

House Bill 223

By: Representatives Jasperse of the 12<sup>th</sup>, England of the 108<sup>th</sup>, McCall of the 30<sup>th</sup>, and Roberts of the 154<sup>th</sup>

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 and designed by the USDA Natural Resources Conservation Service (NRCS), not used  
20 for residential purposes, not intended primarily for public use, and used primarily for  
21 or in connection with agricultural operations for the sole purpose of manure storage and  
22 animal mortality composting and following the standards and specifications of NRCS  
23 practice codes 313 – Waste Storage Facility and 317 – Composting Facility as detailed  
24 in the USDA NRCS Field Office Technical Guide as such existed on January 1, 2011.

25 (2) Farm buildings or structures shall be exempt from the state minimum standard  
26 building codes provided for in subdivisions (9)(B)(i)(I) and (9)(B)(i)(IX) of Code Section  
27 8-2-20 and any amendment thereto adopted by the department pursuant to Code Section  
28 8-2-23 or by a municipality or county pursuant to Code Section 8-2-25."

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.