

House Bill 207

By: Representatives Jones of the 46<sup>th</sup>, Hembree of the 67<sup>th</sup>, Maxwell of the 17<sup>th</sup>, Casas of the 103<sup>rd</sup>, and Sellier of the 136<sup>th</sup>

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 general powers regarding administration of municipal government, so as to provide for an  
3 exemption with respect to certain fees; to provide an effective date; to repeal conflicting  
4 laws; and for other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

6 **SECTION 1.**

7 Code Section 36-34-2 of the Official Code of Georgia Annotated, relating to general powers  
8 regarding administration of municipal government, is amended by revising paragraph (7) as  
9 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 and telegraph companies, water  
13 companies, and other public utilities for the use and occupancy of the streets of the city,  
14 for the purpose of rendering utility services, upon such conditions and for such time as  
15 the governing authority of the municipal corporation may deem wise and subject to the  
16 Constitution and the general laws of this state.

17 (B) Public entities including, but not limited to, this state, state agencies, departments,  
18 boards, bureaus, the university system, counties, municipalities, school districts, other  
19 subdivisions of this state, and authorities and other instrumentalities of public entities  
20 shall be exempt from fees collected pursuant to this paragraph other than fees that are  
21 included in the system-wide base rates of a public utility or company subject to a  
22 franchise agreement or contract."

23 **SECTION 2.**

24 This Act shall become effective on January 1, 2008.

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**SECTION 3.**

2 All laws and parts of laws in conflict with this Act are repealed.