

The Senate Committee on Natural Resources and the Environment offered 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 provide for exceptions; to provide for definitions; to provide for penalties; to
6 provide for related matters; to repeal conflicting laws; and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

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

12 "12-8-28.1.

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

14 (1) 'Legitimate recycling facility' means a recovered materials processing facility or any
15 other recycling center or disposal facility that accepts solar panels for recycling so as to
16 return a significant portion of the materials recovered from such solar panels to

17 commerce as a commodity for use in a beneficial and safe manner and that does not,
18 through its recycling process, adversely impact public health or safety or the
19 environment.

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

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

24 (b) No owner or operator of a solar power facility shall discard or dispose of or cause to
25 be discarded or disposed of a solar panel by placing it in a landfill located in this state, by
26 placing it with other municipal solid waste or commercial solid waste that is or will be
27 delivered to a landfill located in this state, or by any other manner except by delivery to a
28 legitimate recycling facility, unless:

29 (1) No legitimate recycling facility exists within a radius of 250 miles from the location
30 where the solar panels are removed from service; or

31 (2) All legitimate recycling facilities within 250 miles of the location where the solar
32 panels are removed from service are unable to accept such solar panels within 30 days
33 of a request to deliver such solar panels by the owner or operator.

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

40

SECTION 2.

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