

House Bill 1412 (FLOOR SUBSTITUTE)

By: Representatives Smith of the 168th, England of the 108th, Mosley of the 178th, Bridges of the 10th, and Stephens of the 164th

A BILL TO BE ENTITLED
AN ACT

1 To amend Title 20 of the Official Code of Georgia Annotated, relating to education, Title 36
2 of the Official Code of Georgia Annotated, relating to local government, and Title 50 of the
3 Official Code of Georgia Annotated, relating to state government, so as to encourage the use
4 of clean renewable fuels in certain vehicles operated by certain government entities under
5 certain circumstances; to provide for legislative findings and declarations; to provide for
6 related matters; to repeal conflicting laws; and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 The General Assembly finds and declares as follows:

- 10 (1) Georgia currently consumes nearly 6.5 billion gallons of gasoline and diesel fuel
11 annually;
- 12 (2) Petroleum is imported primarily from outside the United States;
- 13 (3) Using clean alternative fuels instead of fossil fuels will provide for a cleaner
14 environment by reducing water and air contamination;
- 15 (4) In particular, the use of clean renewable fuels such as biodiesel blend and ethanol
16 blend will provide additional benefits for the State of Georgia;
- 17 (5) Georgia has the potential to create a biofuels industry that would serve as a model for
18 the South and thereby attract additional new industries;
- 19 (6) This biofuels industry could add over \$1 billion of economic activity to Georgia and
20 increase the state's income tax collections by over \$10 million annually;
- 21 (7) Nearly 500 direct and over 1,000 indirect jobs would be created by the Georgia
22 biofuels industry; and
- 23 (8) Creating this industry will add additional value to Georgia's agricultural and forestry
24 commodities, including biomass, and support land values in rural Georgia.

SECTION 2.

Title 20 of the Official Code of Georgia Annotated, relating to education, is amended by inserting immediately following Code Section 20-2-504 a new Code section to read as follows:

"20-2-504.1.

(a) As used in this Code section, the term:

(1) 'Biodiesel blend' means a blended fuel containing petroleum diesel fuel with a minimum level of 2 percent biodiesel fuel.

(2) 'Biodiesel fuel' means a fuel composed of mono-alkyl esters of long chain fatty acids derived from wood and wood residues, crops, residues, stover, agricultural wastes, or animal fats, with each production run meeting the requirements of American Society for Testing and Materials Standard D 6751.

(3) 'Clean renewable fuel' means biodiesel blend or ethanol blend.

(4) 'Ethanol blend' means fuel meeting the American Society for Testing and Materials specification with a minimum level of 5 percent ethanol.

(b) On and after January 1, 2007, each local school district is encouraged to use clean renewable fuel in any gasoline or diesel motor vehicle or equipment it operates whenever such fuel is compatible with the technology of the vehicle or equipment and is reasonably available at a cost similar to that of conventional fuel.

(c) On and after January 1, 2007, local school districts are encouraged to enter into contracts to purchase or lease motor vehicles and equipment that are capable of being powered by clean renewable fuel or other alternative fuel if motor vehicles and equipment capable of being powered by such a clean renewable fuel are suitable for the intended use and such motor vehicles and equipment are reasonably available at a cost similar to that of comparable conventionally fueled vehicles and equipment."

SECTION 3.

Title 36 of the Official Code of Georgia Annotated, relating to local government, is amended by inserting a new Code section immediately following Code Section 36-60-23 to read as follows:

"36-60-24.

(a) As used in this Code section, the term:

(1) 'Biodiesel blend' means a blended fuel containing petroleum diesel fuel and a minimum level of 2 percent biodiesel fuel.

(2) 'Biodiesel fuel' means a fuel composed of mono-alkyl esters of long chain fatty acids derived from wood and wood residues, crops, residues, stover, agricultural wastes, or

1 animal fats, with each production run meeting the requirements of American Society for
2 Testing and Materials Standard D 6751.

3 (3) 'Clean renewable fuel' means biodiesel blend or ethanol blend.

4 (4) 'Ethanol blend' means fuel meeting the American Society for Testing and Materials
5 specification with a minimum level of 5 percent ethanol.

6 (b) On and after January 1, 2007, each county and municipal corporation is encouraged
7 to use clean renewable fuel in any gasoline or diesel motor vehicle or equipment it operates
8 whenever such fuel is compatible with the technology of the vehicle or equipment and is
9 reasonably available at a cost similar to that of conventional fuel.

10 (c) On and after January 1, 2007, counties or municipal corporations are encouraged to
11 enter into contracts to purchase or lease motor vehicles and equipment that are capable of
12 being powered by clean renewable fuel or other alternative fuel if motor vehicles and
13 equipment capable of being powered by such a clean renewable fuel are suitable for the
14 intended use and such motor vehicles and equipment are reasonably available at a cost
15 similar to that of comparable conventionally fueled vehicles and equipment."

16 SECTION 4.

17 Title 50 of the Official Code of Georgia Annotated, relating to state government, is amended
18 by inserting a new Code section immediately following Code Section 50-19-6 to read as
19 follows:

20 "50-19-6.1.

21 (a) As used in this Code section, the term:

22 (1) 'Biodiesel blend' means a blended fuel containing petroleum diesel fuel with a
23 minimum level of 2 percent biodiesel fuel.

24 (2) 'Biodiesel fuel' means a fuel composed of mono-alkyl esters of long chain fatty acids
25 derived from wood and wood residues, crops, residues, stover, agricultural wastes, or
26 animal fats, with each production run meeting the requirements of American Society for
27 Testing and Materials Standard D 6751.

28 (3) 'Clean renewable fuel' means biodiesel blend or ethanol blend.

29 (4) 'Ethanol blend' means fuel meeting the American Society for Testing and Materials
30 specification with a minimum level of 5 percent ethanol.

31 (b) On and after January 1, 2007, each office, agency, department, board, bureau,
32 commission, institution, authority, or other entity of the state is encouraged to use clean
33 renewable fuel in any gasoline or diesel motor vehicle or equipment it operates whenever
34 such fuel is compatible with the technology of the vehicle or equipment and is reasonably
35 available at a cost similar to that of conventional fuel.

1 (c) On and after January 1, 2007, offices, agencies, departments, boards, bureaus,
2 commissions, institutions, authorities, or any other entities of the state are encouraged to
3 enter into contracts to purchase or lease motor vehicles and equipment that are capable of
4 being powered by clean renewable fuel or other alternative fuel if motor vehicles and
5 equipment capable of being powered by such a clean renewable fuel are suitable for the
6 intended use and such motor vehicles and equipment are reasonably available at a cost
7 similar to that of comparable conventionally fueled vehicles and equipment."

8 **SECTION 5.**

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