

House Bill 175

By: Representatives Hightower of the 68th, Powell of the 32nd, and Fleming of the 121st

A BILL TO BE ENTITLED
AN ACT

1 To amend Article 3 of Chapter 5 of Title 44 of the Official Code of Georgia Annotated,
2 relating to covenants and warranties, so as to provide that certain covenants run with the land
3 as a matter of public policy of this state; to provide for related matters; to provide for an
4 effective date and applicability; to repeal conflicting laws; and for other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

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

7 Article 3 of Chapter 5 of Title 44 of the Official Code of Georgia Annotated, relating to
8 covenants and warranties, is amended by adding a new Code section to read as follows:

9 "44-5-59.

10 Except as provided in Code Section 44-5-60, it is the public policy of this state that a
11 covenant runs with the land when, for consideration, a property owner and a third party
12 agree to such covenant, the property is adequately described in such covenant, and such
13 covenant does not run for more than 20 years."

14 style="text-align:center">**SECTION 2.**

15 This Act shall become effective on July 1, 2013, and shall apply to covenants entered into
16 on or after that date.

17 style="text-align:center">**SECTION 3.**

18 All laws and parts of laws in conflict with this Act are repealed.