litigation shall be awarded in an action filed pursuant to this Paragraph, unless specifically authorized by Act of the General Assembly.

(5) This Paragraph shall not limit the power of the General Assembly to further waive the immunity provided in Article I, Section II, Paragraph IX and Article IX, Section II, Paragraph IX. This Paragraph shall not constitute a waiver of any immunity provided to this state or any agency, authority, branch, board, bureau, commission, department, office, or public corporation of this state or officer or employee thereof or any county, consolidated government, or municipality of this state or officer or employee thereof by the Constitution of the United States."

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
- () NO to waive sovereign immunity and allow the people of Georgia to petition the superior court for relief from governmental acts done outside the scope of lawful authority or which violate the laws of this state, the Constitution of Georgia, or the Constitution of the United States?"

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 QUESTIONS
ON THE GENERAL ELECTION BALLOT
NOVEMBER 3, 2020

**SUMMARIES OF
PROPOSED
CONSTITUTIONAL
AMENDMENTS**

Pursuant to requirements of the Georgia Constitution, Attorney General Christopher Carr, Secretary of State Brad Raffensperger, and Legislative Counsel Rick Ruskell hereby provide the summaries of the proposed constitutional amendments that will appear on the November 3, 2020, general election ballot for consideration by the people of Georgia (short captions are those adopted by the Constitutional Amendments Publication Board):

- 1 -

Authorizes dedication of fees and taxes to their intended purposes by general state law.

House Resolution No. 164
Resolution Act No. 597
Ga. L. 2020, p. 919

"() YES Shall the Constitution of Georgia be amended so as to authorize the General Assembly to dedicate revenues derived from fees or taxes to the public purpose for which such fees or taxes were intended?"

Summary

This proposal authorizes the Georgia General Assembly by general law to require that fees or

taxes collected for some specific intended public purpose be used as so intended. It requires any such general law to identify the specific public purpose, name the state agency to administer the funds, require the agency to make annual reports of revenues and expenses, and automatically end the fee or tax within ten years. It prohibits the General Assembly from designating funds when total revenues so dedicated equal or exceed one percent of the total state revenues based on the previous fiscal year's appropriated state revenues. It exempts such general laws from certain state constitutional restrictions. It requires that such general laws, including amendments, be approved by two-thirds of each chamber of the General Assembly, but allows for repeal of such general laws by simple majority vote. It prohibits attempts to reallocate dedicated funds through any appropriations act or amendment. It provides for temporary suspension of such general laws by the Governor or by the General Assembly in the event of a financial emergency, subject to certain limitations. It amends Article III, Section IX, Paragraph VI of the Georgia Constitution by redesignating the second subparagraph (o), relating to the dedication of the excise tax on the sale of fireworks, as subparagraph (p), by redesignating subparagraph (p), relating to the Georgia Outdoor Stewardship Fund, as subparagraph (q), and by adding a new subparagraph (r).

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 -

Waives state and local sovereign immunity for violation of state laws, state and federal constitutions.

House Resolution 1023
Resolution Act No. 596
Ga. L. 2020, p. 917

"() YES Shall the Constitution of Georgia be amended to waive sovereign immunity and allow the people of Georgia to petition the superior court for relief from governmental acts done outside the scope of lawful authority or which violate the laws of this state, the Constitution of Georgia, or the Constitution of the United States?"

Summary

This proposal waives state and local sovereign immunity so as to allow citizens to sue the State of Georgia, its departments and other agencies, and its local governments in superior courts and authorizes superior courts to order state and local officers and employees to cease violations of the Georgia Constitution, the laws of the State of Georgia, or the United States Constitution,

beginning with violations occurring on or after January 1, 2021. It requires that such suits be brought only against the State or Georgia, or in the case of a local government, against the specific local government. It requires superior courts to dismiss any such lawsuit that names any individual state or local public officer or employee as a defendant. It maintains the ability of superior courts to dismiss such suits based on other appropriate legal or equitable grounds or limitation on review in superior court. It prohibits any type of monetary award, including attorney's fees or costs of litigation, unless authorized by an Act of the Georgia General Assembly. It does not prohibit the General Assembly from further waiving certain other immunities provided for under Georgia's Constitution, though it does not waive any immunity provided for by the United States Constitution. It amends Article I, Section II, Paragraph V of the Georgia Constitution by rendering the current text subparagraph (a) and adding a new subparagraph (b).

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.

**SUMMARIES OF
PROPOSED STATE-WIDE
REFERENDUM
QUESTIONS**

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 summaries of any state-wide referendum questions to be voted on at the same general election:

- A -

Provides tax exemption for certain single-family homes owned by tax exempt charities.

House Bill No. 344
Act No. 149
Ga. L. 2019, p. 488

"() YES Shall the Act be approved which
() NO provides an exemption from ad valorem taxes for all real property owned by a purely public charity, if such charity is exempt from taxation under Section 501(c)(3) of the federal Internal Revenue Code and such real property is held exclusively for the purpose of building or repairing single-family homes to be financed by such charity to individuals using loans that shall not bear interest?"

Summary

This proposal authorizes a new exemption from ad valorem taxes for all real property owned by a purely public charity, if such

charity is exempt from federal taxation and such property is used only for building or repairing single-family homes to be financed by such charity to individuals using zero interest loans. It amends Code Section 48-5-41 of the Official Code of Georgia Annotated by deleting "and" at the end of paragraph (14), by replacing the period with "; and" at the end of paragraph (15), and by adding a new paragraph.

If approved by a majority of the voters, the Act becomes effective on January 1, 2021, and applies to all tax years beginning on or after that date.