

## Senate Bill 385

By: Senators Jones of the 25th, Black of the 8th, Harper of the 7th, Lucas of the 26th, Ginn of the 47th and others

A BILL TO BE ENTITLED  
AN ACT

1 To amend Code Section 12-8-39 of the Official Code of Georgia Annotated, relating to cost  
2 reimbursement fees and surcharges, so as to change the surcharge imposed by host local  
3 governments regarding solid waste disposal facilities operated by private enterprises; to  
4 provide for related matters; to repeal conflicting laws; and for other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

6 style="text-align:center">**SECTION 1.**

7 Code Section 12-8-39 of the Official Code of Georgia Annotated, relating to cost  
8 reimbursement fees and surcharges, is amended by revising subsection (d) as follows:

9 "(d) Effective ~~January 1, 1992~~ July 1, 2018, when a municipal solid waste disposal facility  
10 is operated by private enterprise, the host local government is authorized and required to  
11 impose a surcharge of ~~\$1.00~~ \$3.00 per ton or volume equivalent in addition to any other  
12 negotiated charges or fees which shall be imposed by and paid to the host local government  
13 for the facility and shall be used to offset the impact of the facility, public education efforts  
14 for solid waste management, the cost of solid waste management, and the administration  
15 of the local or regional solid waste management plan; provided, however, that such  
16 surcharges may be used for other governmental expenses to the extent not required to meet  
17 the above or other solid waste management needs."

18 style="text-align:center">**SECTION 2.**

19 All laws and parts of laws in conflict with this Act are repealed.