

Senate Bill 279

By: Senators Brown of the 26th and Staton of the 18th

**AS PASSED SENATE**

**A BILL TO BE ENTITLED  
AN ACT**

1 To amend an Act known as the "Macon-Bibb County Water and Sewerage Authority Act,"  
2 approved March 2, 1966 (Ga. L. 1966, p. 4991), as amended, particularly by an Act approved  
3 March 23, 1992 (Ga. L. 1992, p. 4991), so as to provide for the appointment of certain  
4 members of the governing authority and their qualifications and period of service; to provide  
5 that the authority shall not exercise any development powers after a certain date; to provide  
6 for the payment of a franchise fee; to provide for related matters; to provide for a contingent  
7 effective date; to repeal conflicting laws; and for other purposes.

8 **BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:**

9 **SECTION 1.**

10 An Act known as the "Macon-Bibb County Water and Sewerage Authority Act," approved  
11 March 2, 1966 (Ga. L. 1966, p. 4991), as amended, particularly by an Act approved  
12 March 23, 1992 (Ga. L. 1992, p. 4991), is amended by revising paragraph (1) of  
13 subsection (b) of Section 2 as follows:

14 "(b)(1) Except as otherwise provided in subsection (c) of this section, the authority shall  
15 consist of seven members, five of whom shall be elected as provided in this section. The  
16 two remaining members shall be members of the council of Macon-Bibb County  
17 appointed by the mayor of Macon-Bibb County."

18 **SECTION 2.**

19 Said Act is further amended by revising paragraph (1) of subsection (c) of Section 2 as  
20 follows:

21 (c)(1) In the 2012 general election, candidates shall be elected from Districts 2 and 3 and  
22 serve for terms of four years thereafter. In the 2014 general election candidates shall be  
23 elected from Districts 1, 4, and 5. Candidates elected from such districts shall take office  
24 on the first day of January following their election and serve for a term of office of four  
25 years and until their successors are duly elected and qualified. Thereafter, successors to

26 the elected members of the authority shall be elected in the general election conducted  
27 immediately prior to the expiration of the term of office for which they offer as  
28 candidates, shall take office on the first day of January following their election, and shall  
29 serve for terms of office of four years and until the election and qualification of their  
30 successors. Members of the authority from the council of Macon-Bibb County shall be  
31 appointed by the mayor of Macon-Bibb County, and such members shall serve on the  
32 authority at the pleasure of the mayor of Macon-Bibb County and only so long as they  
33 are members of the council of Macon-Bibb County."

34 **SECTION 3.**

35 Said Act is further amended by revising paragraph (7) of Section 5 as follows:

36 "(7) To construct, erect, acquire, own, repair, remodel, maintain, add to, extend, improve,  
37 equip, operate, and manage projects, the cost of any such project to be paid in whole or in  
38 part from the proceeds of revenue bonds of the authority or from such proceeds and any  
39 grant from the United States of America or any agency or instrumentality thereof or from  
40 the State of Georgia or any agency, instrumentality, or political subdivision thereof;  
41 provided, however, that, on and after January 1, 2016, the authority shall no longer exercise  
42 any development authority or powers;".

43 **SECTION 4.**

44 Said Act is further amended by adding a new section to read as follows:

45 "SECTION 27A.

46 Beginning January 1, 2016, the authority shall pay a franchise fee to the governing authority  
47 of Macon-Bibb County in an amount equal to 6 percent of its gross operating revenues. Such  
48 fee shall be paid on a monthly basis or as may be agreed to by the authority and the  
49 governing authority of Macon-Bibb County."

50 **SECTION 5.**

51 This Act shall become effective on January 1, 2016, provided that an Act is passed by the  
52 General Assembly during the 2011-2012 session providing for the consolidation of the  
53 governments of the City of Macon and Bibb County and such Act is approved and ratified  
54 by the respective electors of the City of Macon and Bibb County at the 2012 general election.  
55 Otherwise, this Act shall be repealed on January 1, 2013, and shall be of no force and effect.

56 **SECTION 6.**

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