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## **Georgia Poultry Federation, others attack Private Property Rights of all Georgians**

### **HB 545 alters Right to Farm, will harm neighbors**

ATLANTA, GA (March 14, 2019)—Georgia lawmakers are considering a bill supporters say is based on a 2018 North Carolina law designed to stop the ability of neighbors to pursue [nuisance actions](#) against industrial hog facilities. North Carolina farmers direct the waste of 10 million hogs into open air lagoons whose stench and water pollution have ruined many lives.

The Georgia Water Coalition opposes [House Bill 545](#).

The measure is supported by the Georgia Poultry Federation, the Georgia Urban Ag Council, the Georgia Farm Bureau, the Georgia Forestry Association, and the Georgia Agribusiness Council.

Private property owners currently have a right to protect their properties from harm, inconvenience, or damage from industrial agricultural operations that move into their communities.

Georgia's existing Right to Farm law reasonably protects existing agricultural land uses. The law, which dates to 1980, limits the ability of people who move into rural areas to make nuisance claims against long-standing agricultural operations.

But according to the Georgia Water Coalition, HB 545 effectively eliminates those rights. HB 545 severely restricts the rights of individual property owners, businesses, and schools from protecting their rights against nuisances from industrial agricultural operations that move into their communities.

The bill prevents nuisance suits from being filed against any agricultural operation if it has been in operation for at least a year, even if the nuisance-creating activity has not started yet.

"HB 545 flips current law on its head," said April Lipscomb, an attorney with the Southern Environmental Law Center. "HB 545 prevents existing land owners from protecting their property values from new and expanding agricultural operations that move into their neighborhoods."

In Peach County, long-standing property owners are living a “lightmare,” according to a [local news report](#). Neighbors claim a new Canadian-owned greenhouse operation's all-night lights “have disrupted their sleep, had roosters crowing at 2 a.m., and lowered their property values.” At least one property owner is suing because of the "[nuisance that's damaging his home's value](#)."

“HB 545 is a bad neighbor bill,” said Gordon Rogers, the Flint Riverkeeper. “The bill treats someone bringing a harmful operation to a rural portion of Georgia as ‘more equal’, more powerful than a property owner that is already there”.

The bill was hastily introduced in the House Agriculture and Consumer Affairs Committee on a Friday, and six days later received a crucial vote in the House of Representatives on Crossover Day.

The Senate Agriculture and Consumer Affairs Committee listened to public testimony on the bill on March 12. The discussion was recorded and can be viewed online, beginning at approximately the 20:00 mark: <https://livestream.com/accounts/25225476/events/8517487/videos/188606380>

The bill could be voted on by the [Senate committee](#) as soon as Tuesday, March 19.

#### ***[About Georgia Water Coalition:](#)***

The Georgia Water Coalition is an alliance of over 250 organizations, including conservation organizations, farmers, homeowners and lake associations, business owners, sporting clubs, professional associations, and religious groups. The GWC’s mission is to protect and care for Georgia’s surface and groundwater resources, which are essential for sustaining economic prosperity, providing clean and abundant drinking water, preserving diverse aquatic habitats for wildlife and recreation, strengthening property values, and protecting the quality of life for current and future generations.