

Senate Bill 230

By: Senator Polak of the 42<sup>nd</sup>

A BILL TO BE ENTITLED  
AN ACT

1 To amend Chapter 29 of Title 50 of the Official Code of Georgia Annotated, relating to  
2 information technology, so as to provide that public agencies that maintain geographic  
3 information systems shall be authorized to contract for the provision of such services; to  
4 provide for related matters; to provide for an effective date; to repeal conflicting laws; and  
5 for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Chapter 29 of Title 50 of the Official Code of Georgia Annotated, relating to information  
9 technology, is amended by striking Code Section 50-29-2, which is currently reserved, and  
10 inserting in its place a new Code Section 50-29-2 to read as follows:

11 "50-29-2.

12 (a) Notwithstanding subsection (f) of Code Section 50-18-71 or Code Section 50-18-71.2,  
13 a county or municipality of the State of Georgia or a local authority created by local or  
14 general law that has created or maintains a geographic information system in electronic  
15 form may contract to distribute, sell, provide access to, or otherwise market records or  
16 information maintained in such system and may license or establish fees for providing sch  
17 records or information or providing access to such system.

18 (b) Any fees or license fees established pursuant to subsection (a) of this Code section  
19 shall be based upon the recovery of the actual development cost of creating or providing  
20 the geographic information system and upon the recovery of a reasonable portion of the  
21 costs associated with building and maintaining the geographic information system. The  
22 fees may include cost to the county, municipality, or local authority of time, equipment,  
23 and personnel in the creation, purchase, development, production, or update of the  
24 geographic information system.

25 (c) Any contract authorized by subsection (a) of this Code section shall include provisions  
26 that:

- 1 (1) Protect the security and integrity of the system;
- 2 (2) Limit the liability of the county, municipality, or local authority for providing the
- 3 services and products;
- 4 (3) Restrict the duplication and resale of the services and products provided; and
- 5 (4) Ensure that the public is fairly and reasonably compensated for the records or
- 6 information or access provided.
- 7 (d) A county, municipality, or local authority may contract with a private person or
- 8 corporation to provide the geographic information system records or information or access
- 9 to the system to members of the public as authorized by this Code section."

10 **SECTION 2.**

11 This Act shall become effective upon its approval by the Governor or upon its becoming law

12 without such approval.

13 **SECTION 3.**

14 All laws and parts of laws in conflict with this Act are repealed.