

Senate Bill 184

By: Senators Albers of the 56th, Still of the 48th, Hatchett of the 50th, Setzler of the 37th,  
Summers of the 13th and others

A BILL TO BE ENTITLED  
AN ACT

1 To amend Title 16 of the Official Code of Georgia Annotated, relating to crimes and  
2 offenses, so as to provide that a person must show certain documentation upon receipt of a  
3 citation for unlawful squatting; to provide for a penalty; to amend Code Section 16-9-2 of  
4 the Official Code of Georgia Annotated, relating to penalties for forgery, so as to provide for  
5 a penalty for forgery cases related to the offense of unlawful squatting; to amend Article 1  
6 of Chapter 21 of Title 43 of the Official Code of Georgia Annotated, relating to rights, duties,  
7 and liabilities of innkeepers, so as to provide for certain guest ejection procedures for  
8 innkeepers; to provide for an affidavit; to provide for related matters; to provide for a short  
9 title; to repeal conflicting laws; and for other purposes.

10 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

11 **SECTION 1.**

12 This Act shall be known and may be cited as the "Georgia Anti-Squatting Act of 2025."

13 **SECTION 2.**

14 Title 16 of the Official Code of Georgia Annotated, relating to crimes and offenses, is  
15 amended by revising Code Section 16-7-21.1, relating to unlawful squatting, as follows:

16 "16-7-21.1.

17 (a)(1) A person commits the offense of unlawful squatting when he or she enters upon  
18 the land or premises of another and resides on such land or premises for any period of  
19 time knowingly acting without the knowledge or consent of the owner, the rightful  
20 occupant, or an authorized representative of the owner, and shall be subject to removal.  
21 If the owner, rightful occupant, or authorized representative of the owner, shall take and  
22 subscribe an affidavit, in writing, before any officer authorized to administer an oath  
23 setting forth that such owner, rightful occupant, or authorized representative of the owner  
24 in fact claims, in good faith, that the occupancy of any person upon such land or premises  
25 is unauthorized and such person refuses to vacate the premises, it shall be the duty of the  
26 sheriff, sheriff's deputy, constable, marshal, or other individual certified by the Georgia  
27 Peace Officer Standards and Training Council of the county where the property is located  
28 to eject such person within five days of receiving such affidavit. For purposes of As used  
29 in this Code section, the term 'resides' means to inhabit or live on or within any land or  
30 premises.

31 (2) Any person who commits or is accused of committing the offense of unlawful  
32 squatting as provided for in paragraph (1) of this subsection shall receive a citation  
33 advising that ~~they must~~ he or she shall present to the head of the issuing law enforcement  
34 agency or ~~their~~ its designee, upon ~~within three business days~~ of receiving the citation for  
35 such alleged offense, properly executed documentation that authorizes the person's entry  
36 on such land or premises. Such documentation may include a properly executed lease or  
37 rental agreement or proof of rental payments.

38 (3) If such person, upon receiving the citation, is unable to provide the documentation  
39 required by paragraph (2) of this subsection, such person shall be subject to arrest for  
40 unlawful squatting and, upon conviction thereof, shall be subject to the penalty provided  
41 in subsection (b) of this Code section.

42 (4) If such person ~~does provide~~ provides documentation that authorizes such person's  
43 entry on the land or premises, a hearing shall be set within seven days of the submission  
44 of such documentation, and, if the court of appropriate jurisdiction finds that the  
45 submitted documentation was not properly executed or is not meritorious, such person  
46 shall be subject to demand for possession and removal as provided in Code  
47 Section 44-11-32, be subject to arrest and, upon conviction thereof, be subject to penalties  
48 as provided for in Code Sections 16-9-1 and 16-9-2; and ~~shall~~ be assessed an additional  
49 fine based on the fair market monthly rental rate of the land or premises.

50 (b) The sheriff, sheriff's deputy, constable, marshal, or other individual certified by the  
51 Georgia Peace Officer Standards and Training Council is not liable to the unlawful  
52 occupant or any other party for loss, destruction, or damage of property. The owner,  
53 rightful occupant, or authorized representative of the owner is not liable to an unlawful  
54 occupant or any other party for the loss, destruction, or damage to the personal property of  
55 such unlawful occupant unless the removal was wrongful.

56 (c) Any person who violates subsection (a) of this Code section shall be guilty of a  
57 misdemeanor of a high and aggravated nature which upon conviction shall be ~~punishable~~  
58 punished as provided in Code Section ~~17-10-3~~ 17-10-4."

59 **SECTION 3.**

60 Code Section 16-9-2 of the Official Code of Georgia Annotated, relating to penalties for  
61 forgery, is amended by adding a new subsection to read as follows:

62 "(e) A person who commits the offense of forgery in relation to a violation of Code  
63 Section 16-7-21.1 shall be guilty of a felony and, upon conviction thereof, shall be  
64 sentenced to a mandatory minimum term of imprisonment of no less than one year, and no  
65 portion of the mandatory minimum sentence imposed shall be suspended, stayed, probated,  
66 deferred, or withheld by the sentencing court."

67 **SECTION 4.**

68 Article 1 of Chapter 21 of Title 43 of the Official Code of Georgia Annotated, relating to  
69 rights, duties, and liabilities of innkeepers, is amended by revising Code Section 43-21-3.2,  
70 relating to written statement of period of occupancy signed by guest and rights of innkeeper  
71 and guest under contract, as follows:

72 "43-21-3.2.

73 (a) A written statement prominently setting forth in bold type the time period during which  
74 a guest may occupy an assigned room, when separately signed or initialed by the guest, is  
75 a valid nonassignable contract. At the expiration of such time period, the guest may be  
76 restrained from entering such room and any property of the guest shall be subject to the  
77 innkeeper's lien as provided by Code Section 43-21-5 and may be removed by the  
78 innkeeper to a secure place where the guest may recover his or her property upon payment  
79 by such guest of all sums due for food, lodging, or other accommodation without liability  
80 to the innkeeper, except for damages to or loss of such property attributable to its removal.  
81 If a guest vacates his or her room prior to the date contained in the written statement, that  
82 such guest shall not be liable for charges for the time after the room is vacated unless the  
83 guest has agreed otherwise before occupying the room.

84 (b)(1) Any guest on the premises at or after the expiration of the time period provided  
85 for in subsection (a) of this Code section, whose occupancy has been terminated under  
86 Code Section 43-21-3.1, or who does not have a valid contract with the innkeeper shall  
87 be subject to ejectment.

88 (2) When the innkeeper, its agent, or its attorney in fact, shall take and subscribe an  
89 affidavit, in writing, before any officer authorized to administer an oath setting forth that  
90 such innkeeper, its agent, or its attorney in fact claims, in good faith, that the occupancy  
91 of a guest has expired or has otherwise been terminated or the guest does not have a valid  
92 contract and refuses to vacate the premises, it shall be the duty of the sheriff, sheriff's  
93 deputy, constable, marshal, or other individual certified by the Georgia Peace Officer

94 Standards and Training Council of the county where the inn is located to eject such guest  
95 within five days of receiving such affidavit.

96 (3) In the event that such sheriff, sheriff's deputy, constable, marshal, or other individual  
97 is unable to eject such guest within the time period provided in paragraph (2) of this  
98 subsection, the innkeeper shall be entitled to utilize the services of an off-duty sheriff,  
99 sheriff's deputy, constable, marshal, or other individual certified by the Georgia Peace  
100 Officer Standards and Training Council to eject such guest.

101 (c) After the sheriff serves the notice to immediately vacate, the property owner or his or  
102 her authorized agent may request that the sheriff stand by to keep the peace while the  
103 property owner or his or her authorized agent changes the locks and removes the personal  
104 property of the unlawful occupant from the premises to or near the property line. When  
105 such a request is made, the sheriff may charge a reasonable hourly rate, and the person  
106 requesting the sheriff to stand by and keep the peace is responsible for paying the  
107 reasonable hourly rate set by the sheriff. The sheriff is not liable to the unlawful occupant  
108 or any other party for loss, destruction, or damage of property. The property owner or his  
109 or her authorized agent is not liable to an unlawful occupant or any other party for the loss,  
110 destruction, or damage to the personal property of such unlawful occupant unless the  
111 removal was wrongful.

112 (d) When an innkeeper furnishes accommodations to a guest on a day-to-day or  
113 week-to-week basis, an innkeeper-guest relationship shall be presumed to exist regardless  
114 of such guest's length of stay at such inn."

115 **SECTION 5.**

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