

House Bill 107

By: Representatives Jones of the 46th, Burkhalter of the 50th, Rice of the 51st, Mills of the 25th,
and Rogers of the 26th

A BILL TO BE ENTITLED
AN ACT

1 To amend Code Section 36-34-2 of the Official Code of Georgia Annotated, relating to
2 general powers regarding administration of municipal government, so as to provide for
3 additional requirements with respect to certain franchise fees; to provide an effective date;
4 to repeal conflicting laws; and for other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

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

7 Code Section 36-34-2 of the Official Code of Georgia Annotated, relating to general powers
8 regarding administration of municipal government, is amended by revising paragraph (7) as
9 follows:

10 "(7)(A) The power to grant franchises to or make contracts with railroads, street
11 railways, or urban transportation companies, electric light or power companies, gas
12 companies, steam-heat companies, telephone and telegraph companies, water
13 companies, and other public utilities for the use and occupancy of the streets of the city,
14 for the purpose of rendering utility services, upon such conditions and for such time as
15 the governing authority of the municipal corporation may deem wise and subject to the
16 Constitution and the general laws of this state.

17 (B) Fees paid by public utilities or companies as a result of franchise agreements or
18 contracts authorized by this paragraph shall not be included in the system-wide rate
19 base of any public utility or company. Such fees shall be charged exclusively to
20 customers located within the municipal corporations imposing the fees and shall be
21 itemized on the bills or invoices transmitted to municipal customers for utility services
22 provided."

23 style="text-align:center">**SECTION 2.**

24 This Act shall become effective on January 1, 2008.

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SECTION 3.

2 All laws and parts of laws in conflict with this Act are repealed.