

House Bill 1581

By: Representatives Walker of the 141st, Skipper of the 137th, Murphy of the 18th, Bordeaux of the 151st and Holland of the 157th

A BILL TO BE ENTITLED
AN ACT

1 To amend Article 2 of Chapter 12 of Title 9 of the Official Code of Georgia Annotated,
2 relating to effect of judgments, so as to change provisions relating to the binding effect of
3 judgments; to provide that a judgment shall be conclusive between the same parties and their
4 privies notwithstanding the filing or pendency of an appeal, supersedeas, or other judicial
5 decree suspending enforcement; to provide for related matters; to provide an effective date;
6 to repeal conflicting laws; and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 Article 2 of Chapter 12 of Title 9 of the Official Code of Georgia Annotated, relating to
10 effect of judgments, is amended by striking Code Section 9-12-40, relating to conclusive
11 effect of a judgment between the parties, and inserting in its place a new Code section to read
12 as follows:

13 "9-12-40.

14 ~~A judgment of a court~~ All existing or future judgments of courts of competent jurisdiction
15 shall be conclusive as to any proceeding in which judgment has not yet been rendered
16 between the same parties and their privies as to all matters put in issue or which under the
17 rules of law might have been put in issue in the cause wherein the judgment was rendered
18 until the judgment is reversed or set aside notwithstanding the filing or pendency of an
19 appeal, supersedeas, or other judicial decree suspending enforcement."

20 **SECTION 2.**

21 This Act shall become effective upon its approval by the Governor or upon its becoming law
22 without such approval and shall apply with respect to judgments entered on or after that
23 effective date.

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SECTION 3.

2 All laws and parts of laws in conflict with this Act are repealed.