

The Senate Natural Resources and the Environment Committee offered the following substitute to HB 68:

A BILL TO BE ENTITLED
AN ACT

1 To amend Code Section 12-5-295 of the Official Code of Georgia Annotated, relating to
2 applicability of the Coastal Marshlands Protection Act, so as to provide an exemption for a
3 single private dock built by the owners of certain adjoining lots; to repeal conflicting laws;
4 and for other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

6 Code Section 12-5-295 of the Official Code of Georgia Annotated, relating to applicability
7 of the Coastal Marshlands Protection Act, is amended by striking the word "or" at the end
8 of paragraph (7) and by adding immediately following paragraph (7) a new paragraph as
9 follows:
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11 "(7.1) The building of a single private dock by the owners of up to four adjoining lots,
12 each of which is riparian and would qualify for an exemption as provided in
13 paragraph (7) of this Code section, for the exclusive noncommercial use of such owners
14 or their invitees and constructed as a single walkway on pilings above the marsh grass not
15 obstructing tidal flow and in a size to be determined by the department taking into
16 consideration the number of adjoining lots utilizing the dock; provided, however, that the
17 exemption provided by this paragraph shall apply only if each of the owners of such
18 adjoining lots has entered into a binding covenant that runs with the land, in favor of the
19 state, which covenant prohibits the building of any future private dock on his or her lot
20 unless the dock exempted pursuant to this paragraph is removed or converted to a
21 single-family private dock which would qualify for an exemption as provided in
22 paragraph (7) of this Code section. The granting of the exemption provided by this
23 paragraph shall be the state's consideration for the covenant of each such lot owner; or"

SECTION 2.

24 All laws and parts of laws in conflict with this Act are repealed.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