

House Bill 1384

By: Representatives Scoggins of the 14th, Efstoration of the 104th, Burchett of the 176th, Kelley of the 16th, Cannon of the 172nd, and others

A BILL TO BE ENTITLED

AN ACT

1 To amend Code Section 36-34-2 of the Official Code of Georgia Annotated, relating to
2 powers relating to administration of government generally, so as to require municipalities to
3 remit a portion of revenue generated through certain franchise agreements to the county in
4 which they are located; to provide for related matters; to repeal conflicting laws; and for
5 other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Code Section 36-34-2 of the Official Code of Georgia Annotated, relating to powers relating
9 to administration of government generally, is amended by revising paragraph (7) as follows:
10 "(7)(A) The power to grant franchises to or make contracts with railroads, street
11 railways, or urban transportation companies, electric light or power companies, gas
12 companies, steam-heat companies, telephone companies, water companies, and other
13 public utilities for the use and occupancy of the streets of the city, for the purpose of
14 rendering utility services, upon such conditions and for such time as the governing
15 authority of the municipal corporation may deem wise and subject to the Constitution
16 and the general laws of this state.

17 (B) The amount of fees collected from customers of public utilities or companies as a
18 result of franchise agreements or contracts authorized by this paragraph shall be
19 itemized on bills or invoices transmitted to customers for utility services. The
20 requirements of this subparagraph shall not apply to fees that are included in the
21 system-wide charges or base rates of a public utility or company subject to a franchise
22 agreement or contract.

23 (C) Each municipality shall remit 25 percent of the total revenue generated from
24 franchise agreements or contracts with electric light or power companies authorized by
25 this paragraph to the county in which such municipality is located. For municipalities
26 located in more than one county, the total amount remitted to the counties shall be
27 divided pro rata based on each county's population according to the most recent United
28 States decennial census with each county's population including only the
29 unincorporated population of the county."

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SECTION 2.

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