

Senate Bill 348

By: Senators Butler of the 55th, Thomas of the 10th, Stokes of the 43rd, Adelman of the 42nd, Thomas of the 54th and Henson of the 41st

**AS PASSED SENATE**

**A BILL TO BE ENTITLED  
AN ACT**

1 To amend Code Section 12-8-40.1 of the Official Code of Georgia Annotated, relating to  
2 scrap tire disposal and storage, so as to provide that each county and municipality in the state  
3 shall adopt and enforce an ordinance regulating the storage of used tires; to change  
4 provisions relating to state reimbursement; to provide for related matters; to repeal  
5 conflicting laws; and for other purposes.

6 **BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:**

7 **SECTION 1.**

8 Code Section 12-8-40.1 of the Official Code of Georgia Annotated, relating to scrap tire  
9 disposal and storage, is amended by striking paragraph (6) of subsection (i) and inserting in  
10 its place a new paragraph to read as follows:

11 ~~"(6) Nothing in this part shall affect the right of any~~ Each municipality or county shall  
12 have the right and the responsibility to abate or and provide for the clean up of scrap tires  
13 ~~or and~~ scrap tire materials which are a threat or potential threat to human health or the  
14 environment within its jurisdiction. Each county and municipality shall adopt and  
15 commence enforcement of an ordinance for this purpose not later than January 1, 2004.  
16 The ~~division~~ state may reimburse such local governments for such actions in accordance  
17 with procedures approved by the ~~board~~ Board of Natural Resources."

18 **SECTION 2.**

19 All laws and parts of laws in conflict with this Act are repealed.