

House Bill 679

By: Representatives Sanchez of the 42<sup>nd</sup>, Frye of the 122<sup>nd</sup>, Cummings of the 39<sup>th</sup>, Bell of the 75<sup>th</sup>, and Taylor of the 92<sup>nd</sup>

A BILL TO BE ENTITLED  
AN ACT

1 To amend Chapter 8 of Title 13 of the Official Code of Georgia Annotated, relating to illegal  
2 and void contracts generally, so as to prohibit certain agreements involving rental  
3 price-fixing as unenforceable contracts in general restraint of trade with respect to residential  
4 rental properties; to provide for a criminal penalty; to provide for statutory construction; to  
5 provide for a short title; to provide for an effective date and applicability; to provide for  
6 related matters; to repeal conflicting laws; and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 This Act shall be known and may be cited as the "End Rental Price-Fixing Act."

10 **SECTION 2.**

11 The General Assembly finds that there is a housing crisis in Georgia. For many years, the  
12 cost of living in Georgia has been low, providing benefits to existing Georgians and  
13 encouraging future residents to move to Georgia. However, the cost of housing in Georgia  
14 has begun to rise steeply. One factor in this recent increase is coordination among landlords  
15 to fix rental prices. In 2024, the U.S. Department of Justice sued a Georgia landlord over

16 price-fixing. This coordination not only undermines market competition, but it also threatens  
17 the financial well-being of Georgians. The General Assembly finds, therefore, that this Act  
18 is necessary to protect the general welfare of Georgians.

### 19 SECTION 3.

20 Chapter 8 of Title 13 of the Official Code of Georgia Annotated, relating to illegal and void  
21 contracts generally, is amended by adding a new Code section to read as follows:

22 "13-8-5.

23 (a) As used in this Code section, the term:

24 (1) 'Agreement' means any contract, combination, or other agreement, whether verbal or  
25 written.

26 (2) 'Coordinator' means an individual who uses or causes to be used a system, software,  
27 or process that performs a coordinating function for one or more landlords that compete  
28 in the same or a similar market, including a landlord that is performing a coordinating  
29 function for the landlord's own benefit.

30 (3) 'Landlord' means the owner, lessor, or sublessor of a residential property or any  
31 person designated as an agent or representative of the owner, lessor, or sublessor,  
32 including, but not limited to, an agent, a resident manager, or a designated property  
33 manager.

34 (4) 'Person' means any individual, partnership, association, firm, public or private  
35 corporation, trust, or unincorporated organization. Such term shall include a coordinator  
36 or a landlord.

37 (5) 'Price-fixing' means any agreement between two or more landlords that compete in  
38 the same or a similar market to raise, lower, change, maintain, or otherwise manipulate  
39 the rental price of two or more residential properties based on a price-fixing function.

40 (6) 'Price-fixing function' means:

- 41 (A) Collecting historical or contemporaneous rental prices, supply levels, or rental  
42 agreement termination and renewal dates of residential properties, including nonpublic  
43 information, from two or more landlords that compete in the same or a similar market;  
44 (B) Analyzing or processing the information described in subparagraph (A) of this  
45 paragraph through the use of a system, software, or process that uses computation,  
46 including, but not limited to, a computational process that uses machine learning or  
47 other artificial intelligence techniques; and  
48 (C) Recommending rental prices, rental agreement renewal terms, or ideal occupancy  
49 levels to a landlord.
- 50 (7) 'Rental agreement' means any lease, rental, or other written agreement entered into  
51 by a landlord and a tenant in order for such tenant to lease, sublease, let, or accept a grant  
52 for consideration the right to possess and enjoy the use of a residential property.
- 53 (8) 'Rental price' means any consideration a tenant must pay in order to lease, sublease,  
54 let, or accept a grant of the right to possess and enjoy the use of a residential property  
55 either for a fixed time or at the will of the landlord.
- 56 (9) 'Residential property' means any building, structure, or portion thereof which is used  
57 or occupied as, or designed or intended for use or occupancy as, a residence.
- 58 (b) No person shall enter into or cause to be entered into an agreement involving  
59 price-fixing. Any such agreement shall be deemed an unenforceable contract in general  
60 restraint of trade as provided in Code Section 13-8-2, and any person that enters into or  
61 causes to be entered into such an agreement shall, upon conviction thereof, be guilty of a  
62 felony and be punished by imprisonment for not less than one nor more than five years, or  
63 by a fine of not less than \$1,000.00 nor more than \$5,000.00, or by both imprisonment and  
64 fine.
- 65 (c) No landlord shall set rental prices based on a price-fixing function.
- 66 (d) Nothing in this Code section shall be construed to apply to, impair, or otherwise  
67 prohibit actions taken by a person or any federal, state, or local governmental entity, or any

68 official, employee, or agent thereof, while in the exercise or performance of any power or  
69 duty imposed by a federal or state affordable or low-income housing law, program, or  
70 initiative."

71 **SECTION 4.**

72 This Act shall become effective upon its approval by the Governor or upon its becoming law  
73 without such approval and shall apply to all agreements related to residential property  
74 entered into on or after such date and to all renewals, modifications, or extensions of such  
75 agreements entered into on or after such date.

76 **SECTION 5.**

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