

The Senate Natural Resources and the Environment Committee offered the following substitute to HB 169:

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 provide for notices to
3 affected property owners and local governments whenever the Federal Emergency
4 Management Agency provides formal notice under the federal Map Modernization or Risk
5 Map programs as administered through the National Flood Insurance Program regarding any
6 new or revised flood elevations that are proposed for any property located in the regulatory
7 floodway in this state; to provide for the manner and contents of such notices; to provide for
8 related matters; to repeal conflicting laws; and for other purposes.

9 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

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

14 "12-5-9.

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

24 (2) Within 30 days of such notification, the county or municipal government shall
25 provide the department with names and addresses of each property owner located in the
26 regulatory floodway of the revised preliminary flood map.

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

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

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SECTION 2.

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