

House Bill 1203

By: Representative Stephens of the 164th

A BILL TO BE ENTITLED
AN ACT

1 To amend Code Section 36-70-24 of the Official Code of Georgia Annotated, relating to
2 criteria for service delivery strategy development, so as to provide that utility franchise fees
3 or taxes collected by municipalities from unincorporated residents, individuals, or property
4 owners shall offset the cost of certain services provided by a county in the unincorporated
5 areas of the county; to provide an effective date; to repeal conflicting laws; and for other
6 purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 Code Section 36-70-24 of the Official Code of Georgia Annotated, relating to criteria for
10 service delivery strategy development, is amended by revising subparagraph (A) of
11 paragraph (3) as follows:

12 “(3)(A) The strategy shall ensure that the cost of any service which a county provides
13 primarily for the benefit of the unincorporated area of the county shall be borne by the
14 unincorporated area residents, individuals, and property owners who receive the
15 service. Further, when the county and one or more municipalities jointly fund a
16 county-wide service, the county share of such funding shall be borne by the
17 unincorporated residents, individuals, and property owners that receive the service.
18 Such strategy shall further ensure that any utility franchise fees or charges imposed by
19 a municipality pursuant to paragraph (7) of Code Section 36-34-2 collected from
20 residents, individuals, or property owners located within the unincorporated area of the
21 county in which the municipality is located but not located in the municipality shall
22 offset any obligation identified in a strategy that a county may have to municipal
23 residents regarding the cost of any service which the county provides primarily for the
24 benefit of the unincorporated area of the county or jointly with a municipality. The
25 amount of such offset shall be determined in accordance with service records of each
26 utility company. Where such records are not available, the offset shall be calculated by

27 dividing the amount of the utility franchise fees or taxes collected by each municipality
28 by the total population of the county, according to the most recent United States
29 decennial census, and multiplying the resulting number by the population of the
30 unincorporated area of the county."

31 **SECTION 2.**

32 This Act shall become effective upon its approval by the Governor or upon its becoming law
33 without such approval.

34 **SECTION 3.**

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