

Senate Bill 356

By: Senator Ligon, Jr. of the 3rd

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 regarding solid waste management, so as to allow  
3 the expansion of certain municipal solid waste landfills to areas within two miles of military  
4 air space used as bombing ranges; to provide for related matters; to repeal conflicting laws;  
5 and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Part 1 of Article 2 of Chapter 8 of Title 12 of the Official Code of Georgia Annotated,  
9 relating to general provisions regarding solid waste management, is amended by revising  
10 subsection (d) of Code Section 12-8-25.3, relating to further restrictions on sites within  
11 significant ground-water recharge area or near military air space used as bombing range, as  
12 follows:

13 "(d)(1) Notwithstanding any other provision of law or any administrative regulation or  
14 action to the contrary, no permit shall be issued for a municipal solid waste landfill within  
15 two miles of a federally restricted military air space which is used for a bombing range.  
16 The provisions of this subsection shall apply to all permit applications pending on or after  
17 July 1, 1997, and to all permits denied prior to such date which are the subject of an  
18 appeal or judicial review pending on such date.

19 (2) This subsection shall not prohibit or prevent any municipal solid waste landfill that  
20 was permitted and operational on July 1, 1997, from expanding its operation into an area  
21 outlined in paragraph (1) of this subsection."

22 **SECTION 2.**

23 All laws and parts of laws in conflict with this Act are repealed.