

House Bill 262

By: Representative Parsons of the 29<sup>th</sup>

A BILL TO BE ENTITLED  
AN ACT

1 To amend Code Section 36-70-24 of the Official Code of Georgia Annotated, relating to  
2 criteria for service delivery strategy development, so as to provide that utility franchise fees  
3 or taxes collected by municipalities from unincorporated residents or property owners shall  
4 offset the cost of certain services provided by a county to residents or property owners in the  
5 unincorporated areas of the county; to provide an effective date; to repeal conflicting laws;  
6 and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 Code Section 36-70-24 of the Official Code of Georgia Annotated, relating to criteria for  
10 service delivery strategy development, is amended by striking subparagraph (A) of paragraph  
11 (3) and inserting in its place a new subparagraph (A) to read as follows:

12 "(3)(A) The strategy shall ensure that the cost of any service which a county provides  
13 primarily for the benefit of the unincorporated area of the county shall be borne by the  
14 unincorporated area residents, individuals, and property owners who receive the  
15 service. Further, when the county and one or more municipalities jointly fund a  
16 county-wide service, the county share of such funding shall be borne by the  
17 unincorporated residents, individuals, and property owners that receive the service.  
18 However, such strategy shall further ensure that any utility franchise fees or charges  
19 imposed by a municipality pursuant to paragraph (7) of Code Section 36-34-2, but  
20 collected from residents, individuals, or property owners not located in the  
21 municipality, shall offset any obligation identified in a strategy that a county may have  
22 to municipal residents regarding the cost of any service which the county provides  
23 primarily for the benefit of the unincorporated area of the county or jointly with a  
24 municipality. The amount of such offset shall be determined in accordance with service  
25 records of each utility company. Where such records are not available, the offset shall  
26 be calculated by dividing the amount of the utility franchise fees or taxes collected by

1 each municipality by the total population of the county, according to the most recent  
2 United States decennial census, and multiplying the resulting number by the population  
3 of the unincorporated area of the county."

4 **SECTION 2.**

5 This Act shall become effective upon its approval by the Governor or upon its becoming law  
6 without such approval.

7 **SECTION 3.**

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