

House Bill 984

By: Representatives Buckner of the 130<sup>th</sup>, Smith of the 131<sup>st</sup>, Roberts of the 154<sup>th</sup>, McBrayer of the 153<sup>rd</sup>, McCall of the 30<sup>th</sup>, and others

A BILL TO BE ENTITLED  
AN ACT

1 To amend Code Section 12-5-31 of the Official Code of Georgia Annotated, relating to  
2 riparian rights regulations and permits, so as to require that permits allowing for interbasin  
3 transfers only be granted as a last resort; to repeal conflicting laws; and for other purposes.

4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

5 style="text-align:center">**SECTION 1.**

6 Code Section 12-5-31 of the Official Code of Georgia Annotated, relating to riparian rights  
7 regulations and permits, is amended by revising subsection (n) as follows:

8 "(n) No permit authorizing the withdrawal and transfer of surface waters across natural  
9 basins shall be granted unless the director determines that no other reasonable methods for  
10 obtaining water are available. In the consideration of applications for such interbasin  
11 transfer permits ~~which if granted would authorize the withdrawal and transfer of surface~~  
12 ~~waters across natural basins~~, the director shall be bound by any factors related thereto under  
13 Article 8 of this chapter or any state-wide water plan provided pursuant thereto and the  
14 following requirements:

15 (1) The director shall give due consideration to competing existing uses and applications  
16 for permits which would not involve interbasin transfers of surface water and, subject to  
17 subsection (e) of this Code section, shall endeavor to allocate a reasonable supply of  
18 surface waters to such users and applicants; and

19 (2) The director shall provide a press release regarding the proposed issuance of all  
20 permits authorizing such interbasin transfer of surface waters to newspapers of general  
21 circulation in all areas of the state which would be affected by such issuance. The press  
22 release shall be provided at least seven days before the issuance of these permits. If the  
23 director should determine that sufficient public interest warrants a public hearing on the  
24 issuance of these permits, he or she shall cause such a hearing to be held somewhere in  
25 the area affected prior to the issuance of these permits."

26

**SECTION 2.**

27 All laws and parts of laws in conflict with this Act are repealed.