

Senate Bill 459

By: Senators Shafer of the 48th, Goggans of the 7th and Carter of the 1st

**AS PASSED SENATE**

**A BILL TO BE ENTITLED  
AN ACT**

1 To amend Article 1 of Chapter 3 of Title 46 of the Official Code of Georgia Annotated,  
2 relating to the generation and distribution of electricity generally, so as to provide that  
3 consumers may elect not to use smart meters; to provide that the Public Service Commission  
4 shall not create and regulate a surcharge for consumers who elect not to use smart meters;  
5 to provide for related matters; to repeal conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Article 1 of Chapter 3 of Title 46 of the Official Code of Georgia Annotated, relating to the  
9 generation and distribution of electricity generally, is amended by adding a new subsection  
10 to Code Section 46-3-8, relating to exceptions, grandfather rights, and other rights, to read  
11 as follows:

12 "(i) Notwithstanding any other provision of this title, the commission is authorized to  
13 provide that consumers may elect not to use smart meters of any investor owned electric  
14 light and power company subject to regulation by the commission; provided, however, that  
15 the commission shall not create and regulate a surcharge for consumers who make such an  
16 election.

17 For purposes of this subsection, the term 'smart meter' means an electric meter that is  
18 capable of recording consumption of electric energy and communicating such information  
19 utilizing two-way communication between the meter and the electric supplier for  
20 monitoring and billing purposes."

21 **SECTION 2.**

22 All laws and parts of laws in conflict with this Act are repealed.