


# Comparative Constitutions


Name: \_\_\_\_\_

## How Does Your Constitution Compare?

### A. Preamble

Draw your state here!	Write your state here!
 <p><b>U.S. CONSTITUTION</b></p> <p>We the People of the United States, in Order to form a more perfect Union, establish Justice, insure domestic Tranquility, provide for the common defense, promote the general Welfare, and secure the Blessings of Liberty to ourselves and our Posterity, do ordain and establish this Constitution for the United States of America.</p>	<p>_____ CONSTITUTION</p> <p>Write your state's preamble here:</p> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/>

### B. Government

 <p><b>U.S. CONSTITUTION</b></p> <p>The executive Power shall be vested in a President of the United States of America.</p> <p>The judicial Power of the United States shall be vested in one Supreme Court, and in such inferior Courts as the Congress may from time to time ordain and establish.</p> <p>All legislative Powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.</p>	<p>_____ CONSTITUTION</p> <p>Who has the executive power in your state?</p> <p>What courts have the judicial power in your state?</p> <p>How is the legislative power structured in your state?</p>
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## U.S. CONSTITUTION

The Senate of the United States shall be composed of two senators from each State, chosen for six Years...

The House of Representatives shall be composed of Members chosen every second year...

All Bills for raising Revenue shall originate in the House of Representatives...

Every bill which shall have passed the House of Representatives and the Senate, shall, before it become a Law, be presented to the President of the United States; If he approve he shall sign it, but if not he shall return it... If any Bill shall not be returned... within ten Days... the Same shall be a Law...

[S]uch District (not exceeding ten Miles square) as may, by Cession of particular States..., become the Seat of Government of the United States...

## \_\_\_\_\_ CONSTITUTION

How long do your state senators serve?

How long do your state representatives serve?

What does your constitution say about where bills may start?

What role does your state's governor play in making a bill into a law?

Does your state constitution say where your state's seat of government is located?

### ✓ Quick Check

1) How many branches of government does your state have?

\_\_\_\_\_ branches

2) Look at your state's judicial system. What is the highest court in your state called?

\_\_\_\_\_

3) The U.S. Constitution says that U.S. Senators must be at least 30 years old and Representatives must be at least 25 years old. Does your state constitution give a minimum age for legislators?

\_\_\_\_\_ must be \_\_\_\_\_  
\_\_\_\_\_ must be \_\_\_\_\_


4) The President of the United States serves a 4-year term. How long is your state governor's term of office?

\_\_\_\_\_ years

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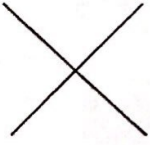
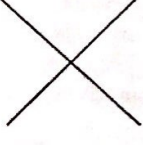
## C. Rights

 U.S. CONSTITUTION	_____ CONSTITUTION	<b>EXPLAIN THE DIFFERENCE:</b>
No state shall . . . deny to any person within its jurisdiction the equal protection of the laws.	What does your state constitution say about equality before the law?	<input type="checkbox"/> No difference <input type="checkbox"/> Adds additional rights <input type="checkbox"/> Unique state rule
The right of citizens of the United States to vote shall not be denied on account of race, color, or previous condition of servitude [or] on account of sex [or to citizens] who are eighteen years of age or older...	Does your state constitution guarantee any rights to any specific groups of people?	<input type="checkbox"/> No difference <input type="checkbox"/> Adds additional rights <input type="checkbox"/> Unique state rule
Congress shall make no law... abridging the freedom of speech, or of the press...	What does your state constitution say about freedom of speech and the press?	<input type="checkbox"/> No difference <input type="checkbox"/> Adds additional rights <input type="checkbox"/> Unique state rule
A well regulated Militia, being necessary to the security of a free State, the right of the people to keep and bear Arms, shall not be infringed.	What does your state constitution say about the right to bear arms?  Does your state constitution put any limits on <u>how</u> people may bear arms?	<input type="checkbox"/> No difference <input type="checkbox"/> Adds additional rights <input type="checkbox"/> Unique state rule

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Name: \_\_\_\_\_

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 U.S. CONSTITUTION	_____ CONSTITUTION	<b>EXPLAIN THE DIFFERENCE:</b>
No person shall be . . . subject for the same offence to be twice put in jeopardy of life or limb; nor compelled in any criminal case to be a witness against himself, nor be deprived of life, liberty, or property without due process of law . . .	What does your state constitution say about Double jeopardy?  Being a witness against yourself?  Due process of law?	<input type="checkbox"/> No difference <input type="checkbox"/> Adds additional rights <input type="checkbox"/> Unique state rule
The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated...	What does your state constitution say about searches and seizures?	<input type="checkbox"/> No difference <input type="checkbox"/> Adds additional rights <input type="checkbox"/> Unique state rule
	What does your state constitution say about the right to an education?	<input type="checkbox"/> No difference <input type="checkbox"/> Adds additional rights <input type="checkbox"/> Unique state rule
	Find something in your state constitution that deals with an issue that is unique to your state.	<input type="checkbox"/> No difference <input type="checkbox"/> Adds additional rights <input type="checkbox"/> Unique state rule

# Class Set!

## CONSTITUTION OF THE STATE OF GEORGIA PREAMBLE

To perpetuate the principles of free government, insure justice to all, preserve peace, promote the interest and happiness of the citizen and of the family, and transmit to posterity the enjoyment of liberty, we the people of Georgia, relying upon the protection and guidance of Almighty God, do ordain and establish this Constitution.

### ARTICLE I BILL OF RIGHTS

#### SECTION I RIGHTS OF PERSONS

Paragraph I. *Life, liberty, and property.* No person shall be deprived of life, liberty, or property except by due process of law.

Paragraph II. *Protection to person and property; equal protection.* Protection to person and property is the paramount duty of government and shall be impartial and complete. No person shall be denied the equal protection of the laws.

Paragraph III. *Freedom of conscience.* Each person has the natural and inalienable right to worship God, each according to the dictates of that person's own conscience; and no human authority should, in any case, control or interfere with such right of conscience.

Paragraph IV. *Religious opinions; freedom of religion.* No inhabitant of this state shall be molested in person or property or be prohibited from holding any public office or trust on account of religious opinions; but the right of freedom of religion shall not be so construed as to excuse acts of licentiousness or justify practices inconsistent with the peace and safety of the state.

Paragraph V. *Freedom of speech and of the press guaranteed.* No law shall be passed to curtail or restrain the freedom of speech or of the press. Every person may speak, write, and publish sentiments on all subjects but shall be responsible for the abuse of that liberty.

Paragraph VI. *Libel.* In all civil or criminal actions for libel, the truth may be given in evidence; and, if it shall appear to the trier of fact that the matter charged as libelous is true, the party shall be discharged.

Paragraph VII. *Citizens, protection of.* All citizens of the United States, resident in this state, are hereby declared citizens of this state; and it shall be the duty of the General Assembly to enact such laws as will protect them in the full enjoyment of the rights, privileges, and immunities due to such citizenship.

Paragraph VIII. *Arms, right to keep and bear.* The right of the people to keep and bear arms shall not be infringed, but the General Assembly shall have power to prescribe the manner in which arms may be borne.

Paragraph IX. *Right to assemble and petition.* The people have the right to assemble peaceably for their common good and to apply by petition or remonstrance to those vested with the powers of government for redress of grievances.

Paragraph X. *Bill of attainder; ex post facto laws; and retroactive laws.* No bill of attainder, ex post facto law, retroactive law, or laws impairing the obligation of contract or making irrevocable grant of special privileges or immunities shall be passed.

Paragraph XI. *Right to trial by jury; number of jurors; selection and compensation of jurors.* (a) The right to trial by jury shall remain inviolate, except that the court shall render judgment without the verdict of a jury in all civil cases where no issuable defense is filed and where a jury is not demanded in writing by either party. In criminal cases, the defendant shall have a public and speedy trial by an impartial jury; and the jury shall be the judges of the law and the facts.

(b) A trial jury shall consist of 12 persons; but the General Assembly may prescribe any number, not less than six, to constitute a trial jury in courts of limited jurisdiction and in superior courts in misdemeanor cases.

(c) The General Assembly shall provide by law for the selection and compensation of persons to serve as grand jurors and trial jurors.

Paragraph XII. *Right to the courts.* No person shall be deprived of the right to prosecute or defend, either in person or by an attorney, that person's own cause in any of the courts of this state.

Paragraph XIII. *Searches, seizures, and warrants.* The right of the people to be secure in their persons, houses, papers, and effects against unreasonable searches and seizures shall not be violated; and no warrant shall issue except upon probable cause supported by oath or affirmation particularly describing the place or places to be searched and the persons or things to be seized.

Paragraph XIV. *Benefit of counsel; accusation; list of witnesses; compulsory process.* Every person charged with an offense against the laws of this state shall have the privilege and benefit of counsel; shall be furnished with a copy of the accusation or indictment and, on demand, with a list of the witnesses on whose testimony such charge is founded; shall have compulsory process to obtain the testimony of that person's own witnesses; and shall be confronted with the witnesses testifying against such person.

Paragraph XV. *Habeas corpus.* The writ of habeas corpus shall not be suspended unless, in case of rebellion or invasion, the public safety may require it.

Paragraph XVI. *Self-incrimination.* No person shall be compelled to give testimony tending in any manner to be self-incriminating.

Paragraph XVII. *Bail; fines; punishment; arrest, abuse of prisoners.* Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted; nor shall any person be abused in being arrested, while under arrest, or in prison.

Paragraph XVIII. *Jeopardy of life or liberty more than once forbidden.* No person shall be put in jeopardy of life or liberty more than once for the same offense except when a new trial has been granted after conviction or in case of mistrial.

Paragraph XIX. *Treason.* Treason against the State of Georgia shall consist of insurrection against the state, adhering to the state's enemies, or giving them aid and comfort. No person shall be convicted of treason except on the testimony of two witnesses to the same overt act or confession in open court.

Paragraph XX. *Conviction, effect of.* No conviction shall work corruption of blood or forfeiture of estate.

Paragraph XXI. *Banishment and whipping as punishment for crime.* Neither banishment beyond the limits of the state nor whipping shall be allowed as a punishment for crime.

Paragraph XXII. *Involuntary servitude.* There shall be no involuntary servitude within the State of Georgia except as a punishment for crime after legal conviction thereof or for contempt of court.

Paragraph XXIII. *Imprisonment for debt.* There shall be no imprisonment for debt.

Paragraph XXIV. *Costs.* No person shall be compelled to pay costs in any criminal case except after conviction on final trial.

Paragraph XXV. *Status of the citizen.* The social status of a citizen shall never be the subject of legislation.

Paragraph XXVI. *Exemptions from levy and sale.* The General Assembly shall protect by law from levy and sale by virtue of any process under the laws of this state a portion of the property of each person in an amount of not less than \$1,600.00 and shall have authority to define to whom any such additional exemptions shall be allowed; to specify the amount of such exemptions; to provide for the manner of exempting such property and for the sale, alienation, and encumbrance thereof; and to provide for the waiver of said exemptions by the debtor.

Paragraph XXVII. *Spouse's separate property.* The separate property of each spouse shall remain the separate property of that spouse except as otherwise provided by law.

Paragraph XXVIII. *Fishing and hunting.* The tradition of fishing and hunting and the taking of fish and wildlife shall be preserved for the people and shall be managed by law and regulation for the public good.

Paragraph XXIX. *Enumeration of rights not denial of others.* The enumeration of rights herein contained as a part of this Constitution shall not be construed to deny to the people any inherent rights which they may have hitherto enjoyed.

## **ARTICLE III. LEGISLATIVE BRANCH**

### **SECTION I. LEGISLATIVE POWER**

**Paragraph I.** *Power vested in General Assembly.* The legislative power of the state shall be vested in a General Assembly which shall consist of a Senate and a House of Representatives.

### **SECTION II. COMPOSITION OF GENERAL ASSEMBLY**

**Paragraph III.** *Qualifications of members of General Assembly.* (a) At the time of their election, the members of the Senate shall be citizens of the United States, shall be at least 25 years of age, shall have been citizens of this state for at least two years, and shall have been legal residents of the territory embraced within the district from which elected for at least one year.

(b) At the time of their election, the members of the House of Representatives shall be citizens of the United States, shall be at least 21 years of age, shall have been citizens of this state for at least two years, and shall have been legal residents of the territory embraced within the district from which elected for at least one year.

**Paragraph V.** *Election and term of members.* (a) The members of the General Assembly shall be elected by the qualified electors of their respective districts for a term of two years and shall serve until the time fixed for the convening of the next General Assembly.

### **SECTION V. ENACTMENT OF LAWS**

**Paragraph II.** *Bills for revenue.* All bills for raising revenue, or appropriating money, shall originate in the House of Representatives.

**Paragraph XIII.** *Approval, veto, and override of veto of bills and resolutions.* (a) All bills and all resolutions which have been passed by the General Assembly intended to have the effect of law shall become law if the Governor approves or fails to



veto the same within six days from the date any such bill or resolution is transmitted to the Governor unless the General Assembly adjourns sine die or adjourns for more than 40 days prior to the expiration of said six days. In the case of such adjournment sine die or of such adjournment for more than 40 days, the same shall become law if approved or not vetoed by the Governor within 40 days from the date of any such adjournment.

**ARTICLE V.  
EXECUTIVE BRANCH**

**SECTION I.  
ELECTION OF GOVERNOR AND LIEUTENANT GOVERNOR**

**Paragraph I. Governor: term of office; compensation and allowances.** There shall be a Governor who shall hold office for a term of four years and until a successor shall be chosen and qualified. Persons holding the office of Governor may succeed themselves for one four-year term of office. Persons who have held the office of Governor and have succeeded themselves as hereinbefore provided shall not again be eligible to be elected to that office until after the expiration of four years from the conclusion of their term as Governor. The compensation and allowances of the Governor shall be as provided by law.

**SECTION II.  
DUTIES AND POWERS OF GOVERNOR**

**Paragraph I. Executive powers.** The chief executive powers shall be vested in the Governor. The other executive officers shall have such powers as may be prescribed by this Constitution and by law.

**ARTICLE VI.  
JUDICIAL BRANCH**

**SECTION I.  
JUDICIAL POWER**

**Paragraph I. Judicial power of the state.** The judicial power of the state shall be vested exclusively in the following classes of courts: magistrate courts, probate courts, juvenile courts, state courts, superior courts, Court of Appeals, and Supreme Court. Magistrate courts, probate courts, juvenile courts, and state courts shall be courts of limited jurisdiction. In addition, the General Assembly may establish or authorize the establishment of municipal courts and may authorize administrative agencies to exercise quasi-judicial powers. Municipal courts shall have jurisdiction over ordinance violations and such other jurisdiction as provided by law. Except as provided in this paragraph and in Section X, municipal courts, county recorder's courts and civil courts in existence on June 30, 1983, and administrative agencies shall not be subject to the provisions of this article. The General Assembly shall have the authority to confer "by law" jurisdiction upon municipal courts to try state offenses.