

The House Committee on Agriculture and Consumer Affairs offers the following substitute to HB 853:

A BILL TO BE ENTITLED
AN ACT

1 To amend Chapter 1 of Title 2 of the Official Code of Georgia Annotated, relating to general
2 provisions relative to agriculture, so as to provide a short title; to preempt certain local
3 ordinances relating to production of agricultural or farm products; to protect the right to grow
4 food crops and raise small animals or honeybees on private property so long as such crops
5 and animals or the products thereof are used for human consumption by the occupants,
6 gardeners, or raisers and their households and not for commercial purposes; to define a term;
7 to provide for effect on certain local authority and causes of action; to provide for an
8 effective date; to repeal conflicting laws; and for other purposes.

9 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

10 **SECTION 1.**

11 This Act shall be known and may be cited as the "Georgia Right to Grow Act."

12 **SECTION 2.**

13 Chapter 1 of Title 2 of the Official Code of Georgia Annotated, relating to general provisions
14 relative to agriculture, is amended by adding a new Code section to read as follows:

15 "2-1-7.

16 (a) As used in this Code section, the term 'crops' means fruits and products of all annual
17 or perennial plants, trees, and shrubs.

18 (b) No county, municipality, consolidated government, or local government authority shall
19 prohibit or require any permit for the growing or raising of food crops, rabbits, honeybees,
20 or chickens, with the exception of roosters, in home gardens, fully covered pens, hives, or
21 fully covered coops on private residential property so long as such food crops, animals, or
22 honeybees or the products thereof are used for human consumption by the occupant of such
23 property and members of his or her household and not for commercial purposes.

24 (c) This Code section shall not prohibit or impair:

25 (1) The authority of a local governmental entity to abate a public nuisance; or

26 (2) Any cause of action brought by a private citizen to abate a private nuisance under
27 Code Section 41-2-3."

28 **SECTION 3.**

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

31 **SECTION 4.**

32 All laws and parts of laws in conflict with this Act are repealed.