

House Bill 926

By: Representative Stephens of the 164th

A BILL TO BE ENTITLED
AN ACT

1 To amend Chapter 80 of Title 36 of the Official Code of Georgia Annotated, relating to
2 general provisions applicable to counties, municipal corporations, and other governmental
3 entities, so as to prohibit local governments from requiring transfer of the ownership of
4 privately constructed water or sewage systems under certain conditions; to provide for related
5 matters; to repeal conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Chapter 80 of Title 36 of the Official Code of Georgia Annotated, relating to general
9 provisions applicable to counties, municipal corporations, and other governmental entities,
10 is amended by adding a new Code section to read as follows:

11 "36-80-24.

12 (a) Notwithstanding any other provision of law to the contrary, no municipal corporation,
13 county, or local authority except those within the Metropolitan North Georgia Water
14 Planning District area shall require the transfer of ownership of a privately constructed
15 water or sewage system that is not to be connected to a publicly owned water or sewage
16 system of said governmental entity; nor shall such governmental entity require such
17 transfer of ownership as a condition for the approval or issuance of local permits if the
18 privately constructed water or sewer system is owned and operated by a company issued
19 a permit by the Environmental Protection Division of the Department of Natural Resources
20 and whose primary business is the management and operation of such systems.

21 (b) All publicly owned existing water or sewage systems with at least 200 active
22 connections as of January 1, 2014, are exempt from the provisions of this Code section.
23 The required transfer of ownership shall also be allowed if the new privately constructed
24 water or sewage system, not including private septic systems or wells, is within a mile of
25 a governmentally owned water or sewage system. The director of the Environmental
26 Protection Division of the Department of Natural Resources may require connection and

27 transfer of ownership of such systems for issues of public health and environmental
28 quality."

29 **SECTION 2.**

30 All laws and parts of laws in conflict with this Act are repealed.