House Bill 323 (AS PASSED HOUSE AND SENATE)

By: Representatives Harden of the 28th, Allison of the 8th, Battles of the 15th, Rice of the 51st, and Austin of the 10th

A BILL TO BE ENTITLED

AN ACT

To amend Code Section 40-3-50 of the Official Code of Georgia Annotated, relating to perfection of a security interest in a motor vehicle, so as to change the time of perfection of a security interest; to provide for related matters; to provide for an effective date; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Code Section 40-3-50 of the Official Code of Georgia Annotated, relating to perfection of a security interest in a motor vehicle, is amended by revising paragraph (2) of subsection (b) as follows:

"(2) The security interest is perfected as of the time of its creation if the initial delivery of the application or notice to the commissioner or local tag agent is completed within ~~20~~ 30 days thereafter, regardless of any subsequent rejection of the application or notice for errors; otherwise, as of the date of the delivery to the commissioner or local tag agent. The local tag agent shall issue a receipt or other evidence of the date of filing of such application or notice. When the security interest is perfected as provided for in this subsection, it shall constitute notice to everybody of the security interest of the holder."

SECTION 2.

This Act shall become effective on July 1, 2011.

SECTION 3.

All laws and parts of laws in conflict with this Act are repealed.