

Senate Bill 346

By: Senators Beach of the 21st and Mullis of the 53rd

AS PASSED SENATE

A BILL TO BE ENTITLED

AN ACT

1 To amend Code Section 12-16-3 of the Official Code of Georgia Annotated, relating to
2 definitions relative to the "Environmental Policy Act," so as to exempt projects for the
3 construction or improvement of public roads from environmental effects reports in certain
4 instances; to provide for related matters; to repeal conflicting laws; and for other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

6 **SECTION 1.**

7 Code Section 12-16-3 of the Official Code of Georgia Annotated, relating to definitions
8 relative to the "Environmental Policy Act," is amended by revising paragraph (7) as follows:

9 "(7) 'Proposed governmental action' means any proposed land-disturbing activity by a
10 government agency or funded by a grant from a government agency, any proposed sale
11 or exchange of more than five acres of state owned land, or any proposed harvesting of
12 five acres or more of trees over two inches in diameter at breast height, but ~~the term~~
13 ~~proposed governmental action~~ such term does not include, among other things, the
14 following:

15 (A) Any action or undertaking of a nongovernmental entity, even if that action or
16 undertaking requires a permit, license, or other approval by a government agency;

17 (B) Any action or undertaking of a municipality, a county, or an authority of a
18 municipality or county, unless more than 50 percent of the total cost is funded by a
19 grant of a government agency or a grant of more than \$250,000.00 is made by a
20 government agency;

21 (C) Any project of a department, a municipality, a county, or an authority to construct
22 or improve a public road or airport, provided that such project cost does not exceed
23 \$100 million and such project obtains no contribution from federal funds;

24 (D) The permitting or licensing by a government agency of an action or undertaking;

25 ~~(D)~~(E) The promulgation and implementation of rules and regulations by a government
26 agency;

27 ~~(E)~~(F) The sale of bonds by a government agency or any program of loans funded by
28 the sale of bonds by a government agency; or
29 ~~(F)~~(G) Litigation decisions made by a government agency.”

30

SECTION 2.

31 All laws and parts of laws in conflict with this Act are repealed.