

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:



- 1 **SECTION 4.**
- 2 All laws and parts of laws in conflict with this Act are repealed.