

House Bill 169

By: Representatives Carter of the 159th, England of the 108th, and Manning of the 32nd

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 concerning water resources, so as to require the Department
3 of Natural Resources to notify affected property owners and local governments whenever the
4 Federal Emergency Management Agency provides legal notice under the federal National
5 Flood Insurance Program of any new or revised flood elevations that are proposed for any
6 property located in this state; to provide for the manner and contents of such notices; to
7 provide for related matters; 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 concerning water resources, is amended by adding a new Code section to
12 read as follows:

13 "12-5-9.

14 (a) Whenever the Federal Emergency Management Agency provides legal notice under
15 the federal National Flood Insurance Program of any new or revised flood elevations that
16 are proposed for any property located in this state, the department shall provide notice of
17 such action to each affected property owner. Such notice shall be given in writing to the
18 owner of such affected property by certified mail addressed to the owner of record as
19 shown on the property and tax records of the county in which such property is located.
20 Such notices shall be sent promptly and in sufficient time to allow the property owners to
21 appeal such determinations in accordance with the provisions of law. At a minimum, such
22 notices shall contain a description of the proposed new or revised flood elevations and a
23 description of the appeal process from such determinations.

24 (b) In addition to the notices to the property owners required in subsection (a) of this Code
25 section, the department shall also notify each county and municipal government in which
26 any affected parcel of property is located, in whole or in part, of such proposed new or

27 revised flood elevations. Such notice shall be given in writing to the governing authority
28 of such county or municipality by certified mail. Such notices shall be sent promptly and
29 in sufficient time to allow the county or municipality to appeal such determinations in
30 accordance with the provisions of law."

31 **SECTION 2.**

32 All laws and parts of laws in conflict with this Act are repealed.