

Senate Bill 157

By: Senators Tolleson of the 20th, Meyer von Bremen of the 12th, Bulloch of the 11th, Williams of the 19th, Hill of the 4th and others

AS PASSED SENATE

**A BILL TO BE ENTITLED
AN ACT**

1 To provide for grants to persons to finance installing, replacing, and converting motor fuel
2 storage equipment to facilitate storing and dispensing E-85 gasoline for retail sale; to amend
3 Chapter 8 of Title 50 of the Official Code of Georgia Annotated, relating to the Department
4 of Community Affairs, so as to establish such grant program under the department and
5 pursuant to contract with the Georgia Environmental Facilities Authority; to define certain
6 terms; to provide legislative findings and declarations; to provide for rules and regulations;
7 to provide an effective date; to repeal conflicting laws; and for other purposes.

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

9 **SECTION 1.**

10 Chapter 8 of Title 50 of the Official Code of Georgia Annotated, relating to the Department
11 of Community Affairs, is amended by enacting a new Article 7 to read as follows:

12 **"ARTICLE 7**

13 **50-8-170.**

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

15 (1) 'Board' means the Board of Community Affairs.

16 (2) 'Department' means the Department of Community Affairs.

17 (3) 'E-85 gasoline' means a blend of ethanol and gasoline that by volume consists of not
18 less than 70 percent nor more than 85 percent ethanol which meets the American Society
19 of Testing and Materials (ASTM) D5798-99 Standard Specification for Fuel Ethanol for
20 Automotive Spark-Ignition Engines.

21 (4) 'E-85 project' means installing, replacing, or converting motor fuel storage and
22 dispensing equipment at sites where motor fuel is stored and dispensed for retail sale such
23 that the installed, replacement, or converted equipment shall be used exclusively for

1 storing and dispensing E-85 gasoline for retail sale for a period of not less than five
2 consecutive years.

3 (5) 'Gasoline' has the meaning provided by Code Section 48-9-2.

4 (6) 'Motor fuel' has the meaning provided by Code Section 48-9-2.

5 (7) 'Motor fuel storage and dispensing equipment' means tanks, pumps, dispensers, pipes,
6 hoses, tubes, lines, fittings, valves, filters, seals, covers, and other associated equipment
7 used in storing and dispensing motor fuel for retail sale.

8 (8) 'Retail sale' means the sale for consumption, and not for resale, at a retail outlet
9 serving the motoring public.

10 (b) The General Assembly finds and declares that making grants for E-85 projects would
11 return a substantial benefit to the state by providing improved air quality in this state
12 through reduction of combustion of gasoline in motor vehicles; aiding compliance with
13 federal air quality standards; promoting the use of alternative domestic fuels that reduce
14 dependence on foreign petroleum supplies; and enabling increased availability of motor
15 fuels crucial to the state's economy, welfare, and public safety, which may be especially
16 critical in times of natural disaster or international crisis.

17 (c)(1) The department shall establish a grant program to fund the costs of E-85 projects,
18 subject to availability of funds. The department shall enter into an intergovernmental
19 contract with the Georgia Environmental Facilities Authority for purposes of developing,
20 implementing, and administering such program and disbursing any grant moneys
21 thereunder, and the authority is authorized to and shall develop, implement, and
22 administer such program and disburse any grant moneys thereunder.

23 (2) Grant money for such a project shall be refunded to the state with interest at the legal
24 rate if the equipment is not used for the purposes and period required for such project as
25 specified in paragraph (4) of subsection (a) of this Code section.

26 (d) The Georgia Environmental Facilities Authority shall adopt such rules and regulations
27 as are reasonable and necessary to implement and administer the grant program established
28 under this Code section."

29 **SECTION 2.**

30 This Act shall become effective upon its approval by the Governor or upon its becoming law
31 without such approval.

32 **SECTION 3.**

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