

House Bill 513

By: Representatives LaHood of the 175<sup>th</sup>, Anderson of the 10<sup>th</sup>, Burchett of the 176<sup>th</sup>, Corbett of the 174<sup>th</sup>, and Prince of the 132<sup>nd</sup>

A BILL TO BE ENTITLED  
AN ACT

1 To amend Article 2 of Chapter 70 of Title 36 of the Official Code of Georgia Annotated,  
2 relating to service delivery, so as to revise provisions related to the county share of funding  
3 for jointly funded county-wide services be borne by unincorporated residents; to provide for  
4 annual reports thereof; to provide for related matters; to provide for an effective date; to  
5 repeal conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Article 2 of Chapter 70 of Title 36 of the Official Code of Georgia Annotated, relating to  
9 service delivery, is amended by revising Code Section 36-70-24, relating to criteria for  
10 service delivery strategy, as such Code section becomes effective on January 1, 2026, as  
11 follows:

12 "36-70-24.

13 In the development of a service delivery strategy, the following criteria shall be met:

14 (1) The strategy shall promote the delivery of local government services in the most  
15 efficient, effective, and responsive manner. The strategy shall identify steps which will  
16 be taken to remediate or avoid overlapping and unnecessary competition and duplication

17 of service delivery and shall identify the time frame in which such steps shall be taken.  
18 When a municipality provides a service at a higher level than the base level of service  
19 provided throughout the geographic area of the county by the county, such service shall  
20 not be considered a duplication of the county service;

21 (2)(A) The strategy shall provide that water or sewer fees charged to customers located  
22 outside the geographic boundaries of a service provider shall not be arbitrarily higher  
23 than the fees charged to customers receiving such service which are located within the  
24 geographic boundaries of the service provider.

25 (B) If a governing authority disputes the reasonableness of water and sewer rate  
26 differentials imposed within its jurisdiction by another governing authority, that  
27 disputing governing authority may hold a public hearing for the purpose of reviewing  
28 the rate differential. Following the preparation of a rate study by a qualified engineer,  
29 the governing authority may challenge the arbitrary rate differentials on behalf of its  
30 residents in a court of competent jurisdiction. Prior to such challenge, the dispute shall  
31 be submitted to some form of alternative dispute resolution;

32 (3)(A) The strategy shall ensure that the cost of any service which a county provides  
33 primarily for the benefit of the unincorporated area of the county shall be borne by the  
34 unincorporated area residents, individuals, and property owners who receive the  
35 service. Further, when the county and one or more municipalities jointly fund a  
36 county-wide service, the county share of such funding shall be borne by the  
37 unincorporated residents, individuals, and property owners that receive the service.

38 (B) Such funding shall be derived from:

39 (i) Any one or more of the following sources:

40 ~~(i)~~(I) Special service districts created by the county in which ad valorem property  
41 taxes, assessments, or user fees are levied or imposed;

42 ~~(ii)~~(II) Grants;

43 ~~(iii)~~(III) Any one or more of the following taxes and fees: solid waste franchise  
 44 fees, cable ~~Cable~~ franchise fees, alcohol excise taxes, alcohol licensing fees,  
 45 financial institution taxes, hotel-motel taxes, occupation taxes, railroad equipment  
 46 taxes, insurance premium taxes, rental car excise taxes, impact fees, stormwater  
 47 fees, zoning fees, or title ad valorem taxes, but excluding any amounts of such taxes  
 48 ~~or~~ and fees to the extent such amount is derived from incorporated areas of the  
 49 county; and

50 ~~(iv)~~(IV) Revenues apportioned to the county as part of an intergovernmental  
 51 agreement from the county and one or more municipalities; or

52 ~~(v)~~(ii) Through such other mechanism agreed upon by the parties approving the  
 53 strategy which complies with the intent of subparagraph (A) of this paragraph; ~~and,~~

54 ~~(C)~~(i) The strategy shall require the county to provide an annual report to each party  
 55 to the strategy that:

56 (I) Identifies the total amount of funds received by the county from the funding  
 57 sources utilized under division (i) or (ii) of subparagraph (B) of this paragraph for  
 58 the provision of county services provided primarily for the benefit of the  
 59 unincorporated area of the county and the county's share of any countywide service  
 60 funded with one or more municipalities; and

61 (II) The total cost to the county of providing the services described in  
 62 subdivision (I) of this division.

63 (ii) The provisions of this subparagraph shall not require any party to the strategy to  
 64 establish separate accounts for such funds; and

65 (4)(A) Local governments within the same county shall, if necessary, amend their land  
 66 use plans so that such plans are compatible and nonconflicting, or, as an alternative,  
 67 they shall adopt a single land use plan for the unincorporated and incorporated areas of  
 68 the county.

69 (B) The provision of extraterritorial water and sewer services by any jurisdiction shall  
70 be consistent with all applicable land use plans and ordinances."

71 **SECTION 2.**

72 This Act shall become effective on January 1, 2026.

73 **SECTION 3.**

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