

House Bill 428

By: Representatives Lewis of the 15th, Meadows of the 5th, Harbin of the 118th, Rogers of the 26th, Smith of the 131st, and others

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) The system-wide rate base of any electric utility or gas company as defined in
18 Code Section 46-1-1 shall include franchise fees."

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

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

21 style="text-align:center">**SECTION 3.**

22 All laws and parts of laws in conflict with this Act are repealed.