

House Bill 578

By: Representatives Stephens of the 164<sup>th</sup> and McCall of the 30<sup>th</sup>

A BILL TO BE ENTITLED  
AN ACT

1 To amend Article 3 of Chapter 5 of Title 12 of the Official Code of Georgia Annotated,  
2 relating to wells and drinking water, so as to change certain provisions relating to permits to  
3 withdraw, obtain, or use ground water; to change certain provisions relating to permits for  
4 operation of public water systems and performance bonds; to provide for related matters; to  
5 provide an effective date; to repeal conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Article 3 of Chapter 5 of Title 12 of the Official Code of Georgia Annotated, relating to  
9 wells and drinking water, is amended in Code Section 12-5-96, relating to permits to  
10 withdraw, obtain, or use ground water, by adding a new subsection to read as follows:

11 "(i) Subject to review and approval by the director, any holder of a permit under this Code  
12 section who can certify a reduction in water consumed after January 1, 2009, as a result of  
13 the initial installation and use of meters on a ground-water system permitted prior to the  
14 effective date of this subsection shall be eligible to transfer 50 percent of the saved  
15 ground-water capacity to another such permit held by the same permittee, provided that 50  
16 percent of the saved ground-water capacity shall be returned to the state. If approved, such  
17 transferable permit capacity shall be transferred only to the same permit holder within the  
18 same county or in an adjacent county and shall not be transferred to another ownership  
19 entity, the director shall adjust the permits accordingly, and the reduction in the existing  
20 permit shall be a cap on that permit."

21 **SECTION 2.**

22 Said article is further amended in Code Section 12-5-179, relating to permits for operation  
23 of public water systems and performance bonds, by adding a new subsection to read as  
24 follows:

25 "(h) Subject to review and approval by the director, any holder of a permit under this Code  
26 section who can certify a reduction in water consumed after January 1, 2009, as a result of  
27 the initial installation and use of meters on a drinking water system permitted prior to the  
28 effective date of this subsection shall be eligible to transfer 50 percent of the saved drinking  
29 water capacity to another such permit held by the same permittee, provided that 50 percent  
30 of the saved drinking water capacity shall be returned to the state. If approved, such  
31 transferable permit capacity shall be transferred only to the same permit holder within the  
32 same county or in an adjacent county and shall not be transferred to another ownership  
33 entity, the director shall adjust the permits accordingly, and the reduction in the existing  
34 permit shall be a cap on that permit."

35 **SECTION 3.**

36 This Act shall become effective on the first day of the month following the month in which  
37 it is approved by the Governor or in which it becomes law without such approval.

38 **SECTION 4.**

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