

Senate Bill 440

By: Senators Ginn of the 47th, Gooch of the 51st, Payne of the 54th, Albers of the 56th,
Jackson of the 41st and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Part 3 of Article 5 of Chapter 5 of Title 12 of the Official Code of Georgia
2 Annotated, relating to dam safety, so as to revise the definition of a dam; to repeal conflicting
3 laws; and for other purposes.

4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

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

6 Part 3 of Article 5 of Chapter 5 of Title 12 of the Official Code of Georgia Annotated,
7 relating to dam safety, is amended by revising subparagraph (A) of paragraph (4) of Code
8 Section 12-5-372, relating to definitions, as follows:

9 "(4)(A) Except as otherwise provided in subparagraph (B) of this paragraph, 'dam'
10 means any artificial barrier, including appurtenant works, which impounds or diverts
11 water and which:

12 (i) Is 25 feet or more in height from the natural bed of the stream or watercourse
13 measured at the downstream toe of the barrier, or from the lowest elevation of the
14 outside limit of the barrier, if the barrier is not across a stream channel or watercourse,
15 to the maximum water storage elevation; or

16 (ii) Has an impounding capacity at maximum water storage elevation of ~~100~~ 150
17 acre-feet or more."

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SECTION 2.

19 All laws and parts of laws in conflict with this Act are repealed.