

Senate Bill 370

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

**AS PASSED**

A BILL TO BE ENTITLED  
AN ACT

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

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

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

11 "4-5-2.

12 As used in this chapter, the term 'dead animals' means the carcasses, parts of carcasses,  
13 fetuses, embryos, effluent, or blood of farm livestock, including, without limitation, cattle,  
14 swine, sheep, goats, poultry, ratites, and equines equine, and alternative livestock; pet  
15 animals associated with pet dealers, kennels, animal shelters, or bird dealers licensed by  
16 the Georgia Department of Agriculture; animals processed by commercial facilities which  
17 process animals for human consumption; and animals associated with wildlife exhibitions."

18 **SECTION 2.**

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

21 "4-5-3.

22 (a) It shall be unlawful for any person who owns or is caring for an animal which has died  
23 or has been killed to abandon the dead animal, ~~its parts, or blood~~. Such person shall dispose  
24 of the dead animal as provided for in this chapter or in rules and regulations adopted

1 pursuant to this chapter. ~~Under no conditions may dead~~ Dead animals shall not be  
 2 abandoned in wells, ~~or open pits,~~ or surface waters of any kind on private or public land.

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

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

### 7 SECTION 3.

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

10 "4-5-5.

11 Methods which can be used for disposal of dead animals are burning, incineration, burial,  
 12 rendering, or any method using appropriate disposal technology which has been approved  
 13 by the Commissioner of Agriculture. Disposal of ~~animal carcasses~~ dead animals by any  
 14 of the approved methods must be completed within ~~12~~ 24 hours after death or discovery  
 15 ~~of the carcass.~~ Dead animals that ~~Carcasses which~~ are buried must be buried at least three  
 16 feet below the ground level, ~~and~~ have not less than three feet of earth over the carcass, and  
 17 must not contaminate ground water or surface water."

### 18 SECTION 4.

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

22 "4-5-7.

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

29 (b) The Commissioner of Agriculture shall approve the methods and places for disposal of  
 30 such dead animals and may establish procedures, methods, and permits for disposal of dead  
 31 animals."

**SECTION 5.**

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

5 "4-5-9.

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

**SECTION 6.**

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

13 "4-5-10.

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

**SECTION 7.**

16  
17 All laws and parts of laws in conflict with this Act are repealed.