

The Senate Committee on State and Local Governmental Operations - General offered the following substitute to HB 1407:

A BILL TO BE ENTITLED
AN ACT

1 To amend Chapter 70 of Title 36 of the Official Code of Georgia Annotated, relating to
2 coordinated and comprehensive planning and service delivery by counties and municipalities,
3 so as to revise provisions for establishing, negotiating, reviewing, revising, and filing local
4 government service delivery strategies; to revise provisions related to funds derived from
5 certain special districts; to revise the dispute resolution process; to provide for judicial
6 resolution of certain disputes; to revise provisions related to sanctions; to require and limit
7 the promulgation of certain rules and regulations; to provide for related matters; to provide
8 for an effective date; to repeal conflicting laws; and for other purposes.

9 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

10 **SECTION 1.**

11 Chapter 70 of Title 36 of the Official Code of Georgia Annotated, relating to coordinated and
12 comprehensive planning and service delivery by counties and municipalities, is amended by
13 revising Article 2, relating to service delivery, as follows:

14

"ARTICLE 2

15 36-70-20.

16 The intent of this article is to provide a flexible framework within which local governments
17 in each county can develop a service delivery system that is both efficient and responsive
18 to citizens in their county. The General Assembly recognizes that the unique
19 characteristics of each county throughout the state preclude a mandated legislative outcome
20 for the delivery of services in every county. The process provided by this article is
21 intended to minimize inefficiencies resulting from duplication of services and competition
22 between local governments and to provide a mechanism to resolve disputes over local
23 government service delivery, funding equity, and land use. The local government service
24 delivery process should result in the minimization of ~~noncompatible~~ incompatible
25 municipal and county land use plans and in a simple, concise agreement describing which
26 local governments will provide which service in specified areas within a county and how
27 provision of such services will be funded.

28 36-70-21.

29 (a) Each county and municipality shall execute an agreement for the implementation of a
30 local government service delivery strategy as set forth in this article by July 1, 1999;

31 (1) By December 31st of each year following the year in which the county's ten-year
32 comprehensive plan update is due in accordance with the rules promulgated by the
33 department pursuant to this chapter or Article 1 of Chapter 8 of Title 50; and

34 (2) Within 180 days of the occurrence of an event requiring review and revision pursuant
35 to subsection (b) of Code Section 36-70-28.

36 (b) For municipalities located within multiple counties, the review and deadline for an
37 agreement for the implementation of a local government service delivery strategy shall be

38 applicable for the portion of the municipality that lies within a given county in conjunction
 39 with such county's review and deadline.

40 (c) The provisions of this article shall not apply to any consolidated government in which
 41 no other municipal corporation exists within the county.

42 36-70-22.

43 (a)(1) Each county shall initiate the process for developing a local government service
 44 delivery strategy after July 1, 1997, but no later than January 1, 1998 required by
 45 paragraph (1) of subsection (a) of Code Section 36-70-21 no earlier than April 1st and no
 46 later than July 1st of the year following any year in which the county's ten-year
 47 comprehensive plan update is due.

48 (2) Each county shall initiate the process for developing a local government service
 49 delivery strategy required by a triggering event under paragraph (2) of subsection (a) of
 50 Code Section 36-70-21 no later than 30 days following the occurrence of the event. If
 51 the county does not initiate such process within the 30 day period, any municipality in the
 52 county may initiate the process.

53 (3) Any municipality affected by a change in service delivery or revenue distribution
 54 arrangements as described in subsection (b.1) of Code Section 36-70-28 may initiate the
 55 process of amending a local government service delivery strategy pursuant to
 56 subsection (b.1) of Code Section 36-70-28.

57 (b) Initiation of the strategy shall be accomplished by the provision of a written notice
 58 from the county to the governing bodies of all municipalities located wholly or partially
 59 within the county or providing services within the county and to other counties providing
 60 services within the county. Such notice shall:

61 (1) State state the date, time, and place for a joint meeting at which designated
 62 representatives of all local governing bodies shall assemble for the purpose of
 63 commencing deliberations on the service delivery strategy. ~~The notice shall be:~~

64 (2) Be sent not more than 45 and not less than 15 days prior to the meeting date; and

65 (3) Identify all local governments to which the notice will be delivered.

66 (c) In the event the county governing authority fails to initiate the process by January 1,
67 1998 July 1 of the year following any year in which the county's ten-year comprehensive
68 plan update is due, any municipality within the county may do so by sending a written
69 notice, containing the required information, to the county and all other municipalities.

70 36-70-22.1.

71 (a) Within 60 days of the initiation of the process for developing a local government
72 service delivery strategy, all local governments that received the written notice provided
73 for in Code Section 36-70-22 shall provide all other local governments identified in such
74 written notice with a written proposal of a local government service delivery strategy
75 containing the components required by Code Section 36-70-23, and in compliance with the
76 criteria required by Code Section 36-70-24 together with all such factual information, data,
77 and evidence supporting such proposal.

78 (b) Such written proposal for each local government may be modified periodically with
79 written notice provided to all local governments that received the written notice provided
80 for in Code Section 36-70-22; provided, however, that written proposals shall be finalized
81 by each local government prior to an agreement to enter into nonbinding arbitration under
82 Code Section 36-70-25.2 and the judicial process provided for in Code Section 36-70-25.3.
83 Modifications to written proposals pursuant to this subsection may include written
84 responses to any written proposal of another local government in the same county.

85 (c) All such written proposals and supporting documentation shall be considered public
86 records and subject to disclosure pursuant to Code Section 50-18-71.

87 36-70-23.

88 Each local government service delivery strategy shall include the following components:

- 89 (1) An identification of all local government services presently provided or primarily
90 funded by each general purpose local government and each authority within the county,
91 or providing services within the county, and a description of the geographic area in which
92 the identified services are provided by each jurisdiction;
- 93 (2) An assignment of which local government or authority, pursuant to the requirements
94 of this article, will provide each service, the geographic areas of the county in which such
95 services are to be provided, and a description of any services to be provided by any local
96 government to any geographic area outside its geographical boundaries. In the event two
97 or more local governments within the county are assigned responsibility for providing
98 identical services within the same geographic area, the strategy shall include an
99 explanation of such arrangement;
- 100 (3) A description of the source of the funding for each service identified pursuant to
101 paragraph (2) of this Code section; and
- 102 (4) An identification of the mechanisms to be utilized to facilitate the implementation of
103 the services and funding responsibilities identified pursuant to paragraphs (2) and (3) of
104 this Code section.

105 36-70-23.1.

106 The department shall develop state-wide mapping standards in consultation with the
107 Georgia Geospatial Advisory Council created under Article 13 of Chapter 8 of Title 50,
108 which shall be used for any service delivery strategy for which the parties elect to describe
109 geographic areas for local government services within each county by using maps. Such
110 state-wide mapping standards shall include standards for describing geographical areas to
111 include by jurisdiction level, census tract, and parcel number. The department shall
112 promulgate such mapping standards by rule or regulation on or before March 1, 2026.

113 36-70-24.

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

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

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

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

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

139 (B) Such funding shall be derived from:

140 (i) Special ~~special~~ service districts created by the county in which ad valorem
141 property taxes, insurance premium taxes, assessments, or user fees are levied or
142 imposed;

143 (ii) Grants;

144 (iii) Cable franchise fees, alcohol excise taxes, financial institution taxes, hotel-motel,
145 occupation taxes, railroad equipment taxes, insurance premium taxes, rental car excise
146 taxes, impact fees, stormwater fees or title ad valorem taxes, excluding any amounts
147 of such taxes or fees to the extent such amount is derived from incorporated areas of
148 the county;

149 (iv) Revenues apportioned to the county as part of an intergovernmental agreement
150 from the county and one or more municipalities; or

151 (v) Through ~~through~~ such other mechanism agreed upon by the ~~affected~~ parties
152 approving the strategy which complies with the intent of subparagraph (A) of this
153 paragraph; and

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

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

160 36-70-25.

161 (a) ~~Approval of the local government service delivery strategy shall be accomplished as~~
162 ~~provided for in this Code section.~~

163 ~~(b)~~ The county and each municipality within the county shall participate in the
164 development of the strategy.

165 ~~(b) Approval of the a local government service delivery~~ strategy shall be accomplished by
 166 adoption of a resolution:

167 (1) By the county governing authority;

168 (2) By the governing authority of municipalities located within the county which have
 169 a population of 9,000 or greater within the county;

170 (3) By the municipality which serves as the county site if not included in paragraph (2)
 171 of this subsection; and

172 (4) By no less than 50 percent of the remaining municipalities within the county which
 173 contain at least 500 persons within the county if not included in paragraph (2) or (3) of
 174 this subsection.

175 (c) For the purpose of determining population for the purposes of this article, the
 176 population in the most recent United States decennial census shall be utilized.

177 ~~(d) The adoption of a service delivery strategy specified in Code Section 36-70-21 may~~
 178 ~~be extended to a date certain no later than 120 days following the date otherwise specified~~
 179 ~~in Code Section 36-70-21 upon written agreement of the local governments enumerated in~~
 180 ~~subsection (b) of this Code section. In the event such an agreement is executed, the~~
 181 ~~sanctions specified in Code Section 36-70-27 shall not apply until on and after such~~
 182 ~~extended date.~~

183 36-70-25.1.

184 (a) As used in this Code section, the term 'affected municipality' means the county seat and
 185 each municipality of at least 500 persons ~~required to adopt a resolution approving the local~~
 186 ~~government service delivery strategy pursuant to subsection (b) of Code Section 36-70-25.~~

187 (b) If a county and the affected municipalities in the county ~~do not~~ are unable to reach an
 188 agreement on ~~a service delivery strategy, the provisions of this Code section shall be~~
 189 ~~followed as the process to resolve the dispute~~ all services within 90 days of initiation of the
 190 process provided for in Code Section 36-70-22, the county and all affected municipalities

191 shall, by such ninetieth day, commence mediation in an attempt to reach a final agreement.
192 Such mediation shall be limited to discussing only those services and geographic areas
193 which remain to be agreed upon.

194 ~~(c) If a county and the affected municipalities in the county are unable to reach an~~
195 ~~agreement on the strategy prior to the imposition of the sanctions provided in Code~~
196 ~~Section 36-70-27, a means for facilitating an agreement through some form of alternative~~
197 ~~dispute resolution shall be employed. Where the alternative dispute resolution action is~~
198 ~~unsuccessful, the neutral party or parties shall prepare a report which shall be provided to~~
199 ~~each governing authority and made a public record. The cost of alternative dispute~~
200 ~~resolution authorized by this subsection shall be shared by the parties to the dispute pro rata~~
201 ~~based on each party's population according to the most recent United States decennial~~
202 ~~census. The county's share shall be based upon~~ The costs of the mediation process
203 undergone pursuant to this Code section shall be shared by the parties to the mediation pro
204 rata based on each party's population according to the most recent United States decennial
205 census with the county's population including only the unincorporated population of the
206 county.

207 ~~(d) In the event that the county and the affected municipalities in the county fail to reach~~
208 ~~an agreement after the imposition of sanctions provided in Code Section 36-70-27, then the~~
209 ~~following process is available to the parties:~~

210 ~~(1)(A) The county or any affected municipality located within the county may file a~~
211 ~~petition in superior court of the county seeking mandatory mediation. Such petition~~
212 ~~shall be assigned to a judge, pursuant to Code Section 15-1-9.1 or 15-6-13, who is not~~
213 ~~a judge in the circuit in which the county is located. The judge selected may also be a~~
214 ~~senior judge pursuant to Code Section 15-1-9.2 who resides in another circuit.~~

215 ~~(B) The visiting or senior judge shall appoint a mediator within 30 days of receipt of~~
216 ~~the petition. Mediation shall commence within 30 days of the appointment of a~~
217 ~~mediator. The mandatory mediation process shall be completed within 60 days~~

218 ~~following the appointment of the mediator. A majority of the members of the~~
219 ~~governing body of the county and each affected municipality shall attend the initial~~
220 ~~mediation. Following the initial meeting, the mediation shall proceed in the manner~~
221 ~~established at the initial meeting. If there is no agreement on how the mediation should~~
222 ~~proceed, a majority of the members of the governing body of the county and each~~
223 ~~affected municipality shall be required to attend each mediation session unless another~~
224 ~~process is agreed upon. Unless otherwise provided in accordance with paragraph (2)~~
225 ~~of this subsection, the cost of alternative dispute resolution authorized by this~~
226 ~~subsection shall be shared by the parties to the dispute pro rata based on each party's~~
227 ~~population according to the most recent United States decennial census.~~
228 ~~(C) During the mediation process described in this subsection, the sanctions imposed~~
229 ~~pursuant to Code Section 36-70-27 may, by order of the court, be held in abeyance by~~
230 ~~the judge against any or all of the parties participating in such mediation process.~~
231 ~~(D) The judge may, by order of the court, substitute any mediation entered into~~
232 ~~pursuant to subsection (c) of this Code section for the mediation required pursuant to~~
233 ~~this subsection; and~~
234 ~~(2) If no service delivery strategy has been submitted for verification to the Department~~
235 ~~of Community Affairs at the conclusion of the mediation, any aggrieved party may~~
236 ~~petition the superior court and seek resolution of the items remaining in dispute. The~~
237 ~~visiting or senior judge shall conduct an evidentiary hearing or hearings as such judge~~
238 ~~deems necessary and render a decision with regard to the disputed items. In rendering~~
239 ~~the decision, the judge shall consider the required elements of a service delivery strategy~~
240 ~~with a goal of achieving the intent of this article as specified in Code Section 36-70-20.~~
241 ~~It shall be in the discretion of the judge to hold the sanctions specified in Code~~
242 ~~Section 36-70-27 against one or more of the parties in abeyance pending the disposition~~
243 ~~of the action. The court is authorized to utilize its contempt powers to obtain compliance~~
244 ~~with its decision relating to the disputed items under review. The judge shall be~~

245 authorized to impose mediation costs and court costs against any party upon a finding of
246 bad faith.

247 ~~(e) The court shall notify, or cause to be notified, the Department of Community Affairs~~
248 ~~in the event that penalties are abated during the pendency of mediation or litigation held~~
249 ~~pursuant to subsection (d) of this Code section. A notice shall also be sent in the event~~
250 ~~penalties become applicable to the parties.~~

251 ~~(f) Any service delivery agreement implemented as a result of the process set forth in this~~
252 ~~Code section shall remain in effect until revised pursuant to Code Section 36-70-28.~~

253 36-70-25.2.

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

256 (b)(1) After completing the mediation process required by Code Section 36-70-25.1, but
257 prior to the 180th day following the initiation of the process under this article, the county
258 and any affected municipalities with outstanding disagreements related to the service
259 delivery strategy may elect to begin nonbinding arbitration in an attempt to resolve only
260 such outstanding disagreements.

261 (2) Evidence presented as part of any such nonbinding arbitration shall be limited to
262 information included in the written proposals required by Code Section 36-70-22.1 and
263 any written documentation associated with the required mediation conducted pursuant to
264 Code Section 36-70-25.1.

265 (3) Within 15 days of the conclusion of the evidentiary phase of the nonbinding
266 arbitration, the arbitrator shall issue to the parties its written decision, which shall be
267 considered a public record and subject to disclosure pursuant to Code Section 50-18-71.

268 (c)(1) The costs of the arbitration process undergone pursuant to this Code section shall
269 be shared by the parties to the arbitration pro rata based on each party's population

270 according to the most recent United States decennial census with the county's population
271 including only the unincorporated population of the county.

272 (2) Notwithstanding the provisions of paragraph (1) of this subsection, if the arbitrator
273 issues a written determination that any party or parties advanced a position that lacked
274 substantial justification, which shall mean substantially frivolous, substantially
275 groundless, or substantially vexatious, the costs shall be borne by such party or parties
276 that advanced such position.

277 36-70-25.3.

278 (a) As used in this Code section, the term 'participating local government' means:

279 (1) Any county that completed the mediation process required by Code
280 Section 36-70-25.1 and requested or participated in non-binding arbitration pursuant to
281 Code Section 36-70-25.2; and

282 (2) Any municipality required to adopt a resolution approving the local government
283 service delivery strategy pursuant to subsection (b) of Code Section 36-70-25 that
284 completed the mediation process required by Code Section 36-70-25.1 and requested or
285 participated in non-binding arbitration pursuant to Code Section 36-70-25.2.

286 (b) Subsequent to the completion of the mediation process required by Code
287 Section 36-70-25.1 and non-binding arbitration, if any, requested pursuant to Code
288 Section 36-70-25.2, a participating local government with outstanding disagreements
289 related to the service delivery strategy may petition the superior court of the county to
290 resolve such disagreements. Such petition shall be assigned pursuant to Code
291 Section 15-1-9.1 or Code Section 15-6-13 to a judge who is not a judge in the circuit in
292 which the county is located and is a senior judge under Code Section 15-1-9.2.

293 (c) The assigned judge shall conduct one or more evidentiary hearings as he or she
294 determines are necessary and render a decision with regard to the disputed items. In

295 rendering the decision, such judge shall consider the required elements of a service delivery
296 strategy and seek to satisfy the intent of this article as provided in Code Section 36-70-20.

297 (d) Evidence presented as part of the judicial process established by this Code section
298 shall be limited to:

299 (1) Information included in the written proposals required by Code Section 36-70-22.1;

300 (2) Written documentation associated with the required mediation conducted pursuant
301 to Code Section 36-70-25.1; and

302 (3) The decision or final report issued with respect to any nonbinding arbitration
303 conducted pursuant to Code Section 36-70-25.2.

304 (e) The assigned judge shall be authorized to utilize the power of contempt to obtain
305 compliance with the decision rendered pursuant to this Code section.

306 36-70-26.

307 (a) Each county shall file the agreement for the implementation of strategy required by
308 Code Section 36-70-21 with the department after the agreement has been adopted by
309 resolution as provided for in Code Section 36-70-25.

310 (b) The department shall, within 30 days of receipt, verify that the strategy includes the
311 components enumerated in Code Section 36-70-23 and the minimum criteria enumerated
312 in Code Section 36-70-24. The department, however, shall neither approve nor disapprove
313 the specific elements or outcomes of the strategy.

314 (c) In the event that no agreement is properly filed by a county by December 31 of the year
315 following the year in which the county's ten-year comprehensive plan update is due or
316 within 180 days of the triggering event under paragraph (2) of subsection (a) of Code
317 Section 36-70-21, the department shall notify the affected local governments and all
318 relevant state agencies that the jurisdictions are out of compliance with the laws regarding
319 service delivery strategies, and the sanctions provided for in Code Section 36-70-27 shall
320 apply; provided, however, that, in the event the local governments are participating in a

321 nonbinding arbitration pursuant to Code Section 36-70-25.2, the deadline shall not be
322 extended for more than 180 days.

323 (d) The department shall promulgate rules and regulations only to the extent necessary to
324 implement the provisions of this Code section.

325 36-70-27.

326 (a)(1) No state administered financial assistance or grant, loan, or permit shall be issued
327 to any local government or authority which is not included in a ~~department verified~~
328 strategy local government service delivery strategy that the department has verified as
329 meeting the requirements of Code Section 36-70-26, or for any project which is
330 inconsistent with such strategy; provided, however, that a municipality or authority
331 located or operating in more than one county shall be included in a department verified
332 strategy for each county wherein the municipality or authority is located or operating.

333 (2) Paragraph (1) of this subsection shall not apply to any:

334 (A) Drinking drinking water or wastewater project of the Georgia Environmental
335 Finance Authority;

336 (B) Public safety or Environmental Protection Division permits; or

337 (C) County, municipality, or authority that establishes to the satisfaction of the
338 department through the adoption of a resolution that such county, municipality, or
339 authority does not have any outstanding disagreements related to the service delivery
340 strategy and is not otherwise responsible for such service delivery strategy not being
341 verified by the department

342 ~~or of any local government or authority if such project is a proposed drinking water~~
343 ~~supply reservoir or any water withdrawal, treatment, distribution, or other potable water~~
344 ~~facility associated with such reservoir and the project shall furnish potable water to~~
345 ~~wholesale users in incorporated areas in one or more counties. Within one year after such~~
346 ~~proposed drinking water supply reservoir becomes operational, the local governments and~~

347 ~~authorities in the affected county or counties shall update their service delivery strategy~~
348 ~~or strategies to be consistent with water supply arrangements resulting from the operation~~
349 ~~of such reservoir.~~

350 ~~(b)(1) If a municipality containing fewer than 500 persons within the county fails to~~
351 ~~establish a process to resolve disputes as required by subparagraph (C) of paragraph (4) of~~
352 ~~Code Section 36-70-24, the sanctions specified in subsection (a) of this Code section shall~~
353 ~~not be imposed upon:~~

354 ~~(A) The county within which any such municipality or portion of any such~~
355 ~~municipality is located; or~~

356 ~~(B) Any other municipality located in such county.~~

357 ~~(2) The provisions of this subsection shall apply only if a process to resolve disputes~~
358 ~~required by subparagraph (C) of paragraph (4) of Code Section 36-70-24 has been~~
359 ~~established between the county and each municipality containing 500 or more persons~~
360 ~~within the county.~~

361 ~~(c) Any local government or authority which is subject to the sanctions specified in~~
362 ~~subsection (a) of this Code section shall become eligible for state administered financial~~
363 ~~assistance or grants, loans, or permits on the first day of the month following verification~~
364 ~~by the department that the requirements of Code Section 36-70-26 have been met.~~

365 ~~(c) The sanctions specified in subsection (a) of this Code section shall not apply to any~~
366 ~~state administered financial assistance or grant, loan, or permit that the applicable state~~
367 ~~agency or department determines is intended to address any of the following:~~

368 ~~(1) A state of emergency declared by any federal, state, or local emergency management~~
369 ~~agency, official, or authority;~~

370 ~~(2) A natural disaster;~~

371 ~~(3) Any set of conditions or circumstances that pose a danger to the health, safety, or~~
372 ~~welfare of any person or property; or~~

373 ~~(4) The order of any federal or state agency or court.~~

374 36-70-28.

375 (a) As used in this Code section, the term 'affected municipality' means the county seat and
 376 each municipality of at least 500 persons required to adopt a resolution approving the local
 377 government service delivery strategy pursuant to subsection (b) of Code Section 36-70-25.

378 (b) In addition to the ten-year update required by paragraph (1) of subsection (a) of Code
 379 Section 36-70-21, each Each county and affected municipality shall review; and revise if
 380 necessary, the approved strategy:

381 ~~(1) In conjunction with updates of the comprehensive plan as required by Article 1 of~~
 382 ~~this chapter;~~

383 ~~(2) Whenever necessary to change service delivery or revenue distribution arrangements;~~

384 ~~(3) Whenever necessary due to changes in revenue distribution arrangements;~~

385 ~~(4)~~(2) In the event of the creation, abolition, or consolidation of local governments;

386 ~~(5)~~(3) When the existing service delivery strategy agreement expires; or and

387 ~~(6)~~(4) Whenever the county and affected municipalities agree to revise the strategy.

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

395 (2) Any amendments to the approved strategy or revenue distribution arrangement which
 396 affect less than all of the local governments that are parties to the approved strategy shall
 397 be subject to review and revision whenever the service delivery strategy affecting the
 398 county and all municipalities within the county becomes subject to review and revision

399 under paragraph (1) of subsection (a) of Code Section 36-70-21 or subsection (b) of this
400 Code section.

401 (c) In the event that a county or an affected municipality located within the county refuses
402 to review and revise, ~~if necessary,~~ a strategy in accordance with ~~paragraphs~~ paragraph (2)
403 ~~and (3)~~ of subsection (b) of this Code section, then any of the parties may use the
404 ~~alternative dispute resolution and appeal procedures set forth in subsection (d) of Code~~
405 ~~Section 36-70-25.1~~ mediation or nonbinding arbitration processes provided for in this
406 article.

407 36-70-29.

408 The department shall be prohibited from acting or promulgating rules or regulations
409 regarding this article except to the extent explicitly provided for in this article."

410 **SECTION 2.**

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

412 **SECTION 3.**

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