

House Bill 64

By: Representatives Jacobs of the 80th, Ramsey of the 72nd, Lindsey of the 54th, Lane of the 167th, Welch of the 110th, and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Code Section 13-1-11 of the Official Code of Georgia Annotated, relating to the
2 validity and enforcement of obligations to pay attorney's fees upon notes or other evidence
3 of indebtedness, so as to change provisions relating to the payment of attorney fees where
4 such fees are provided for but a specific amount of fees are not set forth in the instrument;
5 to provide for related matters; to repeal conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Code Section 13-1-11 of the Official Code of Georgia Annotated, relating to the validity and
9 enforcement of obligations to pay attorney's fees upon notes or other evidence of
10 indebtedness, is amended by revising paragraph (2) of subsection (a) as follows:

11 "(2) If such note or other evidence of indebtedness provides for the payment of
12 reasonable attorney's fees without specifying any specific percent, such provision shall
13 be construed to mean ~~15 percent of the first \$500.00 of principal and interest owing on~~
14 ~~such note or other evidence of indebtedness and 10 percent of the amount of principal and~~
15 ~~interest owing thereon in excess of \$500.00~~ an amount found by the court to be
16 reasonable and necessary for asserting the rights of the aggrieved party; and"

17 **SECTION 2.**

18 All laws and parts of laws in conflict with this Act are repealed.