

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

AS PASSED SENATE

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 exempt from such change such facilities permitted for the disposal of construction or
5 demolition waste; to provide for related matters; to repeal conflicting laws; and for other
6 purposes.

7 **BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:**

8 **SECTION 1.**

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

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

22 **SECTION 2.**

23 All laws and parts of laws in conflict with this Act are repealed.