

House Bill 40

By: Representatives Benton of the 31st, England of the 108th, Buckner of the 130th, and Kaiser of the 59th

A BILL TO BE ENTITLED
AN ACT

1 To provide a short title; to amend Part 3 of Article 8 of Chapter 1 of Title 10 of the Official
2 Code of Georgia Annotated, relating to antifreeze, so as to provide that engine coolant or
3 antifreeze sold in this state containing more than 10 percent ethylene glycol shall include
4 denatonium benzoate as an aversive agent to render it unpalatable; to provide for
5 applicability; to provide for a limitation on liability; to repeal conflicting laws; and for other
6 purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 This Act shall be known and may be cited as "Chief's Law."

10 **SECTION 2.**

11 Part 3 of Article 8 of Chapter 1 of Title 10 of the Official Code of Georgia Annotated,
12 relating to antifreeze, is amended by adding a new Code section to read as follows:

13 "10-1-202.1.

14 (a) Engine coolant and antifreeze sold in this state that is manufactured after July 1, 2012,
15 containing more than 10 percent ethylene glycol shall include denatonium benzoate at a
16 minimum of 30 parts per million and a maximum of 50 parts per million as an aversive
17 agent to render the engine coolant or antifreeze unpalatable.

18 (b) The requirements of subsection (a) of this Code section apply only to manufacturers,
19 packagers, distributors, recyclers, or sellers of engine coolant or antifreeze. Such
20 provisions shall not apply to the sale of a motor vehicle, as defined in Code Section 40-1-1,
21 that contains engine coolant or antifreeze or to wholesale containers of engine coolant or
22 antifreeze containing 55 gallons or more of engine coolant or antifreeze.

23 (c) A manufacturer, packager, distributor, recycler, or seller of engine coolant or antifreeze
24 that is required to contain an aversive agent pursuant to this Code section shall not be liable
25 to any person for personal injury, death, property damage, damage to the environment

26 including without limitation natural resources, or economic loss that results solely from the
27 inclusion of denatonium benzoate in the engine coolant or antifreeze; provided, however,
28 that such limitation on liability is only applicable if denatonium benzoate is included in
29 engine coolant or antifreeze in the concentrations mandated by subsection (a) of this Code
30 section. Such limitation on liability shall not apply to a particular liability to the extent that
31 the cause of that liability is unrelated to the inclusion of denatonium benzoate in engine
32 coolant or antifreeze."

33 **SECTION 3.**

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