



Georgia 2022 End of Legislative Session Report

The Georgia General Assembly had a busy 2022 Legislative Session, with 1,689 bills introduced in the House, and 644 bills introduced in the Senate. CAI's Georgia Legislative Action Committee kept a close eye on relevant legislation as it was introduced, and continued to leverage partnerships with lawmakers to help advocate on behalf of CAI's members. In particular, members should be aware of the following bills which were introduced this Legislative Session:

SB 493/HB 1088 Property; nonjudicial foreclosure of time-share estates; authorize- This bill authorizes an owners' association to initiate a non-judicial foreclosure of a timeshare property located in the community. Funds from the sale of the property can be recovered by the association to pay attorney fees and other outstanding debts. An association has a right to bid on the property at auction.

[Status: Sent to Governor Kemp on April 4.](#)

HB 1221 Property; lien filings for amounts of \$10,000.00 and less include certain additional documentation; require- This bill would require additional documentation be provided to the clerk of the superior court on lien filings of \$10k or less, namely a copy of the contract and a copy of a letter sent to the property asking for payment. This bill was brought back this Legislative Session after having been previously introduced in 2021.

[Status: Died in House.](#)

HB 1271 Property; covenants which infringe upon owners' right to display United States and Georgia flags; prohibit- This bill would prohibit the adoption of new restrictions on an owner's right to fly a flag of the United States or the State of Georgia on their property. The bill stipulates that the flag must be flown from an attached structure, and must not measure greater than 4.5x6 feet. Additionally, restrictions adopted or amended by an association before July 1, 2022 would be respected, as would restrictions laid out by an elected or appointed architectural control committee before the same date.

[Status: Died in Senate.](#)



HB 1405 The Zoning Procedures Law; revise- This bill modifies procedures for enacting zoning changes at the municipal level, and contains a provision on the notice procedure (for a zoning officer or board with authority delegated by a local government) related to votes on modifications of single-family zones. It requires two public hearings (held at 6 months and 9 months before the planned vote, and at least one of which would be held in the evening), as well as notices to be posted in the impacted community and for a copy of the notice to be published in a locally circulated newspaper. The legislation stipulates that while this provision applies to votes on the wholesale abolition of single-family zoning in a locality, it does not apply to rezoning decisions related to a particular property when the rezoning is initiated either by the property owner or an authorized agent.

[Status: Passed Senate and House agreed to Amended/Substitute bill on March 4, 2022.](#)

HB 1641 Property; condominium associations include certain amounts in annual budget for repairs and replacement; require- This bill would require that a condo board set reserve funds at between 5 and 15% of the annual budget, with a formula to calculate the exact value based on which of the specific components out of a list of 15 items need to be addressed in a structure. The bill also contains a requirement for repair and replacement reserves to be categorized as a separate line item.

[Status: Introduced as a House Hopper on April 4, 2022, will reappear next Legislative Session.](#)

HB 1649 Housing; use or existence of restrictive covenants based on race or certain other characteristics constitute unlawful discrimination; provide- This bill declares discriminatory restrictive covenants to be unenforceable in the State of Georgia, and also establishes a requirement that notice be provided during the sale of property that either the deed or association governing documents contain such provisions. Additionally, this bill establishes an expedited removal system for these covenants, with a provision enabling associations to submit a covenant modification form to a county recorder. The county recorder is obligated to then consult with legal counsel before granting the covenant modification.

[Status: Introduced as a House Hopper on April 4, 2022, will reappear next Legislative Session.](#)



Your Assistance is Needed

To help fund CAI advocacy activities in 2022 and beyond, donations are vital to our continued successes. We encourage donations from Georgia community associations and individuals. Please visit www.caionline.org/lacdonate/ and donate to CAI's Georgia Legislative Action Committee to support our continued efforts.

Georgia Contact Information

- Visit <https://www.caionline.org/Advocacy/LAC/GA/Pages/default.aspx>
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