

House Bill 864

By: Representatives Caldwell of the 131<sup>st</sup>, Smith of the 134<sup>th</sup>, Buckner of the 137<sup>th</sup>, Smyre of the 135<sup>th</sup>, and Hugley of the 136<sup>th</sup>

A BILL TO BE ENTITLED  
AN ACT

1 To amend Article 2 of Chapter 5 of Title 12 of the Official Code of Georgia Annotated,  
2 relating to the control of water pollution and surface water use, so as to regulate the return  
3 of surface water to the sources from which it was withdrawn by local government entities;  
4 to provide a short title; to require monthly reporting of water usage and returns; to provide  
5 for permit modifications in the event of unsatisfactory return percentages; to repeal  
6 conflicting laws; and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 This Act shall be known and may be cited as the "Water Conservation Act of 2014."

10 **SECTION 2.**

11 Article 2 of Chapter 5 of Title 12 of the Official Code of Georgia Annotated, relating to the  
12 control of water pollution and surface water use, is amended by adding a new Code section  
13 to read as follows:

14 "12-5-31.2.

15 (a) On and after July 1, 2016, each county, municipality, consolidated government, or local  
16 government authority which holds a permit issued under Code Section 12-5-31 shall report  
17 monthly to the director:

18 (1) The total volume of surface water withdrawn under such permit during the most  
19 recently completed calendar month; and

20 (2) The total volume of surface water returned by such permit holder to the source of  
21 permitted withdrawal during the most recently completed calendar month."

22 **SECTION 3.**

23 Said article is further amended by adding a new Code section to read as follows:

24 "12-5-31.3.

25 (a) On and after July 1, 2016, if the director determines that the returned amount most  
26 recently reported under paragraph (2) of subsection (a) of Code Section 12-5-31.2 is less  
27 than 25 percent of the withdrawn amount most recently reported under paragraph (1) of  
28 subsection (a) of Code Section 12-5-31.2 for any county, municipality, consolidated  
29 government, or local government authority which holds a permit issued under Code Section  
30 12-5-31, the director shall modify the permit to impose a condition requirement that no new  
31 water service connection shall be provided for any residence, building, or facility located  
32 within the jurisdiction of the permittee until a following monthly report demonstrates that  
33 the returned amount equals or exceeds 25 percent of the withdrawn amount.

34 (b) On and after July 1, 2019, if the director determines that the returned amount most  
35 recently reported under paragraph (2) of subsection (a) of Code Section 12-5-31.2 is less  
36 than 50 percent of the withdrawn amount most recently reported under paragraph (1) of  
37 subsection (a) of Code Section 12-5-31.2 for any county, municipality, consolidated  
38 government, or local government authority which holds a permit issued under Code Section  
39 12-5-31, the director shall modify the permit to impose a condition requirement that no new  
40 water service connection shall be provided for any residence, building, or facility located  
41 within the jurisdiction of the permittee until a following monthly report demonstrates that  
42 the returned amount equals or exceeds 50 percent of the withdrawn amount.

43 (c) On and after July 1, 2024, if the director determines that the returned amount most  
44 recently reported under paragraph (2) of subsection (a) of Code Section 12-5-31.2 is less  
45 than 75 percent of the withdrawn amount most recently reported under paragraph (1) of  
46 subsection (a) of Code Section 12-5-31.2 for any county, municipality, consolidated  
47 government, or local government authority which holds a permit issued under Code Section  
48 12-5-31, the director shall modify the permit to impose a condition requirement that no new  
49 water service connection shall be provided for any residence, building, or facility located  
50 within the jurisdiction of the permittee until a following monthly report demonstrates that  
51 the returned amount equals or exceeds 75 percent of the withdrawn amount.

52 (d) The board of natural resources shall promulgate rules and regulations to carry out the  
53 provisions of this Code section no later than June 30, 2015."

54 **SECTION 4.**

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