

Senate Bill 436

By: Senators Williams of the 19th and Hill of the 4th

AS PASSED

A BILL TO BE ENTITLED
AN ACT

1 To provide for farm water conservation and records of measures of farm water use; to amend
2 Article 2 of Chapter 6 of Title 2 of the Official Code of Georgia Annotated, relating to soil
3 and water conservation districts, so as to create the Agricultural Water Conservation
4 Incentive Program; to provide for a purpose and participation; to provide for priorities; to
5 provide a noninclusive list of projects acceptable for assistance; to amend Title 50 of the
6 Official Code of Georgia Annotated, relating to state government, so as to change certain
7 provisions relating to when public disclosure of records is not required and disclosure of
8 exempting authority; to provide an effective date; to repeal conflicting laws; and for other
9 purposes.

10 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

11 Article 2 of Chapter 6 of Title 2 of the Official Code of Georgia Annotated, relating to soil
12 and water conservation districts, is amended by adding a new Code section at the end thereof,
13 to be designated Code Section 2-6-52, to read as follows:
14

15 "2-6-52.

16 (a) There is created the Agricultural Water Conservation Incentive Program. The program
17 shall be developed, implemented, and supervised by the State Soil and Water Conservation
18 Commission.

19 (b) The purpose of the program shall be to provide incentives to agricultural producers to
20 foster water conservation and enhance water quality.

21 (c) Participation in the program shall be voluntary.

22 (d) The program shall include all 159 counties and 40 soil and water conservation districts.

23 (e) Priority designations for inclusion in the program shall be under the authority of the
24 State Soil and Water Conservation Commission.

1 (f) Areas shall be included in the program as the funds are appropriated and the technical
 2 assistance becomes available from the local soil and water conservation district or the State
 3 Soil and Water Conservation Commission.

4 (g) Funding may be provided to assist practices including but not limited to diversions,
 5 filter strips, fencing along streams, field borders, alternative watering systems, critical area
 6 plantings, grassed waterways, terraces, surface-water retention structures, heavy-use areas,
 7 closures of farm animal manure lagoons, riparian buffers or equivalent controls, animal
 8 manure waste systems and application, manure stack houses and other manure-holding
 9 structures, irrigation system enhancements, and other projects that foster water
 10 conservation and enhance water quality.

11 (h) Priority designation for inclusion in this program for state funding shall be given to
 12 projects that foster water conservation and enhance water quality. To be eligible for cost
 13 share funds under this Code section, a project shall be evaluated before funding is awarded
 14 and after the project is completed to determine the impact on water quality."

15 **SECTION 1A.**

16 Title 50 of the Official Code of Georgia Annotated, relating to state government, is amended
 17 in subsection (a) of Code Section 50-18-72, relating to when public disclosure of records is
 18 not required and disclosure of exempting authority, by inserting a new paragraph to read as
 19 follows:

20 "(10.1) Records of farm water use by individual farms as determined by water-measuring
 21 devices installed pursuant to Code Section 12-5-31 or 12-5-105; provided, however, that
 22 compilations of such records for the 52 large watershed basins as identified by the
 23 eight-digit United States Geologic Survey hydrologic code or an aquifer that do not
 24 reveal farm water use by individual farms shall be subject to disclosure under this article;"

25 **SECTION 2.**

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

28 **SECTION 3.**

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