

House Bill 858

By: Representatives Powell of the 23rd, McCall of the 90th, Porter of the 143rd, Channell of the 111th and Jamieson of the 22nd

A BILL TO BE ENTITLED
AN ACT

1 To amend Code Section 12-5-31 of the Official Code of Georgia Annotated, relating to
2 permits for withdrawal, diversion, or impoundment of surface waters and monitoring,
3 recording, and reporting water withdrawn by certain irrigation systems, so as to provide
4 restrictions on water withdrawal permits where an interbasin transfer is involved; to provide
5 an effective date; to repeal conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Code Section 12-5-31 of the Official Code of Georgia Annotated, relating to permits for
9 withdrawal, diversion, or impoundment of surface waters and monitoring, recording, and
10 reporting water withdrawn by certain irrigation systems, is amended by striking in its entirety
11 subsection (n) and inserting in lieu thereof the following:

12 ~~“(n) In the consideration of applications for permits~~ The director shall not grant any permit
13 which if granted would authorize the withdrawal and transfer of surface waters across
14 natural basins, ~~the director shall be bound by the following requirements:~~

15 ~~(1) The director shall give due consideration to competing existing uses and applications~~
16 ~~for permits which would not involve interbasin transfers of surface water and, subject to~~
17 ~~subsection (e) of this Code section, shall endeavor to allocate a reasonable supply of~~
18 ~~surface waters to such users and applicants;~~

19 ~~(2) The director shall provide a press release regarding the proposed issuance of all~~
20 ~~permits authorizing such interbasin transfer of surface waters to newspapers of general~~
21 ~~circulation in all areas of the state which would be affected by such issuance. The press~~
22 ~~release shall be provided at least seven days before the issuance of these permits. If the~~
23 ~~director should determine that sufficient public interest warrants a public hearing on the~~
24 ~~issuance of these permits, he shall cause such a hearing to be held somewhere in the area~~
25 ~~affected prior to the issuance of these permits.”~~

1 **SECTION 2.**

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

4 **SECTION 3.**

5 All laws and parts of laws in conflict with this Act are repealed.