

House Bill 829

By: Representatives Mosley of the 129th, Post 1, and Smith of the 129th, Post 2

A BILL TO BE ENTITLED
AN ACT

1 To amend Chapter 1 of Title 10 of the Official Code of Georgia Annotated, relating to selling
2 and other trade practices, so as to provide that persons licensed under Chapter 14 of Title 43
3 shall retain title to all equipment and materials furnished in the performance of a contract
4 until full payment is made; to authorize repossession of such equipment and materials; to
5 provide that such persons shall not be held liable for damages incurred in removing any such
6 equipment or materials; to repeal conflicting laws; and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 Chapter 1 of Title 10 of the Official Code of Georgia Annotated, relating to selling and other
10 trade practices, is amended by inserting at the end thereof a new Article 34 to read as
11 follows:

12 "ARTICLE 34

13 10-1-900.

14 (a) Any person who is licensed under Chapter 14 of Title 43 shall be authorized to retain
15 title to any property, tools, instruments, equipment, materials, or other items of value
16 furnished, delivered, or installed by such person in the performance of a contract until the
17 contractual charges are paid in full as agreed and, if such charges are not paid in full, may
18 repossess such property, tools, instruments, equipment, materials, or other items of value
19 by any process of law by which the owner of property can recover it under the laws of this
20 state.

21 (b) A person removing and repossessing property as authorized under subsection (a) of this
22 Code section shall not be liable for any damages resulting from such authorized action."

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SECTION 2.

2 All laws and parts of laws in conflict with this Act are repealed.