

House Bill 717

By: Representative Cox of the 102nd

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 and coordinated and comprehensive planning by local
3 government, so as to provide for the automatic extension of service delivery strategy
4 agreements to avoid the imposition of financial sanctions upon local governing authorities;
5 to provide for related matters; to provide for an effective date and applicability; to repeal
6 conflicting laws; and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 Article 2 of Chapter 70 of Title 36 of the Official Code of Georgia Annotated, relating to
10 service delivery and coordinated and comprehensive planning by local government, is
11 amended by revising Code Section 36-70-28, relating to defining "affected municipality" and
12 review and revision of a local government service delivery strategy, as follows:

13 "36-70-28.

14 (a) As used in this Code section, the term 'affected municipality' means each municipality
15 required to adopt a resolution approving the local government service delivery strategy
16 pursuant to subsection (b) of Code Section 36-70-25.

17 (b) Each county and affected municipality shall review, and revise if necessary, the
18 approved strategy:

19 (1) In conjunction with updates of the comprehensive plan as required by Article 1 of
20 this chapter;

21 (2) Whenever necessary to change service delivery or revenue distribution arrangements;

22 (3) Whenever necessary due to changes in revenue distribution arrangements;

23 (4) In the event of the creation, abolition, or consolidation of local governments;

24 (5) When the existing service delivery strategy agreement expires; or

25 (6) Whenever the county and affected municipalities agree to revise the strategy.

26 (c) In the event that a county or an affected municipality located within the county refuses
27 to review and revise, if necessary, a strategy in accordance with paragraphs (2) and (3) of
28 subsection (b) of this Code section, then any of the parties may use the alternative dispute
29 resolution and appeal procedures set forth in subsection (d) of Code Section 36-70-25.1.
30 If for any reason the county and the affected municipalities in the county fail to adopt a
31 new or revised service delivery strategy agreement prior to the expiration of an existing
32 service delivery strategy agreement, such existing agreement shall be automatically
33 extended for a period of 60 days. If a new or revised service delivery strategy agreement
34 is not entered into before the expiration of the 60 day extension provided for in this
35 subsection, then the existing service delivery strategy agreement shall be automatically
36 extended for an additional 12 months beginning on the last day of the 60 day extension
37 period."

38 **SECTION 2.**

39 This Act shall become effective upon its approval by the Governor or upon its becoming law
40 without such approval and shall apply to all service delivery strategy agreements in effect on
41 or after January 1, 2009.

42 **SECTION 3.**

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