

House Bill 2

By: Representative Franklin of the 43<sup>rd</sup>

A BILL TO BE ENTITLED  
AN ACT

1 To amend Chapter 1 of Title 2 of the Official Code of Georgia Annotated, relating to general  
2 provisions relative to agriculture, so as to provide a short title; to preempt certain local  
3 ordinances relating to production of agricultural or farm products; to protect the right to grow  
4 food crops and raise small animals on private property so long as such crops and animals are  
5 used for human consumption by the occupants, gardeners, or raisers and their households and  
6 not for commercial purposes; to define a term; to provide for effect on certain private  
7 agreements and causes of action; to provide an effective date; to repeal conflicting laws; and  
8 for other purposes.

9 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

10 **SECTION 1.**

11 This Act shall be known and may be cited as the "Georgia Right to Grow Act."

12 **SECTION 2.**

13 Chapter 1 of Title 2 of the Official Code of Georgia Annotated, relating to general provisions  
14 relative to agriculture, is amended by adding a new Code section to read as follows:

15 "2-1-7.

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

17 (1) 'Crops' means fruits and products of all annual or perennial plants, trees, and shrubs.

18 (2) 'Milk goat' means a doe kept for the purpose of producing milk and any unweaned  
19 kid goats.

20 (b) No county, municipality, consolidated government, or local government authority shall  
21 prohibit or require any permit for the growing or raising of food crops or chickens, rabbits,  
22 or milk goats in home gardens, coops, or pens on private residential property so long as  
23 such food crops or animals or the products thereof are used for human consumption by the  
24 occupant of such property and members of his or her household and not for commercial  
25 purposes.

26 (c) This Code section shall not prohibit or impair:

27 (1) The authority of a local governmental entity to abate a public nuisance;

28 (2) The authority of a local governmental entity to regulate or restrict the slaughter of  
29 goats;

30 (3) Any cause of action brought by a private citizen to abate a private nuisance under  
31 Code Section 41-2-4; or

32 (4) Any private covenant or other private agreement restricting the use of real property."

33 **SECTION 3.**

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

36 **SECTION 4.**

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