

House Bill 197

By: Representatives Teasley of the 37<sup>th</sup>, Hatchett of the 150<sup>th</sup>, Kelley of the 16<sup>th</sup>, Brockway of the 102<sup>nd</sup>, and Bonner of the 72<sup>nd</sup>

A BILL TO BE ENTITLED  
AN ACT

1 To amend Part 2 of Article 15 of Chapter 1 of Title 10 of the Official Code of Georgia  
2 Annotated, relating to the Fair Business Practices Act, so as to provide for requirements for  
3 solicitations of services for obtaining a copy of an instrument conveying real estate; to  
4 provide for a definition; to provide for related matters; to repeal conflicting laws; and for  
5 other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Part 2 of Article 15 of Chapter 1 of Title 10 of the Official Code of Georgia Annotated,  
9 relating to the Fair Business Practices Act, is amended by adding a new Code section to read  
10 as follows:

11 "10-1-393.15.

12 (a) For purposes of this Code section, the term 'instrument conveying real estate' means  
13 any documentary material evidencing an interest in real property required under law to be  
14 recorded with the superior court in the county in which the land is located, including, but  
15 not limited to, a deed to secure debt, a mortgage, a deed under power, and a lien.

16 (b) Any person who mails a solicitation for services to obtain a copy of an instrument  
17 conveying real estate shall include, in at least 16 point Helvetica font at the top of and at  
18 least two inches apart from any other text on such solicitation, the words:

19 'THIS IS NOT A BILL OR OFFICIAL GOVERNMENT DOCUMENT. THIS IS A  
20 SOLICITATION.'

21 No text on the solicitation shall be larger than the above required words.

22 (c) Failure to comply with the provisions of this Code section shall be considered an unfair  
23 or deceptive act or practice which is unlawful and which shall be punishable by the  
24 provisions of this part."

25

**SECTION 2.**

26 All laws and parts of laws in conflict with this Act are repealed.