

Senate Bill 522

By: Senator Carter of the 1st

A BILL TO BE ENTITLED
AN ACT

1 To amend Article 1 of Chapter 5 of Title 12 of the Official Code of Georgia Annotated,
2 relating to general provisions regarding water resources, so as to provide for notices to
3 affected property owners and local governments regarding any new or revised flood
4 elevations that are proposed for any property located in the regulatory floodway or elsewhere
5 in this state; to provide for procedures, conditions, and limitations; to provide for powers,
6 duties, and responsibilities of the Department of Natural Resources and county boards of tax
7 assessors; to repeal conflicting laws; and for other purposes.

8 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

9 **SECTION 1.**

10 Article 1 of Chapter 5 of Title 12 of the Official Code of Georgia Annotated, relating to
11 general provisions regarding water resources, is amended by adding a new Code section to
12 read as follows:

13 "12-5-9.

14 (a)(1) Whenever the Federal Emergency Management Agency provides formal notice
15 under the federal Map Modernization or Risk Map programs as administered through the
16 National Flood Insurance Program regarding any new or revised flood elevations as
17 designated on preliminary flood maps for any property located in the regulatory floodway
18 or elsewhere in this state, the department shall provide notice to the county board of tax
19 assessors and to the governing authority of the county or municipality affected by the
20 revised flood map. Such notice shall be given in writing to the county board of tax
21 assessors and to the governing authority of such county or municipality by certified mail.
22 Such notices shall be sent promptly and in sufficient time to allow the governing
23 authority of such county or municipality to appeal such determinations in accordance
24 with the provisions of law.

25 (2) Within 40 days of such notification, the county board of tax assessors shall provide
26 the department with a single list of the names and addresses of all owners of properties

27 affected by new or revised flood elevations as indicated on the revised preliminary flood
28 map.

29 (3) Within 21 days of receipt of the list of names and addresses of owners of properties
30 affected by new or revised flood elevations as designated on the revised preliminary flood
31 map, the department shall provide notice to each such property owner that his or her
32 property will be affected by such new or revised flood elevations and the potential
33 implications of such changes. Such notice shall be given in writing by mail addressed to
34 the owner of record as shown on the property and tax records of the county in which such
35 property is located. Such notices shall be sent by certified mail to owners of properties
36 designated as being in the regulatory floodway and by regular mail to all other owners
37 of affected properties and shall be sent promptly and in sufficient time to allow the
38 property owners to appeal such determinations in accordance with the provisions of law.
39 At a minimum, such notices shall contain a description of the proposed new or revised
40 flood elevations and a description of the appeal process from such determinations.

41 (b) Failure to receive a notice required by subsection (a) of this Code section shall not
42 create a basis for any appeal of any new or revised flood elevation independent of the
43 appeal process established by the Federal Emergency Management Agency."

44 **SECTION 2.**

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