

ACCG Supports - HB 511

Dedication of Environmental Trust Funds

Background:

In November 2020, Georgia voters approved Constitutional Amendment #1 that would allow the general assembly to dedicate fees and taxes for their intended purpose.

HB 511 creates and dedicates the following trust funds: Hazardous Waste Trust Fund, Solid Waste Trust Fund, State Children's Trust Fund, Wildlife Endowment Trust Fund, Trauma Care Network Trust Fund, Transportation Trust Fund, Georgia Agricultural Trust Fund, Fireworks Trust Fund and the Georgia Transit Trust Fund.

ACCG has long advocated for the two environmental trusts funds (Hazardous Waste Trust Fund and Solid Waste Trust Fund) be dedicated as over 60% of the fees collected have been re-directed to the General Fund.

Hazardous Waste Trust Fund (HWTF)

HWTF is statutorily dedicated to fulfilling the Georgia State Superfund Law, which includes cleaning up hazardous waste sites and helping remediate old, unlined landfills that pose a threat to drinking water and the environment. Most of the fees come from the state's 75-cent, per-ton tipping fee on solid waste going into Georgia's landfills – a fee counties pay if they own/operate landfills. Other monies are generated from the state's hazardous waste fee and hazardous substance fee. To remediate old landfills, local governments do the work then apply to the state to get reimbursed through the HWTF.

Solid Waste Trust Fund (SWTF)

SWTF is funded from the \$1 per-tire charge (Scrap Tire Management Fee) our citizens pay on all new tires sold in the state. The SWTF is statutorily dedicated to address landfill emergencies that endanger public health or safety, abandoned landfills, clean up illegal scrap tire piles and dumps, fund recycling and waste-reduction programs, eliminate open dumps and litter that foul Georgia's roadsides and streams, and assist with other solid waste management programs.

Process for Dedicating Fees

- [HR 164](#), passed during the 2020 Legislative Session, included the procedures, conditions, and limitations for dedicating fees and taxes.
- To dedicate a fee or tax, the Georgia General Assembly is required to pass a general law.
- The dedication of the fee/tax can last up to 10 years.
- The general law would need to be approved by 2/3 of the members in each chamber.
- The Governor or the General Assembly can suspend the dedication of revenues in the case of a financial emergency.
- The General Assembly is only allowed to dedicate up to 1% of the total state revenues based on the previous fiscal year's state revenues subject to appropriation.