

Senate Bill 119

By: Senators Harper of the 7th, Goodman of the 8th, Burke of the 11th, Mullis of the 53rd,
Anderson of the 24th and others

AS PASSED

A BILL TO BE ENTITLED

AN ACT

1 To amend Code Section 12-6-90 of the Official Code of Georgia Annotated, relating to
2 permit required for burning woods, lands, marshes, or other flammable vegetation, and
3 exceptions, so as to except certain yard waste from permitting; to provide for related matters;
4 to repeal conflicting laws; and for other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

6 **SECTION 1.**

7 Code Section 12-6-90 of the Official Code of Georgia Annotated, relating to permit required
8 for burning woods, lands, marshes, or other flammable vegetation, and exceptions, is
9 amended by revising subsection (c) as follows:

10 "(c)(1) It shall not be necessary to obtain a permit otherwise required by subsection (a)
11 of this Code section to burn improved pastures; ~~or residue on cultivated crop land; or leaf~~
12 ~~piles~~ if the person, firm, corporation, or association intending to burn such residue shall,
13 prior to such burning, give notice of the approximate time and location thereof to the
14 forest ranger of the county wherein such burning is to be made or to an employee of the
15 forestry unit serving such county who is authorized to grant permits under subsection (a)
16 of this Code section.

17 (2) Unless otherwise provided by local ordinance, or where prohibited by general law
18 or regulation, it shall not be necessary to obtain a permit otherwise required by subsection
19 (a) of this Code section to burn leaf piles, yard debris, or hand-piled natural vegetation
20 on the premises at which they occur, provided that the:

21 (A) Burning takes place between the official sunrise and the official sunset for the
22 location where the burning is taking place;

23 (B) Location of the burning is no less than 25 feet from any woodlands, forestland,
24 and/or open field that contains brush, grass, or other flammable material;

25 (C) Location of the burning is no less than 50 feet from any structure, including
26 outbuildings, sheds, barns, and homes;

27 (D) Person responsible shall attend the burning at all times until completely
28 extinguished and there is no risk for the burning to escape control;

29 (E) Person responsible shall take necessary precautions to prevent escape or spread
30 from the original location; and

31 (F) Person responsible shall be liable for any resulting damage to adjacent properties."

32 **SECTION 2.**

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