

House Bill 1360

By: Representative Manning of the 32nd

A BILL TO BE ENTITLED
AN ACT

1 To amend Part 5 of Article 3 of Chapter 5 of Title 12 of the Official Code of Georgia
2 Annotated, relating to public water systems, so as to revise provisions relative to allocating
3 water and waste-water usage among tenants and charging tenants for usage; to provide for
4 metering and separate charging of water to tenants in new construction; to provide for related
5 matters; to repeal conflicting laws, and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Part 5 of Article 3 of Chapter 5 of Title 12 of the Official Code of Georgia Annotated,
9 relating to public water systems, is amended by revising Code Section 12-5-180.1, relating
10 to allocating water and waste-water usage among tenants and charging tenants for usage, to
11 read as follows:

12 "12-5-180.1.

13 (a) ~~The~~ Except as otherwise provided in subsection (c) of this Code section, the owner or
14 operator of a building containing residential units may install equipment or use an
15 economic allocation methodology to determine the quantity of water that is provided to the
16 tenants and used in the common areas of such a building; and the owner of such a building
17 may charge tenants separately for water and waste-water service based on usage as
18 determined through the use of such equipment or allocation methodology.

19 (b) The owner or operator of a building containing residential units may charge tenants
20 separately for water and waste-water service, provided that the total amount of the charges
21 to the tenants of such a building shall not exceed the total charges paid by the owner or
22 operator for water and waste-water service for such building plus a reasonable fee for
23 establishing, servicing, and billing for water and waste-water service and provided, further,
24 that the terms of the charges are disclosed to the tenants prior to any contractual agreement.

25 (c) The owner or operator of a newly constructed building or structure, not including a
26 renovated building, permitted after January 1, 2009, containing residential units shall install

1 equipment to measure the quantity of water that is provided to each tenant; and the owner
2 or operator of such a building shall charge tenants separately for water service based on
3 actual use per unit, provided that the total amount of charges to the tenants of such a
4 building shall not exceed the total charges paid by the owner or operator for water service
5 for such a building plus a reasonable fee for establishing, servicing, and billing for water
6 service and provided, further, that the terms of the charges are disclosed to the tenants prior
7 to any contractual agreement.
8 (d) Subsection (c) of this Code section shall not apply to any construction of a building
9 containing residential units the contract for which was entered into prior to January 1,
10 2009."

11 **SECTION 2.**

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