

The Senate Committee on Natural Resources and the Environment offered the following substitute to HB 792:

A BILL TO BE ENTITLED
AN ACT

1 To amend Chapter 8 of Title 12 of the Official Code of Georgia Annotated, relating to waste
2 management, so as to change the surcharge imposed by host local governments regarding
3 solid waste disposal facilities operated by private enterprises; to exempt from such change
4 such facilities permitted for the disposal of construction or demolition waste; to extend the
5 sunset date for certain solid waste surcharges and hazardous waste fees; to provide for related
6 matters; to provide for an effective date; to repeal conflicting laws; and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 SECTION 1.

9 Chapter 8 of Title 12 of the Official Code of Georgia Annotated, relating to waste
10 management, is amended by revising subsections (d) and (g) of Code Section 12-8-39,
11 relating to cost reimbursement fees and surcharges, as follows:

12 "(d) Effective ~~January 1, 1992~~ January 1, 2019, when a municipal solid waste disposal
13 facility is operated by private enterprise, the host local government is authorized and
14 required to impose a surcharge of ~~\$1.00~~ \$3.00 per ton or volume equivalent in addition to
15 any other negotiated charges or fees which shall be imposed by and paid to the host local
16 government for the facility and shall be used to offset the impact of the facility, public
17 education efforts for solid waste management, the cost of solid waste management, and the
18 administration of the local or regional solid waste management plan; provided, however,
19 that such surcharge imposed by any such local government for a municipal solid waste
20 facility permitted for the disposal of construction or demolition waste or inert waste for
21 such waste shall instead be \$1.00 per ton or volume equivalent. Such surcharges may be
22 used for other governmental expenses to the extent not required to meet the above or other
23 solid waste management needs."

24 "(g) Unless the requirement for the surcharge required by subsection (e) of this Code
25 section is reimposed by the General Assembly, no such surcharge shall be collected after
26 July 1, ~~2018~~ 2019."

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SECTION 2.

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Said chapter is further amended by revising subsection (h) of Code Section 12-8-95.1, relating to hazardous waste management fees and hazardous substance reporting fees, as follows:

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"(h) Unless fee requirements established in this Code section are reimposed by the General Assembly, no such fees shall be levied after July 1, ~~2018~~ 2019."

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SECTION 3.

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This Act shall become effective on June 30, 2018.

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SECTION 4.

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