

House Bill 1439

By: Representatives Harden of the 28th, McCall of the 30th, England of the 108th, Powell of the 29th, Bearden of the 68th, and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Code Section 8-2-25 of the Official Code of Georgia Annotated, relating to
2 state-wide application of minimum standard building codes, codes requiring adoption by
3 municipality or county, adoption of more stringent requirements by local governments, and
4 adoption of standards for which state code does not exist, so as to provide an exemption for
5 certain farm buildings or structures; to provide an effective date; to repeal conflicting laws;
6 and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 Code Section 8-2-25 of the Official Code of Georgia Annotated, relating to state-wide
10 application of minimum standard building codes, codes requiring adoption by municipality
11 or county, adoption of more stringent requirements by local governments, and adoption of
12 standards for which state code does not exist, is amended by adding a new subsection to read
13 as follows:

14 "(e)(1) As used in this subsection, the term:

15 (A) 'Agriculture,' 'agricultural operations,' or 'agricultural or farm products' has the
16 meaning provided by Code Section 1-3-3.

17 (B) 'Farm' means real property or a portion thereof used for agricultural operations.

18 (C) 'Farm building or structure' means a building or structure that is located on a farm;
19 not used for residential purposes; not intended primarily for public use; and used
20 primarily for or in connection with agricultural operations, including but not limited to
21 any one or more of the following uses:

22 (i) Storage, sheltering, raising, handling, or production of agricultural or farm
23 products or waste by-products thereof;

24 (ii) Business or office uses relating to agricultural operations, with an occupancy load
25 of fewer than 11 people;

- 26 (iii) Use of farm machinery or equipment or maintenance or storage of vehicles,
27 machinery, or equipment used on the farm;
28 (iv) Storage or use of feed, supplies, or materials used on the farm; or
29 (v) Implementation of best management practices associated with agricultural
30 operations.
- 31 (2) Farm buildings or structures shall be exempt from the state minimum standard
32 building codes provided for in subdivisions (9)(B)(i)(I) and (9)(B)(i)(IX) of Code Section
33 8-2-20 and any amendment thereto adopted by a municipality or county pursuant to Code
34 Section 8-2-25."

35 **SECTION 2.**

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

38 **SECTION 3.**

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