

The House Committee on Judiciary offers the following substitute to HB 1221:

A BILL TO BE ENTITLED
AN ACT

1 To amend Article 6 of Chapter 3 of Title 44 of the Official Code of Georgia Annotated,
2 relating to property owners' associations, so as to provide for written notice of certain sums;
3 to provide for a time certain to pay outstanding sums; to provide for an itemized list of
4 attorney's fees claimed; to provide for an order finding reasonableness; to provide for related
5 matters; to provide for an effective date and applicability; to repeal conflicting laws; and for
6 other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 Article 6 of Chapter 3 of Title 44 of the Official Code of Georgia Annotated, relating to
10 property owners' associations, is amended by adding new subsections to Code Section
11 44-3-232, relating to assessments against lot owners as constituting lien in favor of
12 association, additional charges against lot owners, procedure for foreclosing lien, and
13 obligation to provide statement of amounts due, to read as follows:

14 "(f) Before an association may collect or be awarded attorney's fees, it shall provide:

15 (1) An initial written notice by certified mail or statutory overnight delivery to the lot
16 owner from the association or its agent identifying any outstanding fines or delinquent
17 fees;

18 (2) Lot owners with 30 days from the receipt of the notice required under paragraph (1)
19 of this subsection to pay such outstanding fines or delinquent fees; and

20 (3) An itemized list of reasonable attorney's fees claimed.

21 (g) Judges conducting bench trials for an action to recover sums assessed against a lot
22 owner shall review such claims of attorney's fees for reasonableness and shall enter an
23 order stating whether the attorney's fees were reasonable before an association can be
24 awarded such attorney's fees."

25 **SECTION 2.**

26 This Act shall become effective on July 1, 2026, and shall apply to all actions filed on or
27 after such date.

28 **SECTION 3.**

29 All laws and parts of laws in conflict with this Act are repealed.