

Senate Bill 145

By: Senators Still of the 48th, Dolezal of the 27th, Robertson of the 29th, Anavitarte of the 31st, Payne of the 54th and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Chapter 60 of Title 36 of the Official Code of Georgia Annotated, relating to
2 general provisions applicable to counties and municipal corporations, so as to prohibit local
3 regulations that create differing standards for or distinguish gasoline-powered leaf blowers
4 from similar equipment; to provide for a short title; to provide for legislative findings; to
5 provide for an effective date; to repeal conflicting laws; and 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 "Landscape Equipment and Agricultural
9 Fairness (LEAF) Act."

10 **SECTION 2.**

11 Chapter 60 of Title 36 of the Official Code of Georgia Annotated, relating to general
12 provisions applicable to counties and municipal corporations, is amended by adding a new
13 Code section to read as follows:

14 "36-60-30.

15 (a) The General Assembly finds that:

- 16 (1) Prudent regulation of gasoline-powered leaf blowers is crucial to the welfare of
17 Georgia's economy;
- 18 (2) Urban agriculture, homeowners, and landscape service professionals are sensitive to
19 the costs and regulation of gasoline-powered leaf blowers; and
- 20 (3) If individual political subdivisions of the state regulate gasoline-powered leaf
21 blowers, there exists the potential for confusing and varying regulations which could lead
22 to unnecessary increased costs for urban agriculture, homeowners, and landscape service
23 professionals to comply with such regulations.
- 24 (b) As used in this Code section, the term 'gasoline-powered leaf blowers' means any
25 machine that is powered by a two-stroke or four-stroke engine and uses as fuel gasoline or
26 a blend of gasoline and oil, used to blow leaves, dirt, or other debris off of sidewalks,
27 driveways, lawns, or other surfaces.
- 28 (c) Any local prohibition or regulation regarding the use, disposition, or sale or any
29 imposition of any restriction, fee imposition, or taxation at the retail, manufacturer, or
30 distributor setting shall not create differing standards for or distinguish gasoline-powered
31 leaf blowers from any other gasoline-powered, electric, or similar such equipment or any
32 other type of leaf blower. Nothing in this subsection shall apply to the use of
33 gasoline-powered leaf blowers on property owned by a county or municipality.
- 34 (d) Nothing in this Code section shall be construed to prohibit or limit any county or
35 municipal program to encourage the use of alternative leaf blower equipment, such as
36 battery powered tools."

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SECTION 3.

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

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SECTION 4.

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