

2026 Georgia Legislative Session Report



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Community Associations Institute (CAI) Georgia Legislative Action Committee (GA LAC) spent this legislative session advocating on behalf of [approximately 2,500,000 Georgians who live in 889,000 homes in more than 11,400 community associations.](#)

Legislative Overview

The Georgia General Assembly convenes annually in regular session on the second Monday in January and may continue in session for a period not longer than 40 days in aggregate. Special legislative sessions may be called by the governor.

The 2026 legislative session, the second year of the 2025-2026 Regular Session, began on January 12 and adjourned on April 2.

In Georgia, new laws take effect on July 1 unless otherwise specified. Bills may carry over from the first year of the biennium to the second year, and once passed, the governor has forty days after the session to act on bills. Legislation not acted on by the governor becomes law automatically. [Learn more about how laws are created in Georgia.](#)

The 2026 legislative session in Georgia was extremely active, and GA LAC tracked 100 pieces of legislation. Many of these key bills, which were successfully defeated when session adjourned, would have had significant negative impacts on the community association industry, including bills that would cap fees on the preparation of statements of account, create a community association ombudsperson, provide for the monitoring of association elections by the state, raise the minimum amount required for foreclosing on a lien to \$20,000 and provide a process for the dissolution of community associations. Below are the highlights of CAI's advocacy work in Georgia in 2026.

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PRIORITY LEGISLATION

SB 406 - Georgia Property Owners Bill of Rights

GA LAC worked tirelessly to **oppose** this legislation, which mirrors similar legislation in other states, treating HOAs like state-controlled entities rather than self-governed private communities.

Bill Overview: Impacts of SB 406

Senate Bill 406 - "Georgia Property Owners' Bill of Rights Act" - requires property owners' associations to register with the state, creates a process for the Secretary of State to handle complaints filed by owners, and sets rules for how associations operate, renew registration, and handle foreclosures and disputes.

This bill represents a huge legislative overreach and significant change in the state's view and treatment of community associations. Georgia has always treated associations as private, contract-based, and locally governed. This bill represents a major shift, making it more difficult to recruit volunteer board members, leading to higher costs, lawsuits, and unintended harm. CAI's key concerns with the legislation are outlined below:

Key Areas of Concern

Additional Registration Requirements with the Secretary of State - Georgia law currently requires all community associations to register annually with the Secretary of State. SB 406 establishes a duplicate registration system requiring property owners' associations to register a second time at the cost of \$100, adding costs and creating widespread confusion. A copy of the governing documents, a financial statement dated no more than one year prior to the filing of the registration and the names and addresses of the officers of the association must be included with the registration statement. The bill prohibits an association from operating unless this registration is completed each year. This means that until the registration is completed, the association cannot collect fines or fees, file a lien or initiate foreclosure proceedings. In the event of a change in name, address, officers or other material changes, the association must file an amended registration within 30 days. Owners' associations must also maintain all records related to fines, fees, liens, and foreclosures for a period of 10 years.

If the Secretary of State determines an association has filed materially incomplete or misleading registration information, has willfully violated the law or related rules, or has failed to pay the required filing fees, they may deny, suspend, or revoke an owners' association's registration, limit the fines or fees it may collect, and bar officers, directors

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and employees from taking these actions on behalf of the association. A due process hearing must take place before the Secretary of State may take these actions. In the event the owners' association does not prevail in such a hearing, the association must pay an additional administrative service fee of \$100.00 to the Secretary of State.

Homeowner Complaints to the Secretary of State – Under this legislation, any person residing in a property owners' association who believes they have been harmed by an association's action or inaction may file a complaint with the Secretary of State within 180 days.

A hearing officer may investigate and hold a hearing, issue findings, and give the parties 15 days to comply or settle; if unresolved, the claim may be enforced in court. Filing a complaint automatically pauses the association from collecting disputed fines or fees until a decision is issued. The non-prevailing party must pay a \$100 administrative fee. The measure also establishes an appeals process allowing affected parties to seek review in magistrate or superior court within 20 days and provides that the losing party in an appeal must pay the prevailing party's court costs.

Owners' Rights - SB 406 establishes a core set of the rights of homeowners in an owners' association, including the right to access key association records and financial documents, obtain the certificate of insurance, receive notice of and attend meetings of members, and use common areas and their own property without unreasonable interference. Owners are also entitled to proper legal notice and procedures before any foreclosure, the ability to amend governing documents according to required approval thresholds, and the expectation that board members act in good faith, exercise reasonable care, and disclose conflicts of interest. Additionally, owners have protections regarding household composition, the right to access amenities subject to governing documents, and the ability to challenge discriminatory practices under state or federal law.

Application of Payment of Assessments - The bill changes the priority of the application of payments remitted by an owner. Under this bill, the priority application of payments is as follows:

- (1) Regular assessments or dues until current;
- (2) Special assessments until current;
- (3) Specific assessments until current; and
- (4) Other fees and fines

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In addition to this priority of application of payments, an owners' association cannot refuse to accept payment from an owner in any amount and may not assess or collect accelerated assessments.

Changes to Foreclosure Processes - SB 406 raises the minimum delinquency threshold before an association can initiate foreclosure to the lesser of \$4,000 or 12 months of regular assessments (but not less than \$2,000), and excludes fines, fees, and special assessments from that calculation. The bill also revises the foreclosure process by extending the required notice period from 30 to 60 days before a lien may be foreclosed and requiring the notice to state the amount owed and that payment within 60 days will prevent foreclosure.

Collection of Attorney's Fees - The bill places restrictions on an association's ability to collect attorney's fees by requiring the association to send written notice of outstanding fines or delinquent fees, give the owner 30 days to pay, and provide an itemized list of the attorney's fees. It also requires judges in bench trials involving collection actions to review the requested attorney's fees for reasonableness and explicitly determine that they are reasonable before awarding them.

Overview: CAI GA LAC Advocacy Campaign Against SB 406

CAI worked throughout the legislative session to oppose SB 406 and seek amendments to improve the bill. Members of the GA LAC attended multiple committee hearings in Atlanta to testify against the bill, and to provide legislators with the real-world impacts of the legislation. Members of the LAC and its lobbyist met repeatedly with the bill's primary sponsor, Sen. Matt Brass, to discuss improvements to the bill. Several amendments were accepted, stripping out provisions that would have eliminated weighted or class voting in governing documents, created a complaints board with the authority to hear complaints from owners but with little authority to actually solve disputes, and removing language that prohibited an association from bidding on properties subject to foreclosure.

In addition to this work, the GA LAC hosted its inaugural Legislative Capitol Day on February 26. Over 100 CAI members attended and discussed the negative, real-world impacts of the bill with legislators.

CAI initiated multiple grassroots calls to action urging advocates contact their legislators in Atlanta to express opposition to SB 406. As a result, 1,178 CAI advocates sent 16,560 emails to 43 State Senators (77% of all GA state Senators) and 123 State Representatives (68% of all state Representatives). Of those 1,178 advocates, 738 (63%) were first-time CAI advocates.

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CAI also launched a paid media campaign in the last weeks of the legislative session which included messages of opposition to SB 406 targeted in Georgia. This campaign received 1,799 views on the campaign's landing page and 454,036 impressions on LinkedIn. GA LAC also engaged in a campaign to encourage Governor Kemp to veto SB 406 so further consideration and thoughtful engagement on the issue can take place now that the legislature has adjourned.

Summary: Harmful Impacts of SB 406

As adopted, SB 406 will:

- Raise costs on homeowners within communities
- Weaken associations' ability to maintain communities by diluting the only serious tool associations have to collect on unpaid assessments
- Shift costs onto homeowners that do pay
- Impose obligations on volunteer community association board members that already exist
- Override long-standing private contracts
- Lead to lawsuits, ultimately paid for by the homeowners within community associations

The effective date of most sections of SB 406 is January 1, 2027, with the exception of Section 7 of the bill, related to attorney's fees, which has an effective date of July 1, 2026. Regarding applicability of SB 406, section 2, related to registration with the Secretary of State and related provisions, applies to all community associations in Georgia. The remaining provisions of the bill are applicable to property owners associations and condominiums formed pursuant to Articles 3 and 6 of Chapter 3 of Georgia Title 44 - Property.

Status: Passed both chambers and awaits action by the Governor.

CAI SUPPORTED THE BELOW BILL

CAI LACs support legislation that aligns with [CAI's public policy positions](#). If a LAC believes it may need to consider or adopt any legislative or regulatory position that would be in conflict with these official positions, it must submit a request for a deviation to be considered by CAI's Government & Public Affairs Committee and/or Board of Trustees.

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SB 230 – Condominium Insurance Deductibles

GA LAC **supported** this legislation, which would have removed any limitation on the maximum amount of a deductible that a condominium association can allocate to any single unit owner per casualty event. An amendment to the bill subsequently changed the maximum amount of the deductible from \$5,000 to \$25,000. The bill also mandates the timely notification to all unit owners of any material change in the association’s master insurance policy deductible. This bill aligns with CAI’s [public policy on Risk Management and Insurance](#), which states that adopting a comprehensive risk management policy and adopting a policy regarding the purchasing of comprehensive insurance are both vital if a community association is to minimize the adverse consequences of accidental loss; maintain the continuity of the association as a business organization; and assist homeowner members in protecting their most important asset—their homes

Status: The bill passed the Senate but did not get a vote in the House.

CAI OPPOSED THE BELOW BILL

CAI LACs oppose legislation that is at odds with [CAI’s public policy positions](#).

HB 1035 – Georgia Homeownership Protection Act of 2026

GA LAC successfully **opposed** this legislation, which would have completely eliminated a community association’s ability to foreclose on a unit or lot for unpaid assessments, thereby removing the only serious and effective enforcement tool associations have to collect on unpaid assessments. The bill would shift the burden to those homeowners who do pay. Passage of this bill would have made it exceptionally difficult for associations to pay their statutory and contractual obligations like insurance, utilities, and amenity maintenance.

CAI [endorses legislation](#) that provides a fair and equitable process for the foreclosure of association liens for common expense assessments that protects homeowners, property values, and the financial health of community associations by ensuring foreclosures by community associations are completed in a timely and reasonable manner. CAI believes that foreclosure should be a final resort after other reasonable attempts have been made to compel owners to fulfill their obligations to the association.

CAI issued a grassroots call to action to oppose this bill. As a result, 509 advocates contacted their legislators, helping to ensure the defeat of the legislation.

Status: Died in committee.

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CAI MONITORED THE BELOW BILL

CAI LACs monitor legislation with the potential to impact those living and working in community associations across their state, as well as legislation that may indirectly or unintentionally impact community associations.

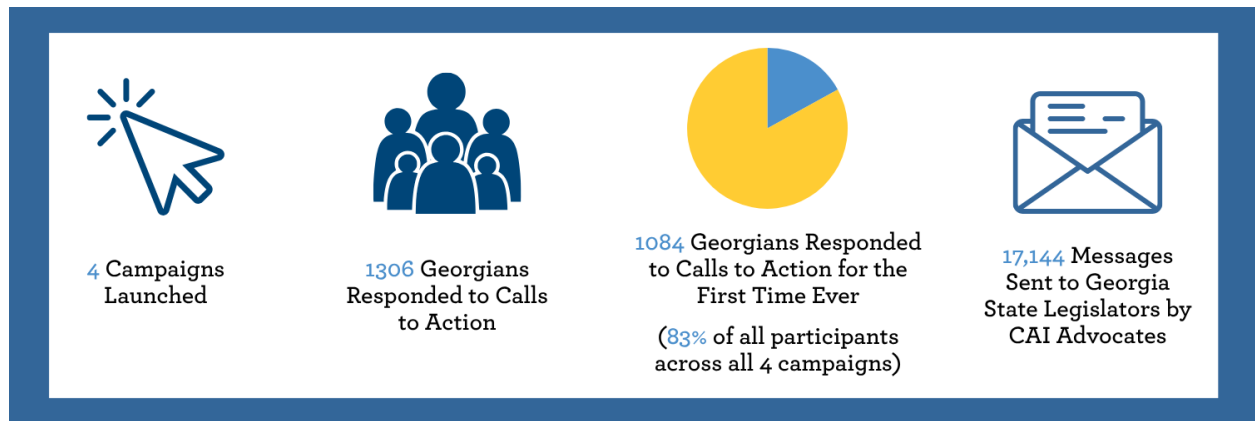
SB 393 - HOA Accountability and Training Act

GA LAC **monitored** this legislation, which would have mandated a four-hour training program developed by the Secretary of State for board members of property owners' associations, covering fiduciary duties, record keeping, conflict resolution, and other governance topics. This training must be completed within 90 days of a board member's appointment or election. The bill aligned with CAI's [Board Member Education public policy](#) which states that when a state legislature proposes mandatory board member education, CAI would support state laws that provide for a board member education course, of reasonable length, to be taken by newly elected and incumbent board members. CAI does not support training mandates which impose unreasonable costs or time commitments on individual volunteers or associations.

Status: Bill died in committee.

Grassroots Advocacy Overview

CAI's advocacy success is a direct result of CAI's member advocates consistency engaging in grassroots campaigns and leveraging their professional and personal connections with legislators. Throughout the 2026 Georgia legislative session, CAI launched multiple grassroots advocacy campaigns, mobilizing advocates to contact their elected officials and urge action on legislation progressing through the state legislature that impacted our industry. Below is a summary of these efforts:



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Get Involved in CAI's Georgia Advocacy Work through Your Local Chapter!

In addition to strong and effective advocacy work in Atlanta, CAI's Georgia Chapter provides information, resources, education programs and best practices designed to help you and your communities throughout Georgia thrive.

Not a member yet? Join a growing global network of more than 51,000 community managers, management company executives, homeowner leaders, and business partners, and open up a world of opportunities for professional growth, networking and industry knowledge.

Learn more and join today at <https://www.cai-georgia.org/>.

Track GA Legislation

CAI keeps track of legislation throughout the year, so you can stay informed. You can check the legislation that CAI is monitoring around the clock [here](#).

CAI GA Legislative Resources and Chapter Contact Information

[Georgia Legislative Action Committee](#)
[CAI Georgia Chapter](#) | (770) 736-7233
ExecutiveDirector@cai-georgia.org

Support the Georgia LAC (Legislative Action Committee). Donate Today.

CAI depends on professional lobbyists funded by community associations, businesses, and individuals to create the best public policy for the community association industry in Indiana. [Learn More & Donate Today](#) by Selecting "Georgia."

Support the Georgia Political Action Committee. Donate Today.

CAI Georgia has a dedicated CAI political action committee. The PAC allows us to support candidates for office that advocate for well-reasoned legislation and oppose legislation that creates unnecessary burdens on the governance and operation of community associations. Consider donating to the CAI PAC Georgia to help advance CAI's public policy positions in the state. [Donate to your state's PAC today!](#)

Review CAI's Public Policy Positions



Help Shape Future Legislation

Join our CAI Advocacy Ambassador program and become a part of the movement to create positive change. Your voice matters, so sign up now to make your mark!



www.caionline.org/Ambassadors

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