

House Bill 211

By: Representatives Carpenter of the 4<sup>th</sup>, Ridley of the 6<sup>th</sup>, Tarvin of the 2<sup>nd</sup>, Barton of the 5<sup>th</sup>,  
and Cameron of the 1<sup>st</sup>

A BILL TO BE ENTITLED  
AN ACT

1 To amend Title 51 of the Official Code of Georgia Annotated, relating to torts, so as to  
2 provide for immunity from certain lawsuits related to certain chemicals; to provide for  
3 definitions; to provide for related matters; to provide for a short title; to provide for an  
4 effective date; to repeal conflicting laws; and for other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

6 **SECTION 1.**

7 This Act shall be known and may be cited as the "PFAS Receiver Shield Act."

8 **SECTION 2.**

9 Title 51 of the Official Code of Georgia Annotated, relating to torts, is amended by adding  
10 a new chapter to read as follows:

11 "CHAPTER 17

12 51-17-1.

13 As used in this chapter, the term:

14 (1) 'PFAS' means any perfluorochemicals, polyfluorochemicals, perfluoroalkyl  
15 substances, polyfluoroalkyl substances, and any related chemicals that degrade to  
16 PFAS/PFOA/PFOS, and any precursors to PFAS, PFOA, and PFOS, including, but not  
17 limited to, PFOA, PFOS, GenX, HFPODA, NEtFOSAA, NMeFOSAA, PFBS, PFDA,  
18 PFDoA, PFHpA, PFHxS, PFNA, PFTTrDA, PFTA, PFUnA, 11Cl0PF3OUdS,  
19 9Cl-PF3ONS, ADONA, PFPeS, PFHpS, 4:2 FTS (1H, 1H, 2H, 2H-perfluorohexane  
20 sulfonic acid), 6:2 FTS (1H, 1H, 2H, 2H-perfluorohexane sulfonic acid), 8:2 FTS (1H,  
21 1H, 2H, 2H-perfluorohexane sulfonic acid), PFBA, PFPeA, PFMBA, PFMPA, PFEESA,  
22 and NFDHA.

23 (2) 'PFAS manufacturer' means any person or entity that knowingly created, formulated,  
24 licensed, made, manufactured, or otherwise originated into commerce any PFAS  
25 substance and who has sold or licensed any PFAS substance to others for use.

26 (3) 'PFAS monomer' means the class of fluorinated substances that are components of  
27 PFAS substances, including PFOA, PFOS, GenX, HFPODA, NEtFOSAA, NMeFOSAA,  
28 PFBS, PFDA, PFDoA, PFHpA, PFHxS, PFNA, PFTTrDA, PFTA, PFUnA,  
29 11Cl0PF3OUdS, 9Cl-PF3ONS, ADONA, PFPeS, PFHpS, 4:2 FTS (1H, 1H, 2H,  
30 2H-perfluorohexane sulfonic acid), 6:2 FTS (1H, 1H, 2H, 2H-perfluorohexane sulfonic  
31 acid), 8:2 FTS (1H, 1H, 2H, 2H-perfluorohexane sulfonic acid), PFBA, PFPeA, PFMBA,  
32 PFMPA, PFEESA, NFDHA, and chemically similar molecules.

33 (4) 'PFAS receiver' means any person or entity, not including any person or entity that  
34 is also a PFAS manufacturer, who:

35 (A) Uses or applies PFAS substances in the manufacture of goods or in agriculture;

36 (B) Receives or obtains goods or products that contain PFAS;

37 (C) Purchases or owns goods or products that contain PFAS; and

38 (D) Receives industrial or household waste that contains PFAS.

39 (5) 'PFAS substance' means any chemical agent or compound containing PFAS, any  
40 polymer where a PFAS monomer is a constituent in the polymerization process, or any

41 combination of materials where a PFAS monomer is found as a portion of another  
42 molecule received by others for application or use in agriculture or in manufactured  
43 goods or as a processing aid in any industry other than the chemical manufacturing  
44 industry.

45 51-17-2.

46 (a) No PFAS receiver shall be held liable for damages in an action involving a liability  
47 claim arising from or related to their intended or incidental use, receipt, or disposal of  
48 PFAS.

49 (b) The immunity set forth in subsection (a) of this Code section shall be provided in  
50 addition to, and shall in no way limit, any other immunity protections that may apply in  
51 state or federal law.

52 (c) The immunity set forth in subsection (a) of this Code section shall not apply to claims  
53 brought by the Georgia Environmental Protection Division enforcing PFAS-specific  
54 regulations arising on or after January 1, 2024.

55 51-17-3.

56 This chapter shall not modify or supersede the terms or application of:

- 57 (1) Title 16, relating to crimes and offenses;  
58 (2) Title 31, relating to health or any state regulations related thereto;  
59 (3) Chapter 9 of Title 34, relating to workers' compensation; or  
60 (4) Chapter 3 of Title 38, relating to emergency management."

61 **SECTION 3.**

62 This Act shall become effective upon its approval by the Governor or upon its becoming law  
63 without such approval.

64

**SECTION 4.**

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