

Senate Bill 246

By: Senators Kemp of the 46th, Hudgens of the 47th, Unterman of the 45th, Crotts of the 17th, Starr of the 44th and others

A BILL TO BE ENTITLED  
AN ACT

1 To amend Article 1 of Chapter 5 of Title 12 of the Official Code of Georgia Annotated,  
2 relating to general provisions regarding water resources, so as to provide that the state shall  
3 not take over operation of, condemn, or otherwise take control of locally funded water  
4 reservoirs without paying just and adequate compensation therefor; to provide for related  
5 matters; to provide 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 Article 1 of Chapter 5 of Title 12 of the Official Code of Georgia Annotated, relating to  
9 general provisions regarding water resources, is amended by adding a new Code Section  
10 12-5-6 to read as follows:

11 "12-5-6.

12 Neither the state nor any of its departments, agencies, or authorities shall take over  
13 operation of, condemn through the exercise of the power of eminent domain, or otherwise  
14 take control of locally funded water reservoirs without paying just and adequate  
15 compensation therefor."

16 **SECTION 2.**

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

19 **SECTION 3.**

20 All laws and parts of laws in conflict with this Act are repealed.