

The House Committee on Natural Resources and Environment offers the following substitute to SB 367:

A BILL TO BE ENTITLED
AN ACT

1 To amend Chapter 5 of Title 12 of the Official Code of Georgia Annotated, relating to water
2 resources, so as to extend the duration and scope of regulation of various coastal area
3 constructions; to amend Code Section 12-3-243 of the Official Code of Georgia Annotated,
4 relating to subdivision, improvement, lease, or sale of Jekyll Island and related matters, so
5 as to provide for certain protection from development; to provide an effective date; to
6 provide for applicability; to repeal conflicting laws; and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 Chapter 5 of Title 12 of the Official Code of Georgia Annotated, relating to water resources,
10 is amended by revising Code Section 12-5-329, relating to automatic repeal of the Georgia
11 Coastal Management Act, as follows:

12 "12-5-329.

13 ~~Unless reestablished or continued by the General Assembly, this part shall stand repealed~~
14 ~~in its entirety on July 1, 2009~~ Reserved."

15 **SECTION 2.**

16 Code Section 12-3-243 of the Official Code of Georgia Annotated, relating to subdivision,
17 improvement, lease, or sale of Jekyll Island and related matters, is amended by adding a new
18 paragraph to subsection (a) to read as follows:

19 "(1.1) The following described area on Jekyll Island shall be considered part of the
20 improved and developed land area of the island authorized by paragraph (1) of this
21 subsection; but such following described area shall be free and open to the general public,
22 and no additional project, development, or other improvement shall be constructed or
23 made within such following described area on or after the effective date of this paragraph,
24 except for public picnic tables, bathhouses, and restrooms: beginning on the eastern right
25 of way of Beach View Drive at a point due east of the northernmost point of the

1 convention center, thence northward along the eastern right of way of Beach View Drive
2 until it reaches a point on such right of way which is due east from the centerline at the
3 eastern end of Old Shell Road, thence due east to the Atlantic Ocean, thence southward
4 along the Atlantic Ocean shore to a point due east of the point of beginning, thence due
5 west to the point of beginning. This paragraph shall not prohibit the maintenance or
6 repair of improvements existing within such described area as of the effective date of this
7 paragraph. For purposes of the area described by this paragraph, the roads, rights of way,
8 and convention center specified shall be as the same existed on January 1, 2008."

9 **SECTION 3.**

10 This Act shall become effective upon its approval by the Governor or upon its becoming law
11 without such approval. Section 2 of this Act shall not be applied to impair an obligation of
12 any valid contract entered into prior to such effective date.

13 **SECTION 4.**

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