



Georgia 2023-2024 Mid-Year Legislative Session Report

The CAI Georgia Chapter Legislative Action Committee (LAC) actively advocated on behalf of the [approximately 2,258,000 Georgians living in 857,000 homes in more than 10,990 community associations across the Peach State](#) during the 2023 state legislative session. In addition to advocating in support of two key pieces of legislation, the CAI Georgia Chapter LAC worked on behalf of homeowners to stop and prevent unnecessary infringements on the right of community associations to self-regulate.

Please note that the Georgia General Assembly can reconvene later in the year to address any unfinished business, and items can be carried over into the 2024 half of the legislative session. CAI Georgia Chapter LAC will keep members informed of any changes and will continue to monitor outstanding legislation.

Below is a brief overview from the 2023-2024 Georgia General Assembly thus far:

HB 220 Property; means of enforcement of condominium and property owners' association instruments, rules, and regulations; provide- One of the priority bills for the CAI Georgia Chapter LAC, this bill is intended to clean up existing law, and protect the right of community associations to enforce certain covenants where their governing documents might otherwise be silent. Associations would be able to pursue injunctive relief in certain circumstances, including immediate threats to safety and property, without having to pursue other remedies after a 10-day notice period, if the governing documents do not specify a different process. The bill also makes it clear that all owners in subdivisions with 15 or fewer plots are legally required to adhere to all covenants, and that associations can take action when said covenants are violated.

Status: Successfully ADOPTED by the House, TABLED in the Senate.

HB 389 Property; condominiums; revise maximum amount of insurance deductibles payable by unit owners- The other majority priority bill for the CAI Georgia Chapter LAC, this bill would lift the \$5,000 limit on the amount of the deductible that can be paid to any one unit owner, and replaces it with the association's master policy deductible.

Status: In House Committee, will return in 2024.

HB 355 Property owners' associations; creating or enforcing covenants which infringe on a lot owners' right to use natural gas or solar energy device; prohibit- This is yet another bill which would have infringed on an association's right to regulate the placement of solar panels,



and would have prohibited associations from charging a permitting fee. Fortunately, advocacy on the part of the CAI Georgia Chapter LAC was able to successfully prevent this bill from moving forward.

Status: Successfully FAILED in Committee.

SB 145 "Landscape Equipment and Agricultural Fairness (LEAF) Act"; enact- This bill would have prevented cities and counties from enacting regulations which would treat gas-powered leaf blowers differently from other leaf blowers. The idea behind this bill was to clear up conflicting state and local regulations on gas-powered leaf blowers, while also acknowledging the financial decision that guides the purchase of a specific leaf blower. While the LAC did support this bill, the House and Senate were ultimately unable to find a consensus on the final language.

Status: FAILED in House after amending by Senate.

SR 37 Senate Property Owners' Associations, Homeowners' Associations, and Condominium Associations Study Committee; create- This resolution would have created a study committee to examine community association assessment powers, community association powers to levy certain fees, and the power to enforce bylaws. The study committee would then have had to present its findings and recommendations to legislators by the end of 2023.

Status: FAILED in Senate Committee.

SB 29 Property Owners' Associations; certificates of good standing for payment of annual assessments; provide- This bill would have required associations adopt alternative dispute resolution procedures that would then be required to be utilized before an association could pursue a lien for unpaid assessments. This bill would have also required associations to provide a certificate of good standing to owners who have paid an annual assessment and have no other outstanding balances due.

Status: FAILED in Senate Committee.

HB 522 Property owners' associations; creating or enforcing covenants which infringe upon a lot owner's right to install a solar energy device or display the United States flag; prohibit- This bill would have required associations to approve solar panel installation unless it was to be located on an area of a property that is not the roof or backyard, and would constitute a health and safety hazard, or otherwise violate a local ordinance. The bill also states that roof solar panel installations must not extend higher than the roof's highest point, must conform to the slope, and frames/piping must have a color which matches the roof. This bill would have also prohibited associations from refusing to allow the flying of a United States flag which of up to



4.5x6 feet in size, but would have preserved the right of an association to impose reasonable rules and restrictions regarding the placement of flagpoles.

Status: FAILED in House Committee.

HB 303 Property; protections for homeowners, condominium owners, and property owners in community associations; provide- This bill would have made sweeping changes to how community associations in Georgia operate. Community association boards would have to adopt new rules and procedures regarding conflicts of interest, meeting notifications, alternative dispute resolution, and the use of reserve funds for the maintenance of common amenities. Additionally, this bill would have created a new process for community association foreclosures in Georgia, and would have also created the office of the community association ombudsman.

Status: FAILED in House Committee.

For more information on community association legislation in Georgia, visit <https://www.caionline.org/Advocacy/LegalArena/Laws/Pages/GA.aspx>.

Your Assistance is Needed

CAI relies on outside resources such as professional lobbying as a vital and integral part of the legislative process. The volunteers who advocate – including homeowner leaders, community managers, and business partners – greatly rely on contributions from management companies and business partners in addition to individuals to continue their important efforts in the legislature. CAI needs your financial support to bolster their advocacy activities in 2023 and beyond. We encourage donations from Georgia community associations, business partners, and individuals. Please visit www.caionline.org/lacdonate/ and donate to CAI’s Georgia Legislative Action Committee to support our continued efforts.

We need YOUR voice! [Sign up today](#) to become a CAI Advocacy Ambassador and help shape legislation in your state!

Georgia Contact Information

- Visit <https://www.caionline.org/Advocacy/LAC/GA/Pages/default.aspx>
- Contact CAI’s Government and Public Affairs Team at government@caionline.org
- To find the chapter nearest you, please call (888) 224-4321.