

House Bill 1468

By: Representatives McCall of the 78th, Powell of the 23rd, and Roberts of the 131st

A BILL TO BE ENTITLED
AN ACT

1 To amend Article 1 of Chapter 8 of Title 12 of the Official Code of Georgia Annotated,
2 relating to general provisions relative to waste management, so as to redesignate certain
3 provisions relating to notice of denial of individual sewage disposal permits and duty to
4 consider such denial in ad valorem tax determinations; to amend Chapter 3 of Title 31 of the
5 Official Code of Georgia Annotated, relating to county boards of health, so as to change
6 certain provisions relating to notice of denial of individual sewage disposal permits and duty
7 to consider such denial in ad valorem tax determinations; to require action upon an
8 application for an individual sewage disposal system permit within five business days; to
9 repeal conflicting laws; and for other purposes.

10 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

11 **SECTION 1.**

12 Article 1 of Chapter 8 of Title 12 of the Official Code of Georgia Annotated, relating to
13 general provisions relative to waste management, is amended by redesignating Code Section
14 12-8-1, relating to notice of denial of individual sewage disposal permits and duty to consider
15 such denial in ad valorem tax determinations, as Code Section 31-3-11.1, and by reserving
16 the Code Section 12-8-1 designation.

17 **SECTION 2.**

18 Chapter 3 of Title 31 of the Official Code of Georgia Annotated, relating to county boards
19 of health, is amended by striking Code Section 31-3-11.1, relating to notice of denial of
20 individual sewage disposal permits and duty to consider such denial in ad valorem tax
21 determinations, and inserting in lieu thereof the following:

22 "31-3-11.1

23 (a) As used in this Code section, the term 'individual sewage disposal system' means a
24 sewage disposal system, other than a public or community sewage disposal system, serving

1 a single building, residence, or other facility designed or used for human occupancy or
2 congregation and shall include septic tank systems and pit privies.

3 (b) In any case in which an application for an individual sewage disposal system permit
4 is ~~denied~~ properly submitted, it shall be the duty of the Department of Human Resources
5 or the county board of health ~~denying~~ considering such permit to act upon the same by
6 either granting or denying the permit within five business days of receipt of the application
7 and notify the applicant, in writing, of such ~~denial~~ action. Such notices shall be mailed by
8 first-class mail within ~~15 days of the date on which the application is denied~~ the period
9 allowed by this subsection for acting upon the application. The notice shall contain the
10 name and address of the applicant, a description of the property involved, a statement as
11 to whether the permit has been granted or denied and, if denied, the reasons for denial of
12 the permit; and notification that the applicant should contact the county board of tax
13 assessors for ad valorem tax purposes. It shall be the duty of the county board of tax
14 assessors and the county tax appraisal staff of the county in which the property is located
15 to consider the denial of an individual sewage disposal system permit and the reasons for
16 such denial in determining the fair market value of such property for ad valorem tax
17 purposes."

18 **SECTION 3.**

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