

House Bill 618

By: Representative Drenner of the 85<sup>th</sup>

A BILL TO BE ENTITLED  
AN ACT

1 To amend Chapter 1 of Title 2 of the Official Code of Georgia Annotated, relating to general  
2 provisions relative to agriculture, so as to preempt certain local ordinances relating to  
3 production of agricultural or farm products; to provide for a short title; to provide for effect  
4 on certain causes of action; to provide for an effective date; to repeal conflicting laws; and  
5 for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 This Act shall be known and may be cited as the "Sustainable Foods Act."

9 **SECTION 2.**

10 Chapter 1 of Title 2 of the Official Code of Georgia Annotated, relating to general provisions  
11 relative to agriculture, is amended by revising Code Section 2-1-6, relating to preemption of  
12 local ordinances relating to production of agricultural or farm products, as follows:

13 "2-1-6.

14 (a) No county, municipality, consolidated government, or other political subdivision of this  
15 state shall adopt or enforce any ordinance, rule, regulation, or resolution regulating crop  
16 management or animal husbandry practices involved in the production of agricultural or  
17 farm products on any private property; nor shall any such political subdivision require any  
18 permit for or prohibit the growing or raising of crops, honeybees, or poultry in home  
19 gardens, hives, or fully covered coops on any private residential property so long as such  
20 crops, animals, honeybees, or the products thereof are used solely for human consumption  
21 by the occupant of such property or members of his or her household.

22 (b) Subsection (a) of this Code section shall not prohibit or impair the power of any local  
23 government to adopt or enforce any zoning ordinance or make any other zoning decision.  
24 As used in this subsection, the terms 'local government', 'zoning decision', and 'zoning  
25 ordinance' have the same meanings provided by Code Section 36-66-3.

26 (c) Subsection (a) of this Code section shall not prohibit or impair any existing power of  
27 a county, municipality, consolidated government, or other political subdivision of this state  
28 to adopt or enforce any ordinance, rule, regulation, or resolution regulating land application  
29 of human waste.

30 (d) Subsection (a) of this Code section shall not prohibit or impair:

31 (1) The authority of a local governmental entity to abate a public nuisance; or

32 (2) Any cause of action brought by a private citizen to abate a private nuisance under  
33 Code Section 41-2-3."

34 **SECTION 3.**

35 This Act shall become effective upon its approval by the Governor or upon its becoming law  
36 without such approval.

37 **SECTION 4.**

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