

House Bill 77

By: Representative Holt of the 112th

A BILL TO BE ENTITLED
AN ACT

1 To amend Article 8 of Chapter 3 of Title 22 of the Official Code of Georgia Annotated,
2 relating to electric transmission lines, so as to provide for the burden of proof for the route
3 selected for the location of an electric transmission line; to provide for related matters; to
4 provide for an effective date; to repeal conflicting laws; and for other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

6 style="text-align:center">**SECTION 1.**

7 Article 8 of Chapter 3 of Title 22 of the Official Code of Georgia Annotated, relating to
8 electric transmission lines, is amended by revising Code Section 22-3-161, relating to
9 selection of route for electric transmission line and settlement negotiations with property
10 owners, as follows:

11 "22-3-161.

12 (a) On and after July 1, 2004, before exercising the right of eminent domain for purposes
13 of constructing or expanding an electric transmission line described in subsection (a) of
14 Code Section 22-3-160.1, the utility shall select a practical and feasible route for the
15 location of the electric transmission line. In selecting the route for the location of the
16 electric transmission line, the utility shall consider existing land uses in the geographic area
17 where the line is to be located, existing corridors, existing environmental conditions in the
18 area, engineering practices related to the construction and operation of the line, and costs
19 related to the construction, operation, and maintenance of the line.

20 (b) After the utility has selected the preferred route for the location of an electric
21 transmission line, the utility shall attempt in good faith to negotiate a settlement with each
22 property owner from whom the utility needs to acquire property rights for the line. In
23 connection with the negotiations, the utility shall provide the property owner with a written
24 offer to purchase the property rights, a document that describes the property rights, and a
25 drawing that shows the location of the line on the owner's property.

26 (c) The requirements of subsections (a) and (b) of this Code section shall not apply to an
27 electric transmission line described in subsection (d) of Code Section 22-3-160.1.

28 (d) The utility shall bear the burden of proof by the evidence presented that the route for
29 the location of the electric transmission line was selected in accordance with this Code
30 section."

31 **SECTION 2.**

32 This Act shall become effective upon its approval by the Governor or upon its becoming law
33 without such approval.

34 **SECTION 3.**

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