

House Bill 502

By: Representatives Smith of the 70th and Manning of the 32nd

A BILL TO BE ENTITLED
AN ACT

1 To amend Chapter 41 of Title 31 of the Official Code of Georgia Annotated, relating to lead
2 poisoning prevention, so as to provide for certain federal regulations copies, fees, corrective
3 orders, and violations related to such chapter; to provide for legislative purpose; to provide
4 an effective date; to repeal conflicting laws; and for other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

6 SECTION 1.

7 The purpose of this Act is to reenact the provisions of former Code Section 31-41-6, relating
8 to federal regulations copies, fees, corrective orders, and violations relative to lead poisoning
9 prevention, as such Code section existed immediately prior to its repeal on May 27, 2010,
10 by SB 78.

11 SECTION 2.

12 Chapter 41 of Title 31 of the Official Code of Georgia Annotated, relating to lead poisoning
13 prevention, is amended by adding a new Code section to read as follows:

14 "31-41-6.

15 (a) The department shall make available to all persons licensed or certified under this
16 chapter current federal regulations affecting such licensees or certified persons.

17 (b) The department is authorized to charge an application fee, a license fee, a license
18 renewal fee, or a similar fee and the amount of such fees shall be established by the Board
19 of Natural Resources. Each fee so established shall be reasonable and shall be determined
20 in such a manner that the total of the fees charged shall approximate the total of the direct
21 and the indirect costs to the state of the operation of the licensing program. Fees may be
22 refunded for good cause as determined by the department.

23 (c) The department is authorized to issue a corrective order to any person in violation of
24 this chapter or any regulation promulgated pursuant thereto. The order shall specify the
25 provisions of this chapter or any regulation alleged to have been violated and shall order

26 necessary corrective action be taken within a reasonable time to be prescribed in such
27 order.

28 (d) The department is authorized to revoke or suspend any license, certification, approval,
29 or accreditation issued hereunder, in accordance with regulations promulgated pursuant to
30 this chapter.

31 (e) It shall be unlawful for any person to engage in training or lead-based paint activities
32 regulated under this chapter except in such a manner as to conform to and comply with this
33 chapter and all applicable regulations and orders established under this chapter.

34 (f) Any person violating any of the provisions of this chapter shall be guilty of a
35 misdemeanor."

36 **SECTION 3.**

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

39 **SECTION 4.**

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