

House Bill 746

By: Representative Coleman of the 144<sup>th</sup>

A BILL TO BE ENTITLED  
AN ACT

1 To amend Code Section 12-5-105 of the Official Code of Georgia Annotated, relating to  
2 ground-water withdrawal permits for farm uses, notice of transfer or modification in use or  
3 capacity, nonuse, suspension or modification, priority uses, reporting and measuring water  
4 withdrawals, and no effect on existing common or statutory law, so as to provide that no fees  
5 or charges shall be made for such permits or related water-measuring devices but that such  
6 devices shall remain the property of the State Soil and Water Conservation Commission; to  
7 repeal conflicting laws; and for other purposes.

8 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

9 **SECTION 1.**

10 Code Section 12-5-105 of the Official Code of Georgia Annotated, relating to ground-water  
11 withdrawal permits for farm uses, notice of transfer or modification in use or capacity,  
12 nonuse, suspension or modification, priority uses, reporting and measuring water  
13 withdrawals, and no effect on existing common or statutory law, is amended by striking  
14 paragraph (1) of subsection (b) and inserting in lieu thereof the following:

15 "(1) A permit issued, modified, or amended after ~~July 1, 2003~~, the effective date of this  
16 paragraph for farm uses shall have annual reporting requirements, no fee, and no term and  
17 may be transferred or assigned to subsequent owners of the lands which are the subject  
18 of such permit; provided, however, that the division shall receive written notice of any  
19 such transfer or assignment, and any modification in the use or capacity conditions  
20 contained in the permit or in the lands which are the subject of such permit shall require  
21 the permittee to submit an application for review and approval by the director consistent  
22 with the requirements of this part;"

23 **SECTION 2.**

24 Said Code section is further amended by striking subparagraph (b.1)(2)(D) and inserting in  
25 lieu thereof the following:

