

Senate Bill 370

By: Senators Ragan of the 11th, Streat of the 19th, James of the 35th and Butler of the 55th

A BILL TO BE ENTITLED
AN ACT

To amend Chapter 5 of Title 4 of the Official Code of Georgia Annotated, known as the "Dead Animal Disposal Act," so as to change the definition of dead animals that are subject to such chapter; to prohibit certain conduct; to change the provisions relating to the disposal of dead animals and the requirement related thereto; to regulate the hauling or transportation of dead animals; to provide for permits; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Chapter 5 of Title 4 of the Official Code of Georgia Annotated, known as the "Dead Animal Disposal Act," is amended by striking Code Section 4-5-2, relating to the definition of the term "dead animals," and inserting in its place the following:

"4-5-2.

As used in this chapter, the term 'dead animals' means the carcasses, parts of carcasses, fetuses, embryos, effluent, or blood of farm livestock, including, without limitation, cattle, swine, sheep, goats, poultry, ratites, and equines equine, and alternative livestock, and pet animals associated with pet dealers, kennels, animal shelters, and bird dealers licensed by the Georgia Department of Agriculture."

SECTION 2.

Said chapter is further amended by striking Code Section 4-5-3, relating to abandonment of dead animals and requirements for disposal, and inserting in its place the following:

"4-5-3.

(a) It shall be unlawful for any person who owns or is caring for an animal which has died or has been killed to abandon the dead animal, ~~its parts, or blood~~. Such person shall dispose of the dead animal as provided for in this chapter or in rules and regulations adopted pursuant to this chapter. Under no conditions may dead animals be abandoned in wells, ~~or~~ open pits, or surface waters of any kind on private or public land.

(b) No person shall dispose of ~~an a dead~~ animal, its parts, or blood by burial or burning on the land of another without the permission of the owner of the land.

(c) Arrangements ~~for proper burial or burning~~ must be made with a city or county official in order to dispose of a dead animal in a city or county ~~dump~~ landfill."

SECTION 3.

Said chapter is further amended by striking Code Section 4-5-5, relating to methods of disposal of dead animals, and inserting in its place the following:

"4-5-5.

Methods which can be used for disposal of dead animals are burning, incineration, burial, rendering, or any method using appropriate disposal technology which has been approved by the Commissioner of Agriculture. Disposal of ~~animal carcasses~~ dead animals by any of the approved methods must be completed within 12 hours after death or discovery ~~of the carcass~~. Dead animals that ~~Carcasses which~~ are buried must be buried at least three feet below the ground level, and have not less than three feet of earth over the carcass, and must not contaminate ground water or surface water."

SECTION 4.

Said chapter is further amended by striking Code Section 4-5-7, relating to disposal of carcasses and waste material by livestock sales markets and livestock slaughter establishments, and inserting in its place the following:

"4-5-7.

(a) Public livestock sales markets, and livestock slaughter establishments, poultry dealers, poultry sales establishments, pet dealers, kennels, bird dealers, animal shelters, and stables licensed by the Georgia Department of Agriculture shall have a written, an approved method and place for the disposal of all dead animals portions of any carcass, including blood, effluent, and all accessory waste material involved in the handling of the carcasses of dead animals which die on or within the premises of such establishments.

(b) Deer processing facilities and wildlife exhibitors under the authority of the Georgia Department of Natural Resources must dispose of all dead deer and wildlife, including carcasses, parts of carcasses, fetuses, embryos, effluent, blood, and all accessory waste material involved in the handling of such dead animals, in accordance with the methods outlined in Code Section 4-5-5.

(c) The Commissioner of Agriculture shall approve the methods and places for disposal of such dead animals and may establish procedures, methods, and permits for disposal of dead animals for animal feeding operations, deer processing facilities, and wildlife exhibitors."

SECTION 5.

Said chapter is further amended by striking Code Section 4-5-9, relating to the prohibition of transportation of dead animals, effluent, or parts thereof, and inserting in its place the following:

"4-5-9.

The Commissioner of Agriculture may prohibit or restrict, at his or her discretion, and issue permits for the hauling or transportation of dead animals or types of dead animals the body, ~~effluent, or parts of any dead animals~~ and order the destruction thereof in accordance with this chapter."

SECTION 6.

Said chapter is further amended by striking Code Section 4-5-10, relating to promulgation of rules and regulations, and inserting in its place the following:

"4-5-10.

The Commissioner of Agriculture is authorized to promulgate rules and regulations to implement and accomplish the purposes of this chapter."

SECTION 7.

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