

Senate Bill 292

By: Senators Jones of the 10th and Davenport of the 17th

A BILL TO BE ENTITLED
AN ACT

1 To amend Part 2 of Article 5 of Chapter 2 of Title 14 of the Official Code of Georgia
2 Annotated, relating to venue relative to business corporations, so as to provide that certain
3 domestic corporations maintaining a principal place of business in Georgia shall be deemed
4 to reside and to be subject to venue in the county in Georgia where the defendant maintains
5 such principal place of business; to provide for determinations regarding the principal place
6 of business for certain domestic corporations; to provide for statutory construction; to
7 provide for related matters; to provide for an effective date and applicability; to repeal
8 conflicting laws; and for other purposes.

9 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

10 **SECTION 1.**

11 Part 2 of Article 5 of Chapter 2 of Title 14 of the Official Code of Georgia Annotated,
12 relating to venue relative to business corporations, is amended by revising Code Section
13 14-2-510, relating to venue, as follows:

14 "14-2-510.

15 (a) Venue in proceedings against a corporation shall be determined in accordance with the
16 pertinent constitutional and statutory provisions of this state in effect as of July 1, 1989, or
17 thereafter.

18 (b) Each domestic corporation and each foreign corporation authorized to transact business
19 in this state shall be deemed to reside and to be subject to venue as follows:

20 (1) In civil proceedings generally, in the county of this state where the corporation
21 maintains its registered office; or if the corporation fails to maintain a registered office,
22 it shall be deemed to reside in the county where its last named registered office or
23 principal office, as shown by the records of the Secretary of State, was maintained;

24 (2) In actions based on contracts, in that county in this state where the contract to be
25 enforced was made or is to be performed, if the corporation has an office and transacts
26 business in that county;

27 (3) In actions for damages because of torts, wrong, or injury done, in the county where
28 the cause of action originated, if the corporation has an office and transacts business in
29 that county;

30 (4) In actions for damages because of torts, wrong, or injury done, in the county where
31 the cause of action originated. If venue is based solely on this paragraph, the defendant
32 shall have the right to remove the action to the county in Georgia where the defendant
33 maintains its principal place of business. A notice of removal shall be filed within 45
34 days of service of the summons. Upon motion by the plaintiff filed within 45 days of the
35 removal, the court to which the case is removed may remand the case to the original court
36 if it finds that removal is improper under the provisions of this paragraph. Upon the
37 defendant's filing of a notice of removal, the 45 day time period for filing such notice
38 shall be tolled until the remand, the entry of an order by the court determining that the
39 removal is valid, or the expiration of the time period for the plaintiff to file a motion
40 challenging the removal, whichever occurs first; and

41 (5) In garnishment proceedings, in the county of this state in which is located the
42 corporate office or place of business where the employee who is the defendant in the
43 main action is employed.

44 (c) Any residences established by this Code section shall be in addition to, and not in
45 limitation of, any other residence that any domestic or foreign corporation may have by
46 reason of other laws.

47 (d) Whenever this chapter either requires or permits a proceeding to be brought in the
48 county where the registered office of the corporation is maintained, if the proceeding is
49 against a corporation having a principal office as required under a prior general corporation
50 law, the action or proceeding may be brought in the county where the principal office is
51 located.

52 (e) Notwithstanding any provision to the contrary in this chapter that either requires or
53 permits a proceeding to be brought in the county where the registered office of a domestic
54 corporation is maintained, if the proceeding is against a domestic corporation maintaining
55 a principal place of business in this state that is separate and distinct from the registered
56 office maintained by such domestic corporation, then such domestic corporation shall be
57 deemed to reside and to be subject to venue in the county in Georgia where the defendant
58 maintains such principal place of business. For purposes of this subsection, no
59 determination as to the location of a domestic corporation's principal place of business shall
60 be based exclusively on the location of the residence or business office of such
61 corporation's registered agent."

62 **SECTION 2.**

63 This Act shall become effective on July 1, 2025, and shall apply to all causes of action
64 accruing on or after such date.

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SECTION 3.

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