

House Bill 41

By: Representatives Willard of the 51<sup>st</sup>, Wilkinson of the 52<sup>nd</sup>, Riley of the 50<sup>th</sup>, Geisinger of the 48<sup>th</sup>, Mitchell of the 88<sup>th</sup>, and others

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 strategies, so as to change certain provisions relating to water and  
3 sewer fees charged to customers located outside a service provider's geographical  
4 boundaries; to repeal conflicting laws; and for other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

6 style="text-align:center">**SECTION 1.**

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

9 (2)(A) The strategy shall provide that water or sewer fees charged to customers located  
10 outside the geographic boundaries of a service provider shall not be ~~arbitrarily~~ higher  
11 than the fees charged to similar customers receiving such service which are located  
12 within the geographic boundaries of the service provider unless otherwise provided by  
13 contract between the service provider and the governing authority for the affected  
14 county or municipality outside the geographic boundaries of the service provider;

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

22 style="text-align:center">**SECTION 2.**

23 All laws and parts of laws in conflict with this Act are repealed.