

House Bill 1117

By: Representatives Willard of the 49th, Wilkinson of the 52nd, and Geisinger of the 48th

A BILL TO BE ENTITLED
AN ACT

1 To amend Article 2 of Chapter 70 of Title 36 of the Official Code of Georgia Annotated,
2 relating to service delivery strategy, so as to provide that water and sewer fees charged to
3 customers located outside the geographic boundaries of a service provider shall not be higher
4 than the actual cost to provide such services to such customers; to provide that it shall be
5 against the public policy of this state for a service provider to provide services to customers
6 outside of the jurisdiction of a service provider at an amount in excess of the actual cost of
7 providing such service; to provide for a method of challenging such rates; to provide for
8 related matters; to repeal conflicting laws; and for other purposes.

9 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

10 **SECTION 1.**

11 Article 2 of Chapter 70 of Title 36 of the Official Code of Georgia Annotated, relating to
12 service delivery strategy, is amended by revising paragraph (2) of Code Section 36-70-24,
13 relating to criteria for service delivery strategy, as follows:

14 "(2)(A) The strategy shall provide that water or sewer fees charged to customers
15 located outside the geographic boundaries of a service provider shall not be arbitrarily
16 higher than the ~~fees charged to customers receiving such service which are located~~
17 ~~within the geographic boundaries of the service provider~~ actual cost of providing such
18 water or sewer services to the customers outside the geographic boundaries of the
19 service provider. It shall be against the public policy of this state for a service provider
20 to provide services to customers outside of the jurisdiction of a service provider at an
21 amount in excess of the actual cost of providing such service.

22 (B) If a governing authority disputes the ~~reasonableness~~ of water and or sewer rate
23 differentials rates imposed within its jurisdiction by another governing authority, that
24 disputing governing authority may hold a public hearing for the purpose of reviewing
25 the ~~rate differential rates~~. Following the preparation of a rate study by a qualified
26 engineer, the governing authority may challenge the ~~arbitrary rate differentials rates~~ on

behalf of its residents in a court of competent jurisdiction. Prior to such challenge, the dispute shall be submitted to some form of alternative dispute resolution;".

SECTION 2.

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