

House Bill 513 (AS PASSED HOUSE AND SENATE)

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

A BILL TO BE ENTITLED
AN ACT

1 To amend Chapter 60 of Title 36 of the Official Code of Georgia Annotated, relating to
2 general provisions applicable to counties and municipal corporations, so as to authorize
3 continuance of existing local ordinances related to video surveillance at gas stations; to
4 amend Article 2 of Chapter 70 of Title 36 of the Official Code of Georgia Annotated, relating
5 to service delivery, so as to revise provisions related to the county share of funding for jointly
6 funded county-wide services be borne by unincorporated residents; to provide for annual
7 reports thereof; to provide for review and revisions to approved strategies; to provide for
8 related matters; to provide for effective dates; to repeal conflicting laws; and for other
9 purposes.

10 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

11 **SECTION 1.**

12 Chapter 60 of Title 36 of the Official Code of Georgia Annotated, relating to general
13 provisions applicable to counties and municipal corporations, is amended by revising Code
14 Section 36-60-32, relating to video surveillance equipment at locations where the retail sale
15 of automotive gasoline occurs, as follows:

16 "36-60-32.

17 A county, municipal corporation, or consolidated government shall not require the
18 placement of video surveillance equipment in the interior or exterior of any business or
19 location where the retail sale of automotive gasoline, as that term is defined in Code
20 Section 10-1-232, occurs; provided, however, that a county, municipal corporation, or
21 consolidated government which, prior to May 6, 2024, has adopted one or more ordinances
22 related to the placement of video surveillance equipment at any business or location where
23 the retail sale of automotive gasoline occurs is authorized to continue regulating the
24 placement of said video surveillance equipment pursuant to any such ordinances adopted
25 prior to May 6, 2024."

26

SECTION 2.

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

31 "36-70-24.

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

33 (1) The strategy shall promote the delivery of local government services in the most
34 efficient, effective, and responsive manner. The strategy shall identify steps which will
35 be taken to remediate or avoid overlapping and unnecessary competition and duplication
36 of service delivery and shall identify the time frame in which such steps shall be taken.
37 When a municipality provides a service at a higher level than the base level of service
38 provided throughout the geographic area of the county by the county, such service shall
39 not be considered a duplication of the county service;

40 (2)(A) The strategy shall provide that water or sewer fees charged to customers located
41 outside the geographic boundaries of a service provider shall not be arbitrarily higher

42 than the fees charged to customers receiving such service which are located within the
43 geographic boundaries of the service provider.

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

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

57 (B) Such funding shall be derived from:

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

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

61 (ii)(II) Grants;

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

69 ~~(iv)~~(IV) Revenues apportioned to the county as part of an intergovernmental
70 agreement from the county and one or more municipalities; or
71 ~~(v)~~(ii) Through such other mechanism agreed upon by the parties approving the
72 strategy which complies with the intent of subparagraph (A) of this paragraph; ~~and~~
73 (C)(i) The strategy shall require the county to provide an annual report to each party
74 to the strategy that:
75 (I) Identifies the total amount of funds received by the county from the funding
76 sources utilized under division (i) or (ii) of subparagraph (B) of this paragraph for
77 the provision of county services provided primarily for the benefit of the
78 unincorporated area of the county and the county's share of any countywide service
79 funded with one or more municipalities; and
80 (II) The total cost to the county of providing the services described in
81 subdivision (I) of this division.
82 (ii) The provisions of this subparagraph shall not require any party to the strategy to
83 establish separate accounts for such funds; and
84 (4)(A) Local governments within the same county shall, if necessary, amend their land
85 use plans so that such plans are compatible and nonconflicting, or, as an alternative,
86 they shall adopt a single land use plan for the unincorporated and incorporated areas of
87 the county.
88 (B) The provision of extraterritorial water and sewer services by any jurisdiction shall
89 be consistent with all applicable land use plans and ordinances."

90 **SECTION 3.**

91 Said article is further amended by revising Code Section 36-70-28, relating to review and
92 revision of approved strategy, as such Code section becomes effective on January 1, 2026,
93 as follows:

94 "36-70-28.

95 (a) As used in this Code section, the term 'affected municipality' means the county seat and
96 each municipality of at least 500 persons.

97 (b) In addition to the ten-year update required by paragraph (1) of subsection (a) of Code
98 Section 36-70-21, each county and affected municipality shall review and revise the
99 approved strategy:

100 (1) Whenever necessary due to changes in revenue distribution arrangements;

101 (2) In the event of the creation, abolition, or consolidation of local governments;

102 (3) When the existing service delivery strategy agreement expires; and

103 (4) Whenever the county and affected municipalities agree to revise the strategy.

104 (b.1)(1) In the event that a change in service delivery or revenue distribution
105 arrangements affects less than all of the local governments that are parties to the approved
106 strategy, an amendment to the strategy limited to such changed service or services or
107 revenue distribution arrangements between only those specific local governments may
108 be submitted solely by the affected local governments and without the approval of the
109 other nonimpacted county and affected municipalities in the county whose approval
110 would otherwise be required under subsection (b) of Code Section 36-70-25.

111 (2) Any amendments to the approved strategy or revenue distribution arrangement which
112 affect less than all of the local governments that are parties to the approved strategy shall
113 be subject to review and revision whenever the service delivery strategy affecting the
114 county and all municipalities within the county becomes subject to review and revision
115 under paragraph (1) of subsection (a) of Code Section 36-70-21 or subsection (b) of this
116 Code section.

117 (c) No amendment to Code Section 36-70-24 made by the General Assembly shall
118 constitute an event necessitating review and revision to an approved strategy under
119 subsection (b) of this Code section.

120 (d) In the event that a county or an affected municipality located within the county refuses
121 to review and revise a strategy in accordance with paragraph (2) of subsection (b) of this

122 Code section, then any of the parties may use the mediation or nonbinding arbitration
123 processes provided for in this article.”

124 **SECTION 4.**

125 (a) Section 1 of this Act shall become effective on July 1, 2025.

126 (b) Sections 2 and 3 of this Act shall become effective on January 1, 2026.

127 **SECTION 5.**

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