

Senate Bill 318

By: Senator Johnson of the 1st

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 the withdrawal, diversion, or impoundment of surface waters, so as to provide  
3 that any municipal corporation in an area of the state in which the Environmental Protection  
4 Division of the Department of Natural Resources has a policy of refusing any additional  
5 permits to withdraw, divert, or impound water which on January 1, 2001, was exceeding the  
6 withdrawal limit of its permit through an error or misunderstanding and without malicious  
7 intent shall have the authority to withdraw the same amount of water per capita as the largest  
8 municipal corporation located in such area for the duration of its permit; to provide an  
9 effective date; to repeal conflicting laws; and for other purposes.

10 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

11 **SECTION 1.**

12 Code Section 12-5-31 of the Official Code of Georgia Annotated, relating to permits for the  
13 withdrawal, diversion, or impoundment of surface waters, is amended by inserting at the end  
14 thereof a new subsection to read as follows:

15 "(p) Any other provision of this Code section to the contrary notwithstanding, any  
16 municipal corporation in any area of the state in which the division has a policy of refusing  
17 any additional permits to withdraw, divert, or impound water which on January 1, 2001,  
18 was exceeding the withdrawal limit of its permit through an error or misunderstanding and  
19 without malicious intent shall be permitted to withdraw, divert, or impound the same  
20 quantity of water as the largest municipal corporation within such area is permitted to  
21 withdraw, divert, or impound on a per capita basis for the duration of its permit."

22 **SECTION 2.**

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

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- SECTION 3.
- All laws and parts of laws in conflict with this Act are repealed.