

House Bill 40

By: Representatives Holmes of the 61st, Brooks of the 63rd, Thomas of the 55th, Bruce of the 64th, Dean of the 59th, and others

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 require the purchaser of property
3 at a tax sale to make a quitclaim deed to the defendant in fi. fa. within 15 days after the
4 property is redeemed; to require certain purchasers of property at tax sales to have reasonably
5 accessible offices within the county in which the property is purchased; to provide for
6 criminal penalties; to provide for related matters; to repeal conflicting laws; and for other
7 purposes.

8 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

9 style="text-align:center">**SECTION 1.**

10 Article 3 of Chapter 4 of Title 48 of the Official Code of Georgia Annotated, relating to
11 redemption of property sold for taxes, is amended by adding new Code Sections 48-4-40.1,
12 48-4-40.2, and 48-4-40.3 to read as follows:

13 "48-4-40.1.

14 Persons who purchase more than 20 properties in a calendar year in a county at tax sales
15 shall be required to maintain a reasonably accessible office within the State of Georgia
16 where the defendant in fi. fa. may come or call to inquire about the redemption of their
17 property and make arrangements to redeem such property.

18 48-4-40.2.

19 Within 60 days after purchasing a property at a tax sale, the purchaser shall notify the
20 defendant in fi. fa. at such person's last known mailing address of the purchase of the
21 property by the purchaser. Such notice shall be sent by certified or registered mail or by
22 statutory overnight delivery. Such notice shall include, but shall not be limited to,
23 information concerning the name and address of the purchaser of the property, the
24 purchaser's telephone number, a summary of the actions necessary for the defendant in fi.

1 fa. to redeem the property, the amount required to redeem the property, and the effect of
2 a failure to redeem the property.

3 48-4-40.3.

4 Any person who violates any provision of Code Section 48-4-40.1, 48-4-40.2, or
5 subsection (a) of Code Section 48-4-44 shall be guilty of a misdemeanor."

6 **SECTION 2.**

7 Said article is further amended by striking Code Section 48-4-44, relating to quitclaim deeds
8 by purchaser, and inserting in lieu thereof a new Code Section 48-4-44 to read as follows:

9 "48-4-44.

10 (a) In all cases where property is redeemed, the purchaser at the tax sale shall make a
11 quitclaim deed to the defendant in fi. fa., within 15 days after such redemption, which deed
12 shall recite:

13 (1) The name of the person who has paid the redemption money; and

14 (2) The capacity in which or the claim of right or interest pursuant to which the
15 redemption money was paid.

16 (b) The recitals required by this Code section shall be prima-facie evidence of the facts
17 stated."

18 **SECTION 3.**

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