

House Bill 854

By: Representatives Dollar of the 45th, Strickland of the 111th, Fludd of the 64th, and Atwood of the 179th

A BILL TO BE ENTITLED
AN ACT

1 To amend Article 3 of Chapter 3 of Title 44 of the Official Code of Georgia Annotated,
2 relating to condominiums, so as to change the amount permissible as a special assessment
3 fee; to provide for related matters; to provide an effective date; to repeal conflicting laws;
4 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 3 of Title 44 of the Official Code of Georgia Annotated, relating to
8 condominiums, is amended by revising subsection (g) of Code Section 44-3-80, relating to
9 liability for common expenses and how assessments are made, as follows:

10 "(g) A condominium instrument recorded on or after July 1, ~~1990~~ 2014, shall not authorize
11 the board of directors to impose:

12 (1) Except as provided in subsections (a) and (b) of this Code section and subsections (a)
13 and (b) of Code Section 44-3-109, a special assessment fee per unit in excess of ~~an~~
14 ~~average of \$200.00~~ one-sixth of the annual common expense assessment for the unit
15 levied pursuant to subsection (c) of this Code section per fiscal year without the approval
16 of a majority of the unit owners; or

17 (2) A monthly maintenance fee increase in excess of the percentage equal to the annual
18 rate of inflation as measured by the Consumer Price Index for All Urban Consumers for
19 the immediately preceding 12 month period may be disapproved by unit owners holding
20 a majority of the association vote."

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

22 This Act shall become effective on July 1, 2014.

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

24 All laws and parts of laws in conflict with this Act are repealed.