

Georgia Constitution

The state does not have the statewide initiative process and so therefore the following provisions discuss the procedures used by the state legislature to place constitutional amendments on the ballot.

Article X: Section I. Constitution, How Amended

Paragraph I. Proposals to amend the Constitution; new Constitution.

Amendments to this Constitution or a new Constitution may be proposed by the General Assembly or by a constitutional convention, as provided in this article. Only amendments which are of general and uniform applicability throughout the state shall be proposed, passed, or submitted to the people.

Paragraph II. Proposals by the General Assembly; submission to the people.

A proposal by the General Assembly to amend this Constitution or to provide for a new Constitution shall originate as a resolution in either the Senate or the House of Representatives and, if approved by two-thirds of the members to which each house is entitled in a roll-call vote entered on their respective journals, shall be submitted to the electors of the entire state at the next general election which is held in the even-numbered years. A summary of such proposal shall be prepared by the Attorney General, the Legislative Counsel, and the Secretary of State and shall be published in the official organ of each county and, if deemed advisable by the "Constitutional Amendments Publication Board," in not more than 20 other newspapers in the state designated by such board which meet the qualifications for being selected as the official organ of a county. Said board shall be composed of the Governor, the Lieutenant Governor, and the Speaker of the House of Representatives. Such summary shall be published once each week for three consecutive weeks immediately preceding the day of the general election at which such proposal is to be submitted. The language to be used in submitting a proposed amendment or a new Constitution shall be in such words as the General Assembly may provide in the resolution or, in the absence thereof, in such language as the Governor may prescribe. A copy of the entire proposed amendment or of a new Constitution shall be filed in the office of the judge of the probate court of each county and shall be available for public inspection; and the summary of the proposal shall so indicate. The General Assembly is hereby authorized to provide by law for additional matters relative to the publication and distribution of proposed amendments and summaries not in conflict with the provisions of this Paragraph.

If such proposals are ratified by a majority of the electors qualified to vote for members of the General Assembly voting thereon in such general election, such proposal shall become a part of this Constitution or shall become a new Constitution, as the case may be. Any proposal so

approved shall take effect as provided in Paragraph VI of this article. When more than one amendment is submitted at the same time, they shall be so submitted as to enable the electors to vote on each amendment separately, provided that one or more new articles or related changes in one or more articles may be submitted as a single amendment.

Paragraph III. Repeal or amendment of proposal.

Any proposal by the General Assembly to amend this Constitution or for a new Constitution may be amended or repealed by the same General Assembly which adopted such proposal by the affirmative vote of two-thirds of the members to which each house is entitled in a roll-call vote entered on their respective journals, if such action is taken at least two months prior to the date of the election at which such proposal is to be submitted to the people.

Paragraph IV. Constitutional convention; how called.

No convention of the people shall be called by the General Assembly to amend this Constitution or to propose a new Constitution, unless by the concurrence of two-thirds of the members to which each house of the General Assembly is entitled. The representation in said convention shall be based on population as near as practicable. A proposal by the convention to amend this Constitution or for a new Constitution shall be advertised, submitted to, and ratified by the people in the same manner provided for advertisement, submission, and ratification of proposals to amend the Constitution by the General Assembly. The General Assembly is hereby authorized to provide the procedure by which a convention is to be called and under which such convention shall operate and for other matters relative to such constitutional convention.

Paragraph V. Veto not permitted.

The Governor shall not have the right to veto any proposal by the General Assembly or by a convention to amend this Constitution or to provide a new Constitution.

Paragraph VI. Effective date of amendments or of a new Constitution.

Unless the amendment or the new Constitution itself or the resolution proposing the amendment or the new Constitution shall provide otherwise, an amendment to this Constitution or a new Constitution shall become effective on the first day of January following its ratification.