

# 2024 Legislative Session Report



## 2024 CAI Georgia Legislative Session Report

Community Associations Institute (CAI) Georgia Legislative Action Committee (GA LAC) spent the 2024 legislative session advocating on behalf of the approximately [2,258,000 Georgians living in 857,000 homes in more than 10,990 community associations](#). In this legislative session spanning from January 8 to March 27, the GA LAC advocated on more than 25 pieces of legislation that would have directly impacted the community association housing model. Below is a brief overview of the most important legislative issues from this year:

### **GA HB 220 – Property; means of enforcement of condominium and property owners' association instruments, rules, and regulations; provide**

The Legislative Advocacy Committee (LAC) supported House Bill 220, which was successfully passed. This bill amended Title 44 of the Official Code of Georgia Annotated, focusing on property regulations related to condominium and property owners' associations. The key provisions included:

1. Providing means of enforcement for condominium and property owners' association instruments, rules, and regulations.
2. Ensuring compliance with covenants and instruments for certain planned subdivisions.
3. Establishing guidelines for association meetings.
4. Empowering associations to enforce compliance through actions for recovery of sums due, damages, injunctive relief, or other available remedies.
5. Allowing associations to impose fines, temporarily suspend voting rights, and the right to use certain common elements to enforce compliance.
6. Setting requirements for meeting frequency, notice, and the ability of members to call meetings.
7. Granting associations the power to employ agents and employees, make additional improvements to common areas, and grant or withhold approval of actions affecting the appearance of the development.

This bill aimed to enhance the governance and enforcement capabilities of condominium and property owners' associations, ensuring effective management and maintenance of shared properties and amenities.

**Status: PASSED, signed by Governor. Effective immediately.**

**GA HB 1287 – Property; liens on condominiums and lots related to collection of property association fees and assessments; repeal certain provisions**

The GA LAC strongly opposed a bill that ultimately failed sine die. This proposed legislation aimed to restrict the ability of associations to foreclose on liens. The LAC's opposition centered on the belief that such a measure would severely undermine the financial stability of associations. By stripping associations of the ability to foreclose on liens, the bill threatened to disrupt the mechanisms crucial for maintaining the financial health and operational integrity of these associations. While the bill did not pass, the LAC's stance underscored the critical importance of protecting the financial viability of associations within the state's regulatory framework.

**Status: Failed Sine Die**

**GA SR 37 – Senate Property Owners' Associations, Homeowners' Associations, and Condominium Associations Study Committee; create**

The GA LAC monitored this resolution highlighted concerns regarding excessive fees, lack of due process, and alleged harassment or discrimination by property owners' associations, homeowners' associations, and condominium associations. The proposed committee would have been tasked with studying these issues and recommending any necessary action or legislation. However, despite the LAC's monitoring efforts, the resolution ultimately failed, resulting in the committee not being formed.

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**Status: Passed on the Consent Calendar.**

**GA SB 356 – Specialized Land Transactions; protections of homeowners in community associations; provide**

This proposed legislation sought to introduce protections for homeowners in community associations, revise provisions regarding lien foreclosure by condominium associations and property owner's associations, establish definitions, mandate annual registration of community associations with associated fees, and address related matters. The LAC's opposition echoed concerns about the potential negative impact on the financial stability of associations, mirroring their stance on previous bills with similar implications. While the bill did not advance, its proposal shed light on important considerations regarding homeowner protections and association governance within Georgia's legal framework.

**Status: Failed Sine Die**

**GA HB 1032 – Property Owner Rights and Accountability Act; enact**

The GA LAC opposed this legislation that targeted specialized land transactions concerning property, with a focus on repealing certain provisions related to liens on condominiums and lots associated with the collection of property association fees and assessments. The LAC's opposition likely stemmed from concerns about the potential negative impact of these repeals on the financial stability of property associations. Despite its failure to advance, the bill's proposal highlighted significant considerations

regarding the regulatory framework surrounding property association fees and assessments within Georgia.

**Status: Failed Sine Die**

#### **GA SB 885 – Community Association Transparency and Protection Act; enact**

The Georgia Legislative Advocacy Committee (LAC) supported a bill that unfortunately failed to pass, aiming to amend Chapter 3 of Title 44 of the Official Code of Georgia Annotated. This legislation focused on enhancing protections for homeowners, condominium owners, and property owners within community associations. Notably, the bill included provisions requiring declarants, developers, or other establishing entities to establish budgets and reserve account funding specifically designated for the maintenance of community amenities. These reserve funds were intended to ensure the long-term financial stability and maintenance of essential community infrastructure. Despite the bill's failure to advance, the LAC's support underscored the importance of robust reserve funding to safeguard the interests of homeowners and maintain the quality of community amenities within associations.

**Status: Failed Sine Die**

#### **GA HB 1308 – Property; protections for homeowners, condominium owners, and property owners in community associations; provide**

This legislation, as supported by the GA LAC, focused on enhancing protections for homeowners, condominium owners, and property owners within community associations. It proposed provisions for civil causes of action for violations, civil penalties, and mechanisms for the recovery of litigation costs. The LAC's support reflected a commitment to bolstering homeowner rights and governance within community associations, despite the bill's failure to advance. This proposed legislation underscored the importance of ensuring robust legal protections for residents of community associations in Georgia.

**Status: Failed Sine Die**

#### **GA HB 1321 – Property; prohibit homeowners' associations from preventing property owners from installing solar energy devices; provisions**

The Legislative Advocacy Committee (LAC) opposed House Bill 1321, which ultimately failed to pass. This bill aimed to amend Title 44 of the Official Code of Georgia Annotated, focusing on property regulations. Specifically, the proposed legislation sought to prohibit condominium associations, property owners' associations, and homeowners' associations from preventing property owners from installing solar energy devices on common roofs or roof structures. The LAC's opposition likely stemmed from concerns about potential conflicts between property owners' rights and the authority of associations to govern common property elements. Despite the bill's failure, its proposal shed light on important considerations regarding renewable energy access and property governance within associations.

**Status: Failed Sine Die**

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