

House Bill 1060

By: Representative Stephens of the 123rd

A BILL TO BE ENTITLED
AN ACT

1 To amend Title 36 of the Official Code of Georgia Annotated, relating to local government,
2 so as to provide for limits on rates and fees charged by counties, municipalities, and local
3 authorities for water utility services provided to customers located outside their jurisdictions;
4 to change certain provisions relating to county contracts for utility services and terms and
5 conditions thereof; to change certain provisions relating to nonbinding effect of city council
6 ordinances, exceptions, and municipal contracts for provision of utility services and terms
7 and conditions thereof; to change certain provisions relating to authorization for local
8 authorities to contract for utility services and conditions and limitations thereof; to repeal
9 conflicting laws; and for other purposes.

10 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

11 **SECTION 1.**

12 Title 36 of the Official Code of Georgia Annotated, relating to local government, is amended
13 by designating the existing provisions of Code Section 36-1-26, relating to county contracts
14 for utility services and terms and conditions thereof, as subsection (a) of said Code section
15 and adding a new subsection to read as follows:

16 "(b) No contract or agreement entered into or renewed on or after July 1, 2004, by a county
17 for provision of water utility services to another political subdivision of this state, a local
18 authority of such other political subdivision, or residents of such other political subdivision
19 shall charge such customers:

20 (1) For water usage at a rate more than 10 percent above the rate charged to customers
21 for such service inside the selling county; or

22 (2) Other fees related to provision of such service, including without limitation tap fees,
23 in amounts exceeding those fees charged to customers for such service inside the selling
24 county."

SECTION 2.

Said title is further amended in Code Section 36-30-3, relating to nonbinding effect of city council ordinances, exceptions, and municipal contracts for provision of utility services and terms and conditions thereof, by adding a new subsection to read as follows:

"(e) No contract or agreement entered into or renewed on or after July 1, 2004, by a municipality for provision of water utility services to another political subdivision of this state, a local authority of such other political subdivision, or residents of such other political subdivision shall charge such customers:

(1) For water usage at a rate more than 10 percent above the rate charged to customers for such service inside the selling municipality; or

(2) Other fees related to provision of such service, including without limitation tap fees, in amounts exceeding those fees charged to customers for such service inside the selling municipality."

SECTION 3.

Said title is further amended in Code Section 36-80-17, relating to authorization for local authorities to contract for utility services and conditions and limitations thereof, by adding a new subsection to read as follows:

"(c) No contract or agreement entered into or renewed on or after July 1, 2004, by a local authority for provision of water utility services to another political subdivision of this state for which such local authority is not an instrumentality, a local authority of such other political subdivision, or residents of such other political subdivision shall charge such customers:

(1) For water usage at a rate more than 10 percent above the rate charged to customers for such service inside the jurisdiction of the selling local authority; or

(2) Other fees related to provision of such service, including without limitation tap fees, in amounts exceeding those fees charged to customers for such service inside the jurisdiction of the selling local authority."

SECTION 4.

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