

Senate Bill 581

By: Senators Walker III of the 20th, Ginn of the 47th, Gooch of the 51st, Dugan of the 30th and Miller of the 49th

AS PASSED

A BILL TO BE ENTITLED

AN ACT

1 To amend Chapter 4 of Title 44 of the Official Code of Georgia Annotated, relating to
2 determination of boundaries, so as to designate the most recent systems of plane coordinates
3 for defining and stating geographic positions within this state as the Georgia State Plane
4 Coordinate System; to provide for new names of the east and west zones of the coordinate
5 system; to use the National Geodetic Survey to provide the precise definition of such zones;
6 to provide alternative plane coordinates for expressing location of a point; to provide for the
7 State Board of Registration for Professional Engineers and Land Surveyors to establish by
8 rules and regulations the standard of accuracy and specifications for property surveys; to
9 provide for the use of certain terms; to provide for the conversion of distances between
10 meters and feet; to validate the use of prior coordinate systems; to amend Code Section
11 12-8-97 of the Official Code of Georgia Annotated, relating to hazardous site inventory, so
12 as to conform a cross-reference; to provide for related matters; to repeal conflicting laws; and
13 for other purposes.

14 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

15

SECTION 1.

16 To amend Chapter 4 of Title 44 of the Official Code of Georgia Annotated, relating to
17 determination of boundaries, by revising Article 2, relating to coordinate system, as follows:

18

"ARTICLE 2

19 44-4-20.

20 (a) ~~The systems of plane coordinates which have been established by the National Ocean~~
21 ~~Survey/National Geodetic Survey, formerly the United States Coast and Geodetic Survey,~~
22 ~~or its successors~~ Georgia portion of the State Plane Coordinate System as defined by the
23 National Geodetic Survey, based on the National Spatial Reference System, for defining
24 and stating the geographic positions or locations of points on the surface of the earth within
25 ~~the State of Georgia are hereafter to~~ this state shall be known and designated as the
26 ~~'Georgia Coordinate System' and the 'Georgia Coordinate System of 1985.'~~ 'Georgia State
27 Plane Coordinate System.'

28 (b) For the purpose of the use of ~~these systems~~ this system, the state is divided into an 'East
29 Zone' and a 'West Zone':

30 (1) The area now included in the following counties shall constitute the East Zone:
31 Appling, Atkinson, Bacon, Baldwin, Brantley, Bryan, Bulloch, Burke, Camden, Candler,
32 Charlton, Chatham, Clinch, Coffee, Columbia, Dodge, Echols, Effingham, Elbert,
33 Emanuel, Evans, Franklin, Glascock, Glynn, Greene, Hancock, Hart, Jeff Davis,
34 Jefferson, Jenkins, Johnson, Laurens, Liberty, Lincoln, Long, McDuffie, McIntosh,
35 Madison, Montgomery, Oglethorpe, Pierce, Richmond, Screven, Stephens, Taliaferro,
36 Tattnall, Telfair, Toombs, Treutlen, Ware, Warren, Washington, Wayne, Wheeler,
37 Wilkes, and Wilkinson; and

38 (2) The area now included in the following counties shall constitute the West Zone:
39 Baker, Banks, Barrow, Bartow, Ben Hill, Berrien, Bibb, Bleckley, Brooks, Butts,

40 Calhoun, Carroll, Catoosa, Chattahoochee, Chattooga, Cherokee, Clark, Clay, Clayton,
 41 Cobb, Colquitt, Cook, Coweta, Crawford, Crisp, Dade, Dawson, Decatur, DeKalb,
 42 Dooly, Dougherty, Douglas, Early, Fannin, Fayette, Floyd, Forsyth, Fulton, Gilmer,
 43 Gordon, Grady, Gwinnett, Habersham, Hall, Haralson, Harris, Heard, Henry, Houston,
 44 Irwin, Jackson, Jasper, Jones, Lamar, Lanier, Lee, Lowndes, Lumpkin, Macon, Marion,
 45 Meriwether, Miller, Mitchell, Monroe, Morgan, Murray, Muscogee, Newton, Oconee,
 46 Paulding, Peach, Pickens, Pike, Polk, Pulaski, Putnam, Quitman, Rabun, Randolph,
 47 Rockdale, Schley, Seminole, Spalding, Stewart, Sumter, Talbot, Taylor, Terrell, Thomas,
 48 Tift, Towns, Troup, Turner, Twiggs, Union, Upson, Walker, Walton, Webster, White,
 49 Whitfield, Wilcox, and Worth.

50 44-4-21.

51 (a) As established for use in the East Zone, the Georgia State Plane Coordinate System ~~or~~
 52 ~~the Georgia Coordinate System of 1985~~ shall be named; and, in any land description in
 53 which it is used, it shall be designated as the 'Georgia State Plane Coordinate System East
 54 Zone' or the '~~Georgia Coordinate System of 1985 East Zone.~~'

55 (b) As established for use in the West Zone, the Georgia State Plane Coordinate System
 56 "~~or the Georgia Coordinate System of 1985~~ shall be named; and, in any land description
 57 in which it is used, it shall be designated as the 'Georgia State Plane Coordinate System
 58 West Zone' or the '~~Georgia Coordinate System of 1985 West Zone.~~'

59 44-4-22.

60 The plane coordinate values for a point on the earth's surface, used to express the
 61 geographic position or location of such point in the appropriate zone of ~~this system~~ the
 62 Georgia State Plane Coordinate System, shall consist of two distances expressed in ~~U.S.~~
 63 ~~Survey feet and decimals of a foot when using the Georgia Coordinate System and~~
 64 ~~expressed in~~ either meters and decimals of a meter or, following conversion as provided

65 in Code Section ~~44-4-28~~ 44-4-27, in ~~American Survey~~ feet and decimals of a foot when
 66 using the Georgia State Plane Coordinate System of 1985. One of these distances, to be
 67 known as the '~~x-coordinate,~~' shall give the position in an east-and-west direction; the other,
 68 to be known as the '~~y-coordinate,~~' shall give the position in a north-and-south direction.
 69 ~~These coordinates shall be made to depend upon and conform to plane rectangular~~
 70 ~~coordinate values for the monumented points of the North American Horizontal Geodetic~~
 71 ~~Control Network as published by the National Ocean Survey/National Geodetic Survey,~~
 72 ~~formerly the United States Coast and Geodetic Survey, or its successors, and whose plane~~
 73 ~~coordinates have been computed on the systems defined in this article. Any such control~~
 74 ~~monument may be used for establishing a survey connection to either Georgia Coordinate~~
 75 ~~System East or x-coordinate shall give the distance east of the Y axis; the other, to be~~
 76 known as the North or y-coordinate shall give the distance north of the X axis. The Y axis
 77 of any zone shall be parallel with the central meridian of the zone. The X axis of any zone
 78 shall be perpendicular to the central meridian of that zone.

79 44-4-23.

80 When any tract of land to be defined by a single description extends from one into the other
 81 of the ~~above~~ coordinate zones established in Code Section 44-4-21, the positions of all
 82 points on its boundaries may be referred to either of the two zones, the zone which is used
 83 being specifically named in the description.

84 ~~44-4-24.~~

85 (a) ~~For purposes of more precisely defining the Georgia Coordinate System, the following~~
 86 ~~definition of the United States Coast and Geodetic Survey, now National Ocean~~
 87 ~~Survey/National Geodetic Survey, is adopted:~~

88 (1) ~~The 'Georgia Coordinate System East Zone' is a transverse Mercator projection of the~~
 89 ~~Clarke spheroid of 1866, having a central meridian eighty-two degrees ten minutes west~~

90 of Greenwich, on which meridian the scale is set one part in 10,000 too small. The origin
91 of coordinates is at the intersection of the meridian eighty-two degrees ten minutes west
92 of Greenwich and the parallel thirty degrees north latitude. This origin is given the
93 coordinates: $x = 500,000$ feet and $y = 0$ feet; and

94 (2) The 'Georgia Coordinate System West Zone' is a transverse Mercator projection of
95 the Clarke spheroid of 1866, having a central meridian eighty-four degrees ten minutes
96 west of Greenwich, on which meridian the scale is set one part in 10,000 too small. The
97 origin of coordinates is at the intersection of the meridian eighty-four degrees ten minutes
98 west of Greenwich and the parallel thirty degrees north latitude. This origin is given the
99 coordinates: $x = 500,000$ feet and $y = 0$ feet.

100 (b) For purposes of more precisely defining the Georgia Coordinate System of 1985, the
101 following definition by the National Ocean Survey/National Geodetic Survey is adopted:

102 (1) The 'Georgia Coordinate System of 1985 East Zone' is a transverse Mercator
103 projection of the North American Datum of 1983, having a central meridian eighty-two
104 degrees ten minutes west of Greenwich, on which central meridian the scale is set one
105 part in 10,000 too small. The origin of coordinates is at the intersection of the central
106 meridian eighty-two degrees ten minutes west of Greenwich and the parallel thirty
107 degrees north latitude. This origin is given the coordinates: $x = 200,000$ meters and $y =$
108 0.000 meters; and

109 (2) The 'Georgia Coordinate System of 1985 West Zone' is a transverse Mercator
110 projection of the North American Datum of 1983, having a central meridian eighty-four
111 degrees ten minutes west of Greenwich, on which central meridian the scale is set one
112 part in 10,000 too small. The origin of coordinates is at the intersection of the central
113 meridian eighty-four degrees ten minutes west of Greenwich and the parallel thirty
114 degrees north latitude. This origin is given the coordinates: $x = 700,000$ meters and $y =$
115 0.000 meters.

116 ~~44-4-25.~~ 44-4-24.

117 No coordinates based on either Georgia State Plane Coordinate System purporting to define
118 the position of a point on a land boundary shall be presented to be recorded in any public
119 land records or deed records unless such point has been connected by survey to a
120 monumented horizontal control station that is identified and has been established in
121 conformity with the standards of accuracy and specifications as ~~prepared and published by~~
122 ~~the Federal Geodetic Control Committee of the United States Department of Commerce.~~
123 ~~Standards and specifications of the Federal Geodetic Control Committee or its successors~~
124 ~~in force on the date of said survey shall apply. The publishing of the existing control~~
125 ~~stations, or the acceptance with intent to publish the newly established control stations, by~~
126 ~~the National Ocean Survey/National Geodetic Survey will constitute evidence of adherence~~
127 ~~to the Federal Geodetic Control Committee specifications~~ shall be specified by rules and
128 regulations established by the State Board of Registration for Professional Engineers and
129 Land Surveyors.

130 ~~44-4-26.~~ 44-4-25.

131 The use of the term 'Georgia State Plane Coordinate System East Zone,' 'Georgia
132 ~~Coordinate System of 1985 East Zone,~~' 'Georgia State Plane Coordinate System West
133 Zone,' or 'Georgia ~~Coordinate System of 1985 West Zone~~' on any map, report of survey,
134 or other document shall be limited to coordinates based on the Georgia State Plane
135 Coordinate Systems as defined in this article.

136 ~~44-4-27.~~ 44-27-26.

137 The term 'Grid North, Georgia East Zone' refers to the fixed north direction in the East
138 Zone, being Geodetic North for the central meridian ~~eighty-two degrees ten minutes west~~
139 ~~of Greenwich~~ of that zone. The term 'Grid North, Georgia West Zone' refers to the fixed
140 north direction in the West Zone, being Geodetic North for the central meridian ~~eighty-four~~

141 ~~degrees ten minutes west of Greenwich of that zone.~~ The applicable Grid North term and
 142 the basis of orientation shall appear on maps of survey that are purported oriented to a
 143 Georgia State Plane Coordinate System zone.

144 ~~44-4-28:~~ 44-4-27.

145 Any conversion of distances between the meter and the ~~American Survey~~ foot ~~will~~ shall
 146 be based upon the length of the meter (exactly) equals ~~39.37 inches or 3.2808333333 1/3~~
 147 3.280839895 feet.

148 ~~44-4-29:~~ 44-4-28.

149 Nothing contained in this article shall require any purchaser or mortgagee to rely on a
 150 description, any part of which depends exclusively upon the Georgia State Plane
 151 ~~Coordinate System or the Georgia Coordinate System of 1985.~~ Nothing in this article shall
 152 be so construed as to require any person, firm, or corporation to use ~~these systems~~ this
 153 system of coordinates to obtain or secure a legal description of land or real estate.

154 ~~44-4-30:~~ 44-4-29.

155 (a) Any legal description prepared under the provisions of the Georgia Coordinate System
 156 provided by an Act approved March 6, 1945 (Ga. L. 1945, p. 218), and continued as a part
 157 of this Code until July 1, 1985, shall not be invalid based on the use of such coordinate
 158 system.

159 (b) Any continual use of legal descriptions prepared under the terms of the Georgia
 160 Coordinate System provided by an Act approved March 6, 1945 (Ga. L. 1945, p. 218), and
 161 continued as a part of this Code until July 1, 1985, which have been recorded or filed in
 162 official records within ~~the State of Georgia~~ this state, shall not be invalid based on the use
 163 of such coordinate system.

164 (c) Any continual use of legal descriptions prepared under the terms of the Georgia
165 Coordinate System provided by an Act approved on March 28, 1985 (Ga. L. 1985, p. 650),
166 and continued as a part of this Code until July 1, 2022, which have been recorded or filed
167 in the official records within this state, shall not be invalid based on the use of such
168 coordinate system.

169 44-4-30.

170 (a) The use of the term 'Georgia State Plane Coordinate System' on any map, report of
171 survey, legal description, or other document shall be limited to coordinates based on the
172 Georgia State Plane Coordinate System as defined by this article.

173 (b) The provisions of this article shall not be construed to prohibit the appropriate use of
174 other geodetic reference networks.

175 ~~44-4-31.~~

176 ~~The Georgia Coordinate System provided for in the Act approved March 6, 1945 (Ga. L.~~
177 ~~1945, p. 218), shall not be used after January 1, 1990; the Georgia Coordinate System of~~
178 ~~1985 will be the sole system after said date."~~

179 **SECTION 2.**

180 Code Section 12-8-97 of the Official Code of Georgia Annotated, relating to hazardous site
181 inventory, is amended by revising subsection (d) as follows:

182 "(d) After July 1, 1993, each property owner who owns real property upon which
183 hazardous wastes, hazardous constituents, or hazardous substances have been disposed of
184 or released in amounts exceeding reportable quantities shall, within 30 days of receipt of
185 knowledge by the property owner of the release or disposal, notify the division in writing
186 on such forms as may be provided by the director. This notification shall include the
187 location, type, quantity, and date of such disposal or release, if known, and a summary of

188 actions taken to investigate, clean up, or remediate the site. Such notification shall include
189 a quadrangle map prepared in accordance with the ~~National Ocean Survey~~/National
190 Geodetic Survey or a Georgia State Plane Coordinate System pursuant to Article 2 of
191 Chapter 4 of Title 44 that clearly indicates the location of the disposal or release; provided,
192 however, that any property owner that has notified the United States Environmental
193 Protection Agency under Section 103(c) of the federal Comprehensive Environmental
194 Response, Compensation, and Liability Act of 1980, as amended, may satisfy this
195 notification requirement by submitting a copy of the 103(c) notice together with such
196 quadrangle map."

197

SECTION 3.

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