

House Bill 174

By: Representative Mills of the 25th

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, so as to change certain provisions regarding water or
3 sewer fees; to provide an effective date; to repeal conflicting laws; and for other purposes.

4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

5 SECTION 1.

6 Code Section 36-70-24 of the Official Code of Georgia Annotated, relating to criteria for
7 service delivery strategy, is amended by revising paragraph (2) as follows:

8 "(2)(A) The strategy shall provide that water or sewer fees and rates charged to
9 customers located outside the geographic boundaries of a service provider shall not be
10 arbitrarily higher than the fees and rates charged to customers receiving such service
11 which are located within the geographic boundaries of the service provider.

12 (B) If a governing authority disputes the reasonableness of water and sewer fee and
13 rate differentials imposed within its jurisdiction by another governing authority, that
14 disputing governing authority may hold a public hearing for the purpose of reviewing
15 the fee and rate differential. ~~Following the preparation of a rate study by a qualified~~
16 ~~engineer, the~~ The governing authority may challenge the arbitrary fee and rate
17 differentials on behalf of its residents ~~in a court of competent jurisdiction. Prior to such~~
18 ~~challenge, by submitting~~ the dispute ~~shall be submitted~~ to some form of alternative
19 dispute resolution. If the dispute fails to be resolved by such alternative dispute
20 resolution, then the governing authority may continue such challenge in a court of
21 competent jurisdiction.

22 (C) For purposes of this paragraph, fees shall include, but not be limited to, any
23 account fees or other customer fees charged to customers by the service provider;"

24 **SECTION 2.**

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

27 **SECTION 3.**

28 All laws and parts of laws in conflict with this Act are repealed.