

The Senate Committee on Judiciary offered the following substitute to HB 531:

A BILL TO BE ENTITLED
AN ACT

1 To amend Article 4 of Chapter 10 of Title 9 of the Official Code of Georgia Annotated,
2 relating to personal jurisdiction over nonresidents, so as to change provisions relating to the
3 grounds for exercising personal jurisdiction over nonresidents; to change provisions relating
4 to effect of appearance; to change provisions relating to venue; to amend Code Sections
5 19-13-2 and 34-1-7 of the Official Code of Georgia Annotated, relating to jurisdiction of
6 superior court and application for temporary restraining order and injunction, respectively,
7 so as to correct cross-references; to provide for related matters; to provide for an effective
8 date and applicability; to repeal conflicting laws; and for other purposes.

9 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

10 SECTION 1.

11 Article 4 of Chapter 10 of Title 9 of the Official Code of Georgia Annotated, relating to
12 personal jurisdiction over nonresidents, is amended by revising Code Section 9-10-91,
13 relating to grounds for exercise of personal jurisdiction over nonresidents, as follows:

14 "9-10-91.

15 A court of this state may exercise personal jurisdiction over any nonresident or his or her
16 executor or administrator;:

17 (1) As as to a cause of action arising from any of the acts, omissions, ownership, use, or
18 possession enumerated in this Code section, in the same manner as if he or she were a
19 resident of this state, if in person or through an agent, he or she:

20 ~~(1)(A)~~ Transacts any business within this state;

21 ~~(2)(B)~~ Commits a tortious act or omission within this state, except as to a cause of
22 action for defamation of character arising from the act;

23 ~~(3)(C)~~ Commits a tortious injury in this state caused by an act or omission outside this
24 state if the tort-feasor regularly does or solicits business, or engages in any other
25 persistent course of conduct, or derives substantial revenue from goods used or
26 consumed or services rendered in this state;

62 or judgment is returned in favor of such resident defendant. If such resident defendant is
63 dismissed from the action prior to commencement of the trial, the action against the
64 nonresident defendant shall not abate but shall be transferred to a court in a county where
65 venue is proper."

66 **SECTION 4.**

67 Code Section 19-13-2 of the Official Code of Georgia Annotated, relating to jurisdiction of
68 superior court, is amended by revising subsection (b) as follows:

69 "(b) For proceedings under this article involving a nonresident respondent, the superior
70 court where the petitioner resides or the superior court where an act involving family
71 violence allegedly occurred shall have jurisdiction, where the act involving family violence
72 meets the elements for personal jurisdiction provided for under ~~paragraph (2) or (3)~~ of
73 Code Section 9-10-91."

74 **SECTION 5.**

75 Code Section 34-1-7 of the Official Code of Georgia Annotated, relating to application for
76 temporary restraining order and injunction, is amended by revising paragraph (2) of
77 subsection (c) as follows:

78 "(2) For proceedings under this Code section involving a nonresident respondent, the
79 superior court where the petitioner's workplace is located shall have jurisdiction, where
80 the act involving unlawful violence or a credible threat of unlawful violence meets the
81 elements for personal jurisdiction provided for under ~~paragraph (2) or (3)~~ of Code Section
82 9-10-91."

83 **SECTION 6.**

84 This Act shall become effective on July 1, 2016, and shall apply to all causes of action
85 arising on and after such date.

86 **SECTION 7.**

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