

The House Committee on Ways and Means offers the following substitute to HB 938:

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 that a franchise fee shall be deemed to be a franchise tax; to provide that a
3 municipality shall not collect a franchise tax for the operation of cable television systems
4 from residents in unincorporated areas; to provide for two public hearings relating to
5 franchise taxes; to provide for certain information on itemized bills; to provide that franchise
6 taxes may not be included in the base rates of a public utility; to provide that a municipality
7 shall not collect a franchise tax from public utilities from residents in unincorporated areas;
8 to provide that a franchise tax shall not be levied on or computed based on certain revenues;
9 to provide for related matters; to provide for an effective date; to repeal conflicting laws; and
10 for other purposes.

11 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

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

13 Title 36 of the Official Code of Georgia Annotated, relating to local government, is amended
14 in Code Section 36-18-3, relating to restriction on authority of counties and municipalities
15 to regulate cable television systems, as follows:

16 "36-18-3.

17 A county shall neither grant a franchise nor collect a franchise ~~fee~~ tax for the operation of
18 cable television systems within the corporate limits of any municipality except by
19 agreement with the municipality. A municipality shall neither grant a franchise nor collect
20 a franchise ~~fee~~ tax for the operation of cable television systems within the unincorporated
21 area of a county ~~except by agreement with the county.~~"

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

23 Said title is further amended by revising paragraph (7) of Code Section 36-34-2, relating to
24 general powers regarding administration of municipal government, as follows:

