

House Bill 504

By: Representatives Wilkinson of the 52nd, Cooper of the 41st, Mitchell of the 88th, Mayo of the 91st, Henson of the 87th, and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Article 3 of Chapter 8 of Title 12 of the Official Code of Georgia Annotated,
2 relating to hazardous waste, so as to provide for disposition of certain medical sharps waste;
3 to provide for supply and use of sharps waste containers; to provide a penalty; to define
4 certain terms; to provide an effective date; to repeal conflicting laws; and for other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

6 **SECTION 1.**

7 Article 3 of Chapter 8 of Title 12 of the Official Code of Georgia Annotated, relating to
8 hazardous waste, is amended by adding a new part to read as follows:

9 "Part 3"

10 12-8-100.

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

12 (1) 'Household use' means use in a setting other than a medical office, hospital, or similar
13 setting.

14 (2) 'Individual-generated sharps waste' means hypodermic needles, pen needles,
15 intravenous needles, lancets, and other devices that are used to penetrate the skin for the
16 delivery of medications which are derived from the household use of intravenous
17 medications.

18 (3) 'Intravenous medication' means any medication deliverable through the use of
19 hypodermic needles, pen needles, intravenous needles, lancets, or other devices that are
20 used to penetrate the skin.

21 (4) 'Sharps waste container' means a hard plastic or other impenetrable container
22 approved by the director, designed for the containment of individual-generated sharps
23 waste, and clearly labeled with a notice containing the universal recycling symbol and the
24 following language: 'SHARPS WASTE CONTAINER.'

25 (b) Individual-generated sharps waste placed in a sharps waste container shall not be
26 considered hazardous waste, hazardous constituents, or designated hazardous waste under
27 this article and shall not be regulated under this article except as provided in this Code
28 section.

29 (c) Upon the sale of any intravenous medication intended for household use, the seller of
30 the intravenous medication shall supply the purchaser of such intravenous medication with
31 a sharps waste container sufficient for the disposal of the amount of individual-generated
32 sharps waste reasonably likely to result from the purchase of such medication.

33 (d) All costs associated with the manufacture, distribution, and sale of sharps waste
34 containers shall be borne by the manufacturer of the intravenous medication.

35 (e) No person shall knowingly place individual-generated sharps waste not contained in
36 a sharps waste container in any of the following:

37 (1) Any container used for the collection of solid waste, construction or demolition

debris, green waste, or other recyclable material;

demolition debris, green waste, or other recyclable materials;

demolition debris, green waste, or other recyclable materials; or

(4) Any other bag, receptacle, or vessel used for the collection of solid waste, construction or demolition debris, green waste, or other recyclable materials.

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47 This Act shall become effective on the first day of the month following the month in which
48 it is approved by the Governor or in which it becomes law without such approval.

SECTION 3

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