

House Bill 882

By: Representatives Huddleston of the 72nd, Anderson of the 10th, Dickey of the 134th, and Lim of the 98th

A BILL TO BE ENTITLED
AN ACT

1 To amend Chapter 23 of Title 43 of the Official Code of Georgia Annotated, relating to
2 landscape architects, so as to provide for the regulation and licensing of tree care operators
3 by the Georgia Department of Agriculture; to provide for application and fees; to provide for
4 rules and regulations; to provide for penalties; to provide for exceptions; to provide for
5 definitions; to 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 23 of Title 43 of the Official Code of Georgia Annotated, relating to landscape
9 architects, is amended by adding a new Code section to read as follows:

10 "43-23-20.

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

12 (1) 'Department' means the Georgia Department of Agriculture.

13 (2) 'Tree care operator' means any person that, for compensation, offers and provides tree
14 care services.

15 (3) 'Tree care services' means the professional practice of pruning, repairing, cabling and
16 bracing, removing trees, or other arboricultural activities that involve the use of rigging,

17 climbing, cranes, aerial lift equipment, or other mechanized equipment, as well as tree
18 work in proximity to utility lines, structures, or other sensitive areas.

19 (b) It shall be unlawful for any person to provide tree care services unless such person has
20 a valid tree care operator license issued by the department. Any person or entity seeking
21 to establish, maintain, and operate as a tree care operator in this state shall apply to the
22 department for such a license.

23 (c) The department is authorized to establish and enforce regulations to govern the tree
24 care industry, including but not limited to:

25 (1) Licensing requirements, including education, training, and examination criteria;

26 (2) Safety standards for employees engaged in tree care services, including proper use
27 of equipment and adherence to industry safety protocols;

28 (3) Consumer protection measures, including requirements for contracts, disclosure of
29 services, and liability insurance requirements;

30 (4) Ethics and professional conduct standards for tree care operators;

31 (5) Procedures for license renewal, suspension, or revocation for violations of
32 regulations; and

33 (6) A fee structure and application procedure for initial licensing and license renewals,
34 not to exceed \$250.00 per license.

35 (d) The department shall have the authority to conduct inspections, investigate complaints,
36 and enforce compliance with this Code section through penalties, fines, or other corrective
37 actions as necessary.

38 (e) Any person or entity operating without a valid tree care operator license or in violation
39 of this Code section shall be subject to penalties as prescribed by the department.

40 (f) This Code section shall not apply to contractors performing tree care services under
41 contract with power companies for the purpose of utility line clearance or maintenance.
42 Additionally, individuals assisting neighbors or victims of storms by providing tree care
43 services without compensation shall not be subject to the provisions of this Code section."

44

SECTION 2.

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