

House Bill 1364

By: Representatives Leverett of the 123<sup>rd</sup>, Scoggins of the 14<sup>th</sup>, Kelley of the 16<sup>th</sup>, Momtahan of the 17<sup>th</sup>, and Gambill of the 15<sup>th</sup>

A BILL TO BE ENTITLED  
AN ACT

1 To amend Part 7 of Article 5 of Chapter 3 of Title 44 of the Official Code of Georgia  
2 Annotated, relating to miscellaneous provisions relative to time-share projects and programs,  
3 so as to repeal provisions for nonjudicial foreclosures on time-share estates, subject to  
4 exceptions for time-share estates created during certain time periods; to provide for related  
5 matters; to provide for an effective date; to repeal conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Part 7 of Article 5 of Chapter 3 of Title 44 of the Official Code of Georgia Annotated,  
9 relating to miscellaneous provisions relative to time-share projects and programs, is amended  
10 by adding new subsections to Code Section 44-3-206, relating to foreclosure by owners'  
11 associations, procedure, and effect of sale, to read as follows:

12 "(e) The provisions of subsections (a) through (d) of this Code Section shall not apply to  
13 time-share estates created before July 1, 2023, and after June 30, 2026.

14 (f) Effective July 1, 2026, an owners' association may foreclose its lien upon a time-share  
15 estate created or amended on and after July 1, 2023, in accordance with subsection (c) of

16 Code Section 44-3-109 for the purpose of paying any or all unpaid assessments and other  
17 charges owed by the owner of such time-share estate."

18 **SECTION 2.**

19 Said part is further amended by adding new subsections to Code Section 44-3-207, relating  
20 to time-share estates, trustee foreclosures, and requirements, to read as follows:

21 "(f) The provisions of subsections (a) through (e) of this Code Section shall not apply to  
22 time-share estates created before July 1, 2023, and after June 30, 2026.

23 (g) Notwithstanding any provision of this Code section or Code Section 44-3-206 to the  
24 contrary, a mortgagee may foreclose its mortgage upon a time-share estate in accordance  
25 with Part 2 of Article 7 of Chapter 14 of this title in order to sell a time-share estate for the  
26 purpose of satisfying any obligation of the owner of such time-share estate created by such  
27 mortgage."

28 **SECTION 3.**

29 This Act shall become effective on July 1, 2026.

30 **SECTION 4.**

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