

House Bill 655

By: Representative Twiggs of the 8th

A BILL TO BE ENTITLED
AN ACT

1 To amend Code Section 46-3-201 of the Official Code of Georgia Annotated, relating to
2 existence of electric membership corporations under articles of incorporation and powers of
3 such corporations, so as to provide that the condemnation of property for public purposes by
4 an electric membership corporation in any county other than the county where the
5 corporation's home office is located shall be subject to approval by the board of
6 commissioners of such county; to repeal conflicting laws; and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 style="text-align:center">**SECTION 1.**

9 Code Section 46-3-201 of the Official Code of Georgia Annotated, relating to existence of
10 electric membership corporations under articles of incorporation and powers of such
11 corporations, is amended by striking in its entirety paragraph (9) of subsection (b) and
12 inserting in lieu thereof a new paragraph (9) to read as follows:

13 "(9) To acquire, own, hold, use, exercise, and, to the extent permitted by law, sell,
14 mortgage, pledge, hypothecate, and in any manner dispose of franchises, rights,
15 privileges, licenses, rights of way, and easements necessary, useful, or appropriate. Any
16 such electric membership corporation shall have the right to acquire rights of way,
17 easements, and all interests in realty necessary and appropriate to effectuate the purposes
18 of such electric membership corporation by condemnation under the same procedure and
19 terms as provided by Title 22 and any other law of this state which provides a method or
20 procedure for the condemnation of property for public purposes by all persons or
21 corporations having the privilege of exercising the right of eminent domain; provided,
22 however, that the condemnation of property for public purposes by an electric
23 membership corporation in any county other than the county where the corporation's
24 home office is located shall be subject to approval by the board of commissioners of such
25 county;".

- 1 **SECTION 2.**
- 2 All laws and parts of laws in conflict with this Act are repealed.