

The House Committee on Energy, Utilities and Telecommunications offers the following substitute to SB 191:

A BILL TO BE ENTITLED
AN ACT

1 To amend Chapter 9 of Title 25 of the Official Code of Georgia Annotated, relating to
2 blasting or excavating near utility facilities, so as to change certain provisions relating to
3 notice to be given prior to blasting or excavating; to prohibit local governing authorities from
4 enforcing ordinances or resolutions which impose certain fines for violating ordinances or
5 resolutions setting forth certain marking or location requirements; to provide for related
6 matters; to repeal conflicting laws; and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 Chapter 9 of Title 25 of the Official Code of Georgia Annotated, relating to blasting or
10 excavating near utility facilities, is amended by revising subsection (c) of Code Section
11 25-9-6, relating to prerequisites to blasting or excavating and marking of sites, as follows:

12 "(c) Except as otherwise provided in this subsection, notice given pursuant to subsection
13 (a) of this Code section shall expire ~~21~~ 30 calendar days following the date of such notice,
14 and no blasting or excavating undertaken pursuant to this notice shall continue after such
15 time has expired. In the event that the blasting or excavating which is the subject of the
16 notice given pursuant to subsection (a) of this Code section will not be completed within
17 ~~21~~ 30 calendar days following the date of such notice, an additional notice must be given
18 in accordance with subsection (a) of this Code section for the locate request to remain
19 valid. Additional notices for an existing request shall not expand the tract or parcel of land
20 upon which the blasting or excavation is to take place."

21 **SECTION 2.**

22 Said chapter is further amended by adding a new Code section to read as follows:

23 "25-9-11.1.

24 No local governing authority shall enforce any ordinance or resolution which imposes fines
25 for a violation of a local ordinance or resolution that establishes requirements for white

26 lining, marking of utility facilities, re-marking of utility facilities, or otherwise locating
27 utility facilities or sewer laterals for any locate request or large project."

28 **SECTION 3.**

29 All laws and parts of laws in conflict with this Act are repealed.