

The House Committee on Judiciary offers the following substitute to HB 762:

A BILL TO BE ENTITLED
AN ACT

1 To amend Chapter 7 of Title 44 of the Official Code of Georgia Annotated, relating to
2 landlord and tenant, so as to change certain provisions relating to judgment, writ of
3 possession, landlord's liability for wrongful conduct, and distribution of funds paid into
4 court; to provide for removal of a tenant or the tenant's personal property under certain
5 circumstances; to repeal conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Chapter 7 of Title 44 of the Official Code of Georgia Annotated, relating to landlord and
9 tenant, is amended in Code Section 44-7-55, relating to judgment, writ of possession,
10 landlord's liability for wrongful conduct, and distribution of funds paid into court, by
11 inserting at the end thereof a new subsection (c) to read as follows:

12 "(c) Any writ of possession issued pursuant to this article shall authorize the removal of
13 the tenant or his or her personal property or both from the premises and permit the
14 placement of such personal property on some portion of the landlord's property or on other
15 property as may be approved by the executing officer; provided, however, that the landlord
16 shall not be a bailee of such personal property and shall owe no duty to the tenant regarding
17 such personal property. After execution of the writ, such property shall be regarded as
18 abandoned."

19 **SECTION 2.**

20 All laws and parts of laws in conflict with this Act are repealed.