

The House Committee on Regulated Industries offers the following substitute to HB 523:

A BILL TO BE ENTITLED  
AN ACT

1 To amend Title 36 of the Official Code of Georgia Annotated, relating to local government,  
2 so as to allow limited regulation of the use of properties as short-term rentals by local  
3 governing authorities; to provide for definitions; to provide for exemptions; to provide for  
4 statutory construction; to provide for related matters; to repeal conflicting laws; and for other  
5 purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Title 36 of the Official Code of Georgia Annotated, relating to local government, is amended  
9 by revising Chapter 77, which is reserved, as follows:

10 "CHAPTER 77

11 36-77-1.

12 As used in this chapter, the term:

13 (1) 'Entity' means any business, company, marketplace, partnership, or service including,  
14 but not limited to, a corporation, partnership, limited liability company, or sole  
15 proprietorship.

16 (2) 'Long-term rental' means any residence that is offered for occupancy for a fee or  
17 other consideration for 30 consecutive days or more. The term shall not include a  
18 residence that is used for any nonresidential use, including, but not limited to, use as a  
19 retail establishment, restaurant, banquet space, event center, or similar use.

20 (3) 'Residence' means an owner-occupied house; a single-family house or dwelling unit;  
21 or any unit or group of units in a condominium, apartment building, cooperative, or  
22 timeshare.

23 (4) 'Short-term rental' means any residence that is offered for occupancy for a fee or  
24 other consideration for less than 30 consecutive days. The term shall not include a

25 residence that is used for any nonresidential use, including, but not limited to, use as a  
26 retail establishment, restaurant, banquet space, event center, or similar use.

27 36-77-2.

28 An ordinance, resolution, regulation, or code of a local governing authority of a county,  
29 municipality, or consolidated government may regulate activities that arise when property  
30 is used as a short-term rental if such ordinance, resolution, regulation, or code does not  
31 prohibit the use of property as a short-term rental or long-term rental, does not require the  
32 registration of residential rental property, and applies uniformly to all residences without  
33 regard to whether such properties are used as short-term rentals, long-term rentals, or not  
34 rented at all.

35 36-77-3.

36 Nothing in this chapter shall be construed to affect the validity or enforceability of private  
37 covenants restricting residences used as short-term rentals or long-term rentals or of other  
38 contractual agreements among property owners that relate to the use of residences as  
39 short-term rentals or long-term rentals."

40 **SECTION 2.**

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