

House Bill 245 (AS PASSED HOUSE AND SENATE)

By: Representatives Dollar of the 45<sup>th</sup>, Kelley of the 16<sup>th</sup>, Powell of the 171<sup>st</sup>, Atwood of the 179<sup>th</sup>, and Evans of the 42<sup>nd</sup>

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~~ 2015, 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, 2015.

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

24 All laws and parts of laws in conflict with this Act are repealed.