House Bill 864
By: Representatives Caldwell of the 131st, Smith of the 134th, Buckner of the 137th, Smyre of the 135th, and Hugley of the 136th

A BILL TO BE ENTITLED
AN ACT

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water pollution and surface water use, so as to regulate the return of surface water to the sources from which it was withdrawn by local government entities; to provide a short title; to require monthly reporting of water usage and returns; to provide for permit modifications in the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

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.
This Act shall be known and may be cited as the "Water Conservation Act of 2014."

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

"12-5-31.2.
(a) On and after July 1, 2016, each county, municipality, consolidated government, or local government authority which holds a permit issued under Code Section 12-5-31 shall report monthly to the director:
(1) The total volume of surface water withdrawn under such permit during the most recently completed calendar month; and
(2) The total volume of surface water returned by such permit holder to the source of permitted withdrawal during the most recently completed calendar month."

SECTION 3.
Said article is further amended by adding a new Code section to read as follows:
“(a) On and after July 1, 2016, if the director determines that the returned amount most recently reported under paragraph (2) of subsection (a) of Code Section 12-5-31.2 is less than 25 percent of the withdrawn amount most recently reported under paragraph (1) of subsection (a) of Code Section 12-5-31.2 for any county, municipality, consolidated government, or local government authority which holds a permit issued under Code Section 12-5-31, the director shall modify the permit to impose a condition requirement that no new water service connection shall be provided for any residence, building, or facility located within the jurisdiction of the permittee until a following monthly report demonstrates that the returned amount equals or exceeds 25 percent of the withdrawn amount.

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

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

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

SECTION 4.

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