

House Bill 241

By: Representatives Efration of the 104th, Hightower of the 68th, Clark of the 98th, Martin of the 49th, Dudgeon of the 25th, and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Code Section 46-4-164 of the Official Code of Georgia Annotated, relating to
2 construction of article, electric membership corporations and EMC gas affiliates, and
3 liquified petroleum gas, so as to provide that municipal owned gas distribution companies
4 which provide services outside the municipal corporate limits shall be subject to the "Natural
5 Gas Competition and Deregulation Act"; to repeal conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Code Section 46-4-164 of the Official Code of Georgia Annotated, relating to construction
9 of article, electric membership corporations and EMC gas affiliates, and liquified petroleum
10 gas, is amended by revising subsection (a) as follows:

11 "(a)(1) Except as provided in paragraph (2) of this subsection, nothing ~~Nothing~~ in this
12 article shall be deemed to apply or impose requirements not otherwise existing on gas
13 distribution companies owned by any county, municipality, other political subdivision,
14 or governmental authority of this state; nor are the provisions of this article intended to
15 increase or decrease the authority and jurisdiction of the commission with respect to the
16 distribution, sale, or transportation of gas by any county, municipality, other political
17 subdivision, or governmental authority of this state. ~~Nothing~~ Except as provided in
18 paragraph (2) of this subsection, nothing in this article shall be construed to limit or
19 otherwise affect the existing powers of municipal corporations or other political
20 subdivisions of this state relating to the granting of franchises or the levying or imposition
21 of taxes, fees, or charges.

22 (2) The provisions of paragraph (1) of this subsection shall apply with respect to
23 municipalities only for the provision of services solely within the corporate boundaries
24 of a municipality. Municipal owned gas distribution companies which provide services
25 outside the corporate boundaries of such municipality shall be subject to the provisions
26 of this article."

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SECTION 2.

28 All laws and parts of laws in conflict with this Act are repealed.