

The House Committee on Natural Resources and Environment offers the following substitute to HB 926:

A BILL TO BE ENTITLED
AN ACT

1 To amend Code Section 12-8-39 of the Official Code of Georgia Annotated, relating to waste
2 management cost reimbursement fees and surcharges, so as to increase certain solid waste
3 disposal surcharges; to amend the sunset date; to require the director of the Department of
4 Natural Resources to submit an annual report to the House Committee on Natural Resources
5 and Environment and the Senate Natural Resources and the Environment Committee; to
6 amend Code Section 12-8-40.1 of the Official Code of Georgia Annotated, relating to waste
7 management tire disposal restrictions and fees, so as to increase certain tire disposal fees; to
8 provide for an effective date; to provide for related matters; to repeal conflicting laws; and
9 for other purposes.

10 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

11 **SECTION 1.**

12 Code Section 12-8-39 of the Official Code of Georgia Annotated, relating to waste
13 management cost reimbursement fees and surcharges, is amended by revising paragraph (1)
14 of subsection (e) and subsection (g) as follows:

15 ~~"(e)(1) Effective until June 30, 2020, owners~~ Owners or operators of any solid waste
16 disposal facility other than an inert waste landfill as defined in regulations promulgated
17 by the board or a private industry solid waste disposal facility shall assess and collect on
18 behalf of the division from each disposer of waste a surcharge of 75¢ per ton of solid
19 waste disposed. ~~Effective from July 1, 2020, until June 30, 2022, owners or operators of~~
20 ~~any solid waste disposal facility other than an inert waste landfill as defined in regulations~~
21 ~~promulgated by the board or a private industry solid waste disposal facility shall assess~~
22 ~~and collect on behalf of the division from each disposer of waste a surcharge of 51¢ per~~
23 ~~ton of solid waste disposed.~~ Two percent of said surcharges collected may be retained
24 by the owner or operator of any solid waste disposal facility collecting said surcharge to
25 pay for costs associated with collecting said surcharge. Surcharges assessed and
26 collected on behalf of the division shall be paid to the division not later than the first day

27 of July of each year for the preceding calendar year. Any facility permitted exclusively
 28 for the disposal of construction or demolition waste that conducts recycling activities for
 29 construction or demolition materials shall receive a credit towards the ~~surcharges~~
 30 surcharge listed above per ton of material recycled at the facility."

31 "(g) Unless the requirement for the ~~surcharges~~ surcharge required by subsection (e) of this
 32 Code section ~~are~~ is reimposed by the General Assembly, no such surcharge shall be
 33 collected after ~~July 1, 2022~~ June 30, 2025. The director shall make an annual report to the
 34 House Committee on Natural Resources and Environment and the Senate Natural
 35 Resources and the Environment Committee regarding the status of the activities funded by
 36 the hazardous waste trust fund."

37 SECTION 2.

38 Code Section 12-8-40.1 of the Official Code of Georgia Annotated, relating to waste
 39 management tire disposal restrictions and fees, is amended by revising subsection (h) as
 40 follows:

41 "(h)(1) ~~Beginning July 1, 1992, and ending June 30, 2020, a~~ A fee is imposed upon the
 42 retail sale of all new replacement tires in this state of \$1.00 per tire sold. ~~Effective from~~
 43 ~~July 1, 2020, until June 30, 2022, a fee is imposed upon the retail sale of all new~~
 44 ~~replacement tires in this state of 38¢ per tire sold.~~ The fees fee shall be collected by retail
 45 dealers at the time the retail dealer sells a new replacement tire to the ultimate consumer;
 46 provided, however, that a Georgia tire distributor who sells tires to retail dealers must
 47 collect such fees from any retail dealer who does not have a valid scrap tire generator
 48 identification number issued by the division. The fees fee and any required reports shall
 49 be remitted not less than quarterly on such forms as may be prescribed by the division.
 50 The division is authorized to contract with the Department of Revenue to, and the
 51 Department of Revenue is authorized to, collect such fees on behalf of the division. All
 52 fees received shall be deposited into the state treasury to the account of the general fund
 53 in accordance with the provisions of Code Section 45-12-92. All moneys deposited into
 54 the solid waste trust fund shall be deemed expended and contractually obligated and shall
 55 not lapse to the general fund.

56 (2) In collecting, reporting, and paying the fees due under this subsection, each
 57 distributor or retailer shall be allowed the following deductions, but only if the amount
 58 due was not delinquent at the time of payment:

59 (A) A deduction of 3 percent of the first \$3,000.00 of the total amount of all fees
 60 reported due on such report; and

61 (B) A deduction of one-half of 1 percent of that portion exceeding \$3,000.00 of the
 62 total amount of all fees reported due on such report.

63 (3) The tire fees authorized in this subsection shall cease to be collected on June 30, ~~2022~~
64 2025. The director shall make an annual report to the House Committee on Natural
65 Resources and Environment and the Senate Natural Resources and the Environment
66 Committee regarding the status of the activities funded by the solid waste trust fund.
67 (4) The fee amount provided for in this subsection shall be subject to revision pursuant
68 to Code Section 45-12-92.2."

69 **SECTION 3.**

70 This Act shall become effective on June 30, 2020.

71 **SECTION 4.**

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