

Senate Bill 162

By: Senators Brass of the 28th, Gooch of the 51st, Dugan of the 30th, Miller of the 49th,
Ginn of the 47th and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Title 36 of the Official Code of Georgia Annotated, relating to local government,
2 so as to provide for disaster mitigation improvements and broadband services infrastructure
3 in projects of downtown development authorities and development authorities; to provide for
4 definitions; to provide for related matters; 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 Title 36 of the Official Code of Georgia Annotated, relating to local government, is amended
8 in Code Section 36-42-3, relating to definitions relative to downtown development
9 authorities, by revising subparagraph (B) of paragraph (6) and by adding new paragraphs to
10 read as follows:

11 "(1.1) 'Broadband services infrastructure' means infrastructure, facilities, and equipment
12 supplying wired or wireless service that consists of the capability to transmit data at a rate
13 of not less than 25 megabits per second in the downstream direction and at least 3
14 megabits per second in the upstream direction to end users and in combination with such
15 service provides:

16 (A) Access to the internet; or

17 (B) Computer processing, information storage, or protocol conversion.

18 Such term shall include any application or information content to be provided over such
19 a service."

20 "(2.1) 'Disaster mitigation improvements' means improvements designed to reduce
21 damage to real property or improvements thereto caused by a natural disaster, or an
22 improvement that reduces repetitive loss recognized by the National Flood Insurance
23 Program, the Community Rating System, or the Federal Emergency Management Agency
24 or is recommended by the Insurance Institute for Business and Home Safety FORTIFIED
25 program. As used in this paragraph, the term 'natural disaster' has the meaning provided
26 for in subsection (a) of Code Section 50-1-9."

27 "(B) The provision of financing to property owners for the purpose of installing or
 28 modifying improvements to their property in order to reduce the energy or water
 29 consumption on such property, or to install an improvement to such property that
 30 produces energy from renewable resources, to install one or more disaster mitigation
 31 improvements, or to install broadband services infrastructure from any public right of
 32 way to any residential structure located on property abutting such right of way."

SECTION 2.

34 Said title is further amended in Code Section 36-62-2, relating to definitions relative to
 35 development authorities, by revising subparagraph (K.1) of paragraph (6) and by adding new
 36 paragraphs to read as follows:

37 "(1.1) 'Broadband services infrastructure' means infrastructure, facilities, and equipment
 38 supplying wired or wireless service that consists of the capability to transmit data at a rate
 39 of not less than 25 megabits per second in the downstream direction and at least 3
 40 megabits per second in the upstream direction to end users and in combination with such
 41 service provides:

42 (A) Access to the internet; or

43 (B) Computer processing, information storage, or protocol conversion.

44 Such term shall include any application or information content to be provided over such
 45 a service."

46 "(3.1) 'Disaster mitigation improvements' means improvements designed to reduce
 47 damage to real property or improvements thereto caused by a natural disaster, or an
 48 improvement that reduces repetitive loss recognized by the National Flood Insurance
 49 Program, the Community Rating System, or the Federal Emergency Management Agency
 50 or is recommended by the Insurance Institute for Business and Home Safety FORTIFIED
 51 program. As used in this paragraph, the term 'natural disaster' has the meaning provided
 52 for in subsection (a) of Code Section 50-1-9."

53 "(K.1) The provision of financing to property owners for the purpose of installing or
 54 modifying improvements to their property in order to reduce the energy or water
 55 consumption on such property, or to install an improvement to such property that
 56 produces energy from renewable resources, to install one or more disaster mitigation
 57 improvements, or to install broadband services infrastructure from any public right of
 58 way to any residential structure located on property abutting such right of way;"

SECTION 3.

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