

House Bill 1169

By: Representatives Townsend of the 179th, Smith of the 138th, DeLoach of the 167th, Vance of the 133rd, Reeves of the 99th, and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Code Section 12-2-2 of the Official Code of Georgia Annotated, relating to
2 Environmental Protection Division, Environmental Advisory Council, duties of council and
3 its members and director, appeal procedures generally, permit applications, and inspections,
4 so as to authorize the director of the Environmental Protection Division to investigate and
5 consider out-of-state regulatory history when processing applications for certain permits; 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 Code Section 12-2-2 of the Official Code of Georgia Annotated, relating to Environmental
10 Protection Division, Environmental Advisory Council, duties of council and its members and
11 director, appeal procedures generally, permit applications, and inspections, is amended by
12 adding a new subparagraph to paragraph (1) of subsection (c) to read as follows:

13 "(C) The director may deny an application for any permit issued pursuant to
14 Chapter 4, 5, 7, or 9 of this title if when processing the application the director
15 determines that the applicant's regulatory history, including, but not limited to, such
16 applicant's history of violations of environmental laws or regulations and any criminal

H. B. 1169

17 or civil penalties incurred by such applicant in any other state, warrant denial of the
18 permit."

19 **SECTION 2.**

20 All laws and parts of laws in conflict with this Act are repealed.