

House Bill 458

By: Representatives Gullett of the 19<sup>th</sup>, Burns of the 159<sup>th</sup>, Barr of the 103<sup>rd</sup>, Smith of the 133<sup>rd</sup>, Moore of the 95<sup>th</sup>, and others

A BILL TO BE ENTITLED  
AN ACT

1 To amend Chapter 2 of Title 25 of the Official Code of Georgia Annotated, relating to  
2 regulation of fire and other hazards to persons and property generally, so as to prohibit the  
3 use of class B fire-fighting foam for testing purposes if such foam contains a certain class of  
4 fluorinated organic chemicals; to provide for definitions; to provide for exceptions; to  
5 provide for related matters; to repeal conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Chapter 2 of Title 25 of the Official Code of Georgia Annotated, relating to regulation of fire  
9 and other hazards to persons and property generally, is amended by adding a new Code  
10 section to read as follows:

11 "25-2-41.

12 (a) As used in this Code section, the term:

13 (1) 'Class B fire-fighting foam' means any foam designed to extinguish flammable liquid  
14 fires.

15 (2) 'PFAS chemicals' means a class of fluorinated organic chemicals containing at least  
16 one fully fluorinated carbon atom.

17 (3) 'Testing' means calibration testing, conformance testing, or fixed system testing.

18 (b) On and after January 1, 2020, no person; fire department provided for under Chapter 3  
19 of this title; state department, agency, board, bureau, office, commission, public  
20 corporation, or authority; county, municipal corporation, school district, or other political  
21 subdivision of this state shall discharge, or otherwise use for testing purposes, class B  
22 fire-fighting foam that contains intentionally added PFAS chemicals, unless such discharge  
23 or other use occurs at a testing facility that has implemented containment, treatment, and  
24 disposal measures to prevent uncontrolled releases of such class B fire-fighting foam into  
25 the environment.

26 (c) Nothing in this Code section shall be construed to:

27 (1) Restrict the manufacture, sale, or distribution of class B fire-fighting foam that  
28 contains intentionally added PFAS chemicals or restrict the discharge or other use of  
29 class B fire-fighting foam in response to an emergency fire-fighting operation; or  
30 (2) Prevent the use of nonfluorinated foams, including other class B fire-fighting foams,  
31 for purposes of training for fire-fighting operations."

32 **SECTION 2.**

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