

The House Committee on Natural Resources and Environment offers the following substitute to HB 320:

A BILL TO BE ENTITLED
AN ACT

1 To amend Part 1 of Article 2 of Chapter 8 of Title 12 of the Official Code of Georgia
2 Annotated, relating to general provisions relative to solid waste management, so as to require
3 the recycling of solar panels; to prohibit the discarding or disposing of solar panels by any
4 manner other than by delivery to a legitimate recycling facility that accepts solar panels for
5 recycling; to require that the Environmental Protection Division of the Department of Natural
6 Resources identify and compile a list of legitimate recycling facilities in this state; to require
7 that the division publish certain information; to encourage the division to provide support to
8 regional landfills, regional solid waste disposal facilities, and local jurisdictions; to provide
9 for definitions; to provide for penalties; to provide for related matters; to repeal conflicting
10 laws; and for other purposes.

11 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

12 **SECTION 1.**

13 Part 1 of Article 2 of Chapter 8 of Title 12 of the Official Code of Georgia Annotated,
14 relating to general provisions relative to solid waste management, is amended by adding a
15 new Code section to read as follows:

H. B. 320 (SUB)

16 "12-8-28.1.

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

18 (1) 'Legitimate recycling facility' means a recovered materials processing facility or any
19 other recycling center or disposal facility that accepts solar panels for recycling so as to
20 return a significant portion of the materials recovered from such solar panels to
21 commerce as a commodity for use in a beneficial and safe manner and that does not,
22 through its recycling process, adversely impact public health or safety or the
23 environment.

24 (2) 'Solar panel' means any device that contains a bank of solar cells or other solar energy
25 collection system that when exposed to solar radiation can generate electricity.

26 (3) 'Solar power facility' shall have the same meaning as set forth in Code
27 Section 46-3-67.

28 (b) No owner or operator of a solar power facility shall discard or dispose of or cause to
29 be discarded or disposed of a solar panel by placing it in a landfill, by placing it with other
30 municipal solid waste or commercial solid waste that is or will be delivered to a landfill,
31 or by any other manner except by delivery to a legitimate recycling facility.

32 (c) Any owner or operator of a solar power facility who violates subsection (b) of this
33 Code section shall be subject to a civil penalty not to exceed \$20.00 for each offense. For
34 the purposes of this Code section, each solar panel that is discarded or disposed of in
35 violation of subsection (b) of this Code section shall constitute a separate offense. The
36 civil penalty provided for in this subsection shall be recoverable in a civil action brought
37 in any court of competent jurisdiction by the Attorney General or any district attorney.

38 (d) The division shall identify and compile a list of legitimate recycling facilities in this
39 state where solar panels may be delivered for recycling and publish such list, along with
40 information relating to the prohibition contained in subsection (b) of this Code section, on
41 its public website and in any other location or in any other manner that the division deems
42 necessary to advise owners or operators of solar power facilities of the requirements of this

43 Code section and members of the public of legitimate recycling facilities in this state where
44 solar panels may be delivered for recycling. The division is encouraged to provide
45 technical support and other support to regional landfills or regional solid waste disposal
46 facilities that desire to serve as legitimate recycling facilities for the purpose of recycling
47 solar panels and to counties and municipalities that desire to hold collection events for or
48 otherwise facilitate the recycling of solar panels in a manner pursuant to this Code section."

49

SECTION 2.

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