

Senate Bill 489

By: Senators Beatty of the 47th, Tanksley of the 32nd, Hamrick of the 30th and Thomas of the 54th

A BILL TO BE ENTITLED  
AN ACT

1 To amend Title 2 of the Official Code of Georgia Annotated, relating to agriculture, so as to  
2 provide for the regulation of certain agricultural production contracts; to provide for  
3 definitions; to provide for applicability; to prohibit the inclusion of certain terms and  
4 conditions in such contracts; to prohibit certain unfair practices and conduct to provide for  
5 civil penalties; to provide for criminal penalties; to repeal conflicting laws; and for other  
6 purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 Title 2 of the Official Code of Georgia Annotated, relating to agriculture, is amended by  
10 adding at the end thereof a new Chapter 22 to read as follows:

11 "CHAPTER 22

12 2-22-1.

13 As used in this chapter, the term:

14 (1) 'Active contractor' means a person who owns poultry that is produced by a contract  
15 producer at the contract producer's contract operation according to a production contract.

16 (2) 'Contract producer' means a producer who holds a legal interest in a contract  
17 operation and who produces poultry under a production contract at that contract  
18 operation.

19 (3) 'Processor' means a person engaged in the business of manufacturing goods from  
20 poultry, including by slaughtering or processing poultry.

21 (4) 'Produce' means to provide feed or services relating to the care and feeding of  
22 poultry.

23 (5) 'Producer' means a person who produces poultry, including, but not limited to, a  
24 contract producer. 'Producer' does not include a feed supplier or a veterinarian when  
25 acting in such capacity.

1 (6) 'Production contract' means a written agreement executed by an active contractor or  
2 processor that provides for the production of poultry or the provision of management  
3 services relating to the production of poultry by a contract producer.

4 2-22-2.

5 A production contract must be in writing. No production contract executed or substantially  
6 amended on or after July 1, 2002, shall require binding arbitration as a method for  
7 resolution of disputes concerning the terms and conditions of the contract. Any such  
8 production contract or amendment thereto executed on or after such date which contains  
9 a requirement for binding arbitration shall be void and unenforceable."

10

## **SECTION 2.**

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