

RESOLUTION

A RESOLUTION OF THE GOVERNING AUTHORITY OF DEKALB COUNTY, GEORGIA TO THE DEKALB COUNTY DELEGATION OF THE GENERAL ASSEMBLY, REQUESTING THE GENERAL ASSEMBLY TO SUPPORT LEGISLATION RELATED TO DEKALB COUNTY'S ABILITY TO COLLECT FRANCHISE FEES

WHEREAS, Georgia law allows municipalities, but not counties, to collect franchise fees. The one exception to this rule is the franchise fee for cable companies wherein both municipalities and counties can collect a franchise fee; and

WHEREAS, the logic of franchise fees is that private corporations or businesses pay for the use of the public rights of way; and

WHEREAS, studies related to franchise fees collected by Georgia municipalities reflect that the majority of these franchise fees are for electricity use; and

WHEREAS, the majority of franchise fees can only be collected by municipalities in Georgia, the actual payment of most franchise fees comes from a wider group; and

WHEREAS, because the monies used to pay franchise fees for utilities such as gas and electricity are often built into the rate base, residents in unincorporated DeKalb County do not benefit from franchise fees, nevertheless they contribute to the payment of these fees through the payment of their utility bills; and

WHEREAS, consequently municipalities receive a substantial economic boost from citizens outside its boundaries where unincorporated county ratepayers subsidize the municipalities that collect franchise fees; and

WHEREAS, DeKalb County does not oppose municipalities collection of franchise fees; and

WHEREAS, the ability to collect franchise fees would allow DeKalb County additional resources to drive economic development in unincorporated areas; and

NOW THEREFORE, BE IT RESOLVED by the Governing Authority of DeKalb County, Georgia hereby requests that:

1. The Georgia General Assembly to amend state law to allow counties that provide urban services to collect franchise fees.
2. This local fee applies to all digital goods or services, including prewritten software delivered electronically and used by a commercial enterprise via an electronic transmission to a purchaser where such purchaser's primary purpose for the underlying transaction is the processed data or information.

3. The Executive Assistant or designee is directed to deliver a copy of this Resolution to members of the DeKalb County Delegations.

ADOPTED by the DeKalb County Board of Commissioners, this ____ day of _____, 2021.

STEPHEN R. BRADSHAW
Presiding Officer
Board of Commissioners
DeKalb County, Georgia

APPROVED by the Chief Executive Officer of DeKalb County, this ____ day of _____, 2021.

MICHAEL L. THURMOND
Chief Executive Officer