

House Bill 654

By: Representative Crawford of the 91st

A BILL TO BE ENTITLED
AN ACT

1 To amend Article 3 of Chapter 4 of Title 48 of the Official Code of Georgia Annotated,
2 relating to redemption of property sold for taxes, so as to provide for personal service of the
3 notice of foreclosure of the right to redeem property on certain persons; to provide for an
4 affidavit stating the name, address, and method of service for each person served with a
5 notice of foreclosure of the right to redeem property; to provide for related matters; to repeal
6 conflicting laws; and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 Article 3 of Chapter 4 of Title 48 of the Official Code of Georgia Annotated, relating to
10 redemption of property sold for taxes, is amended in Code Section 48-4-45, relating to notice
11 of foreclosure of right to redeem, by striking paragraph (1) of subsection (a) and inserting in
12 lieu thereof the following:

13 "(1) To be personally served in accordance with the requirements of Code Section 9-11-4
14 upon all of the following persons who reside in the county in which the property is
15 located, and whose addresses are known or can be ascertained through reasonable
16 diligence:

- 17 (A) The defendant in the execution under or by virtue of which the sale was held;
18 (B) The occupant, if any, of the property; and
19 (C) All persons having of record in the county in which the land is located any right,
20 title, or interest in, or lien upon the property;"

21 **SECTION 2.**

22 Said article is further amended in Code Section 48-4-46, relating to the form of a notice of
23 foreclosure of the right to redeem, service, time, return and record, and waiver, by inserting
24 a new subsection to be designated subsection (f) to read as follows:

1 “(f) Within 30 days after the date of service of the last person to be served in accordance
2 with subsection (a) of Code Section 48-4-45, the purchaser at the sale or such purchaser’s
3 heirs, successors, or assigns shall file for recording in the deed records in each county in
4 which the property is located an affidavit which shall state:

5 (A) The names and addresses of the persons served with the notice of foreclosure of right
6 to redeem; and

7 (B) The method of service of each person served with the notice of foreclosure of right
8 to redeem.

9 Such affidavit shall include as an attachment a photocopy of the return of service for each
10 person served personally, a copy of the certified mail receipt or envelope marked
11 undeliverable in the case of each notice served by certified mail, and a copy of the
12 newspaper advertisement, if applicable.”

13

SECTION 3.

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