

House Bill 223 (COMMITTEE SUBSTITUTE)

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 purposes of manure storage  
22 and animal mortality composting or winter feeding and following the standards and  
23 specifications of NRCS practice codes 313 – Waste Storage Facility and 317 –  
24 Composting Facility as detailed in the USDA NRCS Field Office Technical Guide as  
25 such existed on January 1, 2011.

26 (2) Farm buildings or structures shall be exempt from the state minimum standard  
27 building codes provided for in subdivisions (9)(B)(i)(I) and (9)(B)(i)(IX) of Code Section  
28 8-2-20 and any amendment thereto adopted by the department pursuant to Code Section  
29 8-2-23 or by a municipality or county pursuant to Code Section 8-2-25."

30 **SECTION 2.**

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

33 **SECTION 3.**

34 All laws and parts of laws in conflict with this Act are repealed.