

Senate Bill 39

By: Senators Lamutt of the 21st and Johnson of the 1st

A BILL TO BE ENTITLED  
AN ACT

1 To amend Chapter 60 of Title 36 of the Official Code of Georgia Annotated, relating to  
2 general provisions applicable to counties and municipal corporations, so as to provide that  
3 counties and municipalities that require building permits for construction or renovation of  
4 buildings and structures or for the installation, replacement, or improvement of plumbing,  
5 electrical, HVAC, gas, cable, or other systems in a building or structure shall permit  
6 applicants to apply for such permits through certain electronic media and shall provide for  
7 certain alternative means of paying any fees associated with the issuance of such permits; to  
8 provide for related matters; to repeal conflicting laws; and for other purposes.

9 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

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

11 Chapter 60 of Title 36 of the Official Code of Georgia Annotated, relating to general  
12 provisions applicable to counties and municipal corporations, is amended by inserting a new  
13 Code Section 36-60-6.1 to read as follows:

14 "36-60-6.1.

15 (a) Every county and municipality that requires a permit for the construction or renovation  
16 of buildings and structures or for the installation, replacement, or improvement of  
17 plumbing, electrical, HVAC, gas, cable, or other systems within a building or structure  
18 within its jurisdiction shall ensure that the permit process of such county or municipality  
19 conforms to the provisions of this Code section.

20 (b) In addition to applying in person for a permit, every county and municipality subject  
21 to this Code section shall provide a method by which an applicant can apply for a permit  
22 by mail or through electronic media without having to apply in person. Acceptable  
23 electronic media includes, but is not limited to, facsimile transmission, electronic mail, and  
24 Internet websites.

25 (c) In addition to paying by cash, check, or money order any fees for the issuance of a  
26 permit, every county and municipality subject to this Code section shall provide for the

1 payment of such fees through the use of one or more of the following methods and may add  
2 an additional fee, not to exceed the actual cost to the county or municipality, for the cost  
3 of providing for such payments:

4 (1) By use of a major credit card;

5 (2) By use of a bank draft or wire transfer;

6 (3) By the establishment of an account by the applicant with the county or municipality  
7 which the county or municipality can debit for the payment of the fees; or

8 (4) By the establishment of a delayed or deferred payment method by which the applicant  
9 can mail or deliver payment for the fees within a reasonable period of time, which shall  
10 be not less than three business days, after making electronic application for such permit.

11 If payment is not received within the time frame specified, the county or municipality  
12 shall promptly notify the applicant. If, after notification, the applicant does not make the  
13 payment within a reasonable period of time, which shall be not less than three business  
14 days, the county or municipality is authorized to invalidate the permit and assess fines  
15 and other penalties on the applicant. Such invalidation may result in the permit being a  
16 total nullity and may subject the applicant to all penalties for failure to have a proper  
17 permit for the construction, renovation, installation, replacement, or improvement of the  
18 building or structure. In addition, if an applicant fails to pay the delayed or deferred  
19 permit fees within the specified time frame on a repeated basis, the county or  
20 municipality may, after giving reasonable notice, revoke or suspend the applicant's  
21 authority to utilize such payment method in future applications.

22 (d) When an applicant pays the fee by check, bank draft, or credit card and the check,  
23 draft, or charge is dishonored by the financial institution on which it is drawn, the county  
24 or municipality shall immediately notify the applicant and give the applicant a reasonable  
25 period of time, which shall be not less than three business days, to pay the fee and any  
26 additional fees or charges incurred by the county or municipality as a result of the dishonor.  
27 If the applicant does not pay the fee within the specified period of time, the county or  
28 municipality is authorized to invalidate the permit and assess fines and other penalties on  
29 the applicant. Such invalidation may result in the permit being a total nullity and may  
30 subject the applicant to all penalties for failure to have a proper permit for the construction,  
31 renovation, installation, replacement, or improvement of the building or structure. In  
32 addition, if an applicant's check, bank draft, or charge for payment of the delayed or  
33 deferred permit fees is dishonored, the county or municipality may, after giving reasonable  
34 notice, revoke or suspend the applicant's authority to utilize such payment method in future  
35 applications.

1 (e) Nothing in this Code section shall require any county or municipality to establish a  
2 system of permits for the construction, renovation, installation, replacement, or  
3 improvement of a building or structure."

4 **SECTION 2.**

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