

The House Committee on Agriculture and Consumer Affairs offers the following substitute to HB 1223:

A BILL TO BE ENTITLED
AN ACT

1 To amend Article 3 of Chapter 12 of Title 2 of the Official Code of Georgia Annotated, the
2 'Georgia Soil Amendment Act of 1976,' so as to provide for a new prohibited act; to provide
3 for related matters; to repeal conflicting laws; and for other purposes.

4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

5 style="text-align:center">**SECTION 1.**

6 Article 3 of Chapter 12 of Title 2 of the Official Code of Georgia Annotated, the 'Georgia
7 Soil Amendment Act of 1976,' is amended by revising Code Section 2-12-79, relating to
8 prohibited acts, as follows:

9 "2-12-79.

10 It shall be a violation of this article for any person to:

- 11 (1) Distribute an unregistered soil amendment;
- 12 (2) Distribute an unlabeled soil amendment;
- 13 (3) Distribute a misbranded soil amendment;
- 14 (4) Distribute an adulterated soil amendment;
- 15 (5) Fail to comply with a stop sale, use, or removal order; ~~or~~
- 16 (6) Fail to submit semiannual reports; or

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- 17 (7) Distribute a soil amendment on a site when:
18 (A) The owner of such site or the person who has applied a soil amendment on such
19 site is subject to a consent order or an administrative enforcement action of or ongoing
20 investigation by the department or the Environmental Protection Division of the
21 Department of Natural Resources;
22 (B) A notice of violation has been issued by the Environmental Protection Division of
23 the Department of Natural Resources regarding the contamination of surface water,
24 ground water, or soil on such site as a result of the application of soil amendments; and
25 (C) The department has notified the owner of such site and the person who has applied
26 a soil amendment on such site."

27 **SECTION 2.**

28 All laws and parts of laws in conflict with this Act are repealed.