

Senate Bill 61

By: Senators Loudermilk of the 52nd, Rogers of the 21st, Hill of the 32nd, Albers of the 56th, Seabaugh of the 28th and others

**AS PASSED SENATE**

A BILL TO BE ENTITLED

AN ACT

1 To amend Title 10 of the Official Code of Georgia Annotated, relating to commerce and  
2 trade, so as to provide that incandescent light bulbs manufactured in the State of Georgia and  
3 not exported from the state shall not be subject to federal regulation; to state legislative  
4 findings; to provide for lawful manufacture, possession, and use of such light bulbs; to  
5 provide for related matters; to repeal conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Title 10 of the Official Code of Georgia Annotated, relating to commerce and trade, is  
9 amended by adding a new Chapter 1A to read as follows:

10 "CHAPTER 1A

11 10-1A-1.

12 (a) The General Assembly finds that:

13 (1) The Tenth Amendment to the Constitution of the United States guarantees to the  
14 states and their citizens all powers not granted to the federal government elsewhere in the  
15 Constitution and reserves to this state and the citizens of this state certain powers as they  
16 were understood at the time this state was admitted to statehood;

17 (2) The Ninth Amendment to the Constitution of the United States guarantees to the  
18 people rights not enumerated in the Constitution, including rights as they were  
19 understood at the time this state was admitted to statehood;

20 (3) The guaranty of those powers and rights is a matter of contract between this state, the  
21 citizens of this state, and the United States as of the time that the compact with the United  
22 States was agreed to and adopted by this state and the United States; and

23 (4) The regulation of intrastate commerce is vested in the states under Article 1, Section  
24 8 of the Constitution of the United States and the Ninth and Tenth Amendments to the  
25 Constitution of the United States.

26 (b) An incandescent light bulb that is manufactured commercially or privately in Georgia  
27 and that is not exported to another state is not subject to federal law or federal regulation  
28 under the authority of Congress to regulate interstate commerce and is not considered to  
29 have traveled in interstate commerce. Notwithstanding any other law, a person may  
30 possess, use, manufacture, purchase, install, transport, sell, or internationally export an  
31 incandescent light bulb that is manufactured commercially or privately in this state if the  
32 light bulb is not exported to another state. This Code section applies to an incandescent  
33 light bulb that is manufactured in this state from basic materials and that can be  
34 manufactured without the inclusion of any significant parts imported from another state.  
35 The importation into this state of any generic or insignificant part that has other  
36 manufacturing or consumer product applications or any basic materials does not subject the  
37 incandescent light bulb to federal regulation."

38

**SECTION 2.**

39

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