

Senate Bill 370

By: Senators Gooch of the 51st, Brass of the 28th, Kennedy of the 18th, Albers of the 56th,
Jordan of the 6th and others

AS PASSED

**A BILL TO BE ENTITLED
AN ACT**

1 To amend Title 46 of the Official Code of Georgia Annotated, relating to public utilities and
2 public transportation, so as to provide for compliance with certain safety and permit
3 requirements when electric easements are utilized for broadband services; to provide for a
4 definition; to provide for related matters; to repeal conflicting laws; and for other purposes.

5 **BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:**

6 **SECTION 1.**

7 Title 46 of the Official Code of Georgia Annotated, relating to public utilities and public
8 transportation, is amended in Code Section 46-3-205, relating to use of easements, by adding
9 a new subsection to read as follows:

10 "(c) Nothing in this Code section shall in any way affect, abrogate, or eliminate the
11 obligation of an owner of an electric easement that is located on, along, over, across, or
12 under property owned or controlled by a railroad company or state agency to comply with
13 the application, review, safety, and permit requirements of such railroad company or state
14 agency for projects of the nature contemplated by this Code section. Such requirements
15 may include, but are not limited to, insurance coverage and responsibility of the owner of
16 an electric easement to pay for costs incurred by a railroad company or state agency related
17 to such requirements, such as safety measures and engineering review costs. For purposes
18 of this subsection, the term 'state agency' means any department, division, board, bureau,
19 commission, or other agency of the state government or any state authority."

20 **SECTION 2.**

21 All laws and parts of laws in conflict with this Act are repealed.