

<p><u>HB80</u></p>	<p>A BILL to be entitled an Act to amend Article 1 of Chapter 14 of Title 24 of the Official Code of Georgia Annotated, relating to general provisions regarding proof generally, so as to enact the "Uniform Unsworn Declarations Act"; to provide for unsworn declarations to have the same effect as sworn declarations in certain circumstances; to provide for exceptions; to provide for definitions; to provide for applicability and construction; to provide for a short title; to amend Article 4 of Chapter 10 of Title 16 of the Official Code of Georgia Annotated, relating to perjury and related offenses, so as to include unsworn declarations in the offense of perjury; to provide for related matters; to provide for an effective date; to repeal conflicting laws; and for other purposes.</p>	<p><b>4/5/2023 Passed: Sent to Governor</b> for signature  3/15/2023 Senate read second time  02/09/2023 House withdrawn, Recommended  02/02/2023 House Committee Favorable  Reported by Substitute  01/30/2023 House Second Readers  01/26/2023 House First Readers  01/25/2023 House Hopper</p>	<p><u>Real Estate Matters and Notes:</u></p> <p>This Bill may impact Real Estate transactions, as, it provides that declarations given under the penalty of perjury shall have the same effect as sworn affidavits in certain instances.</p> <p>However, the Bill specifically carves out certain documents, including instruments expressly required by statute to comply with Code Section 44-2-15, which provides requirements for the recordability of deeds and other real property transactions.</p> <p><b>The Board of Governors of the State Bar was the official sponsor of this bill. The Legislative Committee of the RPLS monitored this bill to ensure that the carveout for real estate related documents remained in the bill.</b></p>
<p><u>HB182</u></p>	<p>A BILL to be entitled an Act tort 1 of Article 1 of Chapter 2 of Title 44 of the Official Code of Georgia Annotated, relating to recording of deeds and other real property transactions, so as to revise provisions for curing defective deeds and other instruments; to comport with the legislative correction recommended by the United States Eleventh Circuit Court of Appeals in Pingora Loan Servicing, LLC, v. Scarver (In Re: Lindstrom); to provide for an effective date and applicability; to repeal conflicting laws; and for other purposes.</p>	<p><b>4/5/2023 Passed and sent to Governor for signature</b>  2/15/2023 Senate read second time (substitute bill)  02/09/2023 House Committee Favorably Reported  02/06/2023 - House 2nd Readers  02/02/2023 - House 1st Readers  02/01/2023 - House Hopper</p>	<p><u>Real Estate Matters:</u></p> <p>To address the concerns raised by the Court in <i>Pingora Loan Servicing, LLC, v. Scarver (In Re: Lindstrom)</i>; This Bill revises OCGA 44-2-15 thusly, "If a deed is neither not attested by <del>nor</del> <del>acknowledged before</del> one of the officers named in Code Section 44-2-15, it may be recorded upon the affidavit of a subscribing witness, which affidavit shall be made before any one of the officers named in Code Section 44-2-15 and shall testify to the execution of the deed and its attestation according to law. A substantial compliance with the requirements of this Code section shall be held sufficient in the absence of all suspicion of fraud."</p> <p><b>The Real Property Law Section was the chief drafter and sponsor of this bill. Matt Mashburn, prior committee member and the 2022 Pindar recipient, drafted language for the bill, testified and attended many hearings with the legislative committee and we thank him for his time and dedication to the section.</b></p>
<p><u>HB444</u></p>	<p>A BILL to be entitled an Act to amend Article 9 of Chapter 14 of Title 44 of the O.C.G.A., relating to lis pendens, so as to revise when an action may operate as a lis pendens; to provide for related matters; to provide for applicability; to repeal conflicting laws; and for other purposes.</p>	<p><b>4/5/2023 Passed and was sent to the Governor for signature</b>  02/22/2023 House Committee Favorably Reported</p>	<p><u>Real Estate Matters</u></p> <p>Amends the statutes relating to the filing of Lis Pendens in Georgia and provides that parties may file a motion to object to the filing, for a court upon its own motion to cancel the lis pendens, and for the party initiating the filing to file a release upon dismissal, settlement of final judgment in a case.</p>

		02/21/2023 House Second Readers 02/16/2023 House First Readers 02/15/2023 House Hopper	<b>The RPLS was not a sponsor of this bill but the legislative committee, through Matthew Totten, worked with the sponsor of this bill to include necessary inserts for real property law.</b>
<a href="#">HB471</a> <a href="#">SB90</a>	A BILL to be entitled an Act to amend Title 10 of the Official Code of Georgia Annotated, relating to commerce and trade, so as to add an example of an unfair or deceptive practice regarding brokerage engagements and options to enter into brokerage engagements to the "Fair Business Practices Act"; to amend Code Section 46-5-27 of the Official Code of Georgia Annotated, relating to telephone solicitations to residential, mobile, or wireless subscribers, Public Service Commission to establish and maintain list of certain subscribers, authorization for imposition of administrative fees, confidential nature of data base, and required identification, so as to revise a definition; to provide for related matters; to repeal conflicting laws; and for other purposes.	<b>4/5/2023 passed by substitute as SB 90 and sent to the Governor for signature</b> 02/22/2023 House Second Readers 02/21/2023 House First Readers 02/16/2023 House Hopper	<u>Real Estate Matters</u>  Requirements and restrictions on certain unsolicited inquiries re: purchase of real property and to prevent brokers from filing "Homeowner Benefit Agreements" that appear to create liens on real property without disclosure to the homeowner.  <b>The RPLS obtained approval from the State Bar to be a chief supporter and drafter of this bill. The Legislative Committee of the RPLS through Amy Huskins and Hilary Fentress, drafted a majority of the bill, inclusive of language added to the bill that automatically voids any agreement disallowed by the bill that attempts to create a lien on the owner's property.</b> <b>The Legislative Committee through Amy Huskins, Hilary Fentress and Matt Totten testified three times in House and Senate committee hearings at the Capitol in support of this bill.</b>
<a href="#">SB132</a>	A BILL to be entitled an Act to amend Chapter 1 of Title 2 of the Official Code of Georgia Annotated, relating to general provisions relative to agriculture, so as to prohibit the acquisition of possessory interest in certain land by certain nonresident aliens; to provide for definitions; to provide for exceptions; to provide for rules and regulations; to provide for related matters; to repeal conflicting laws; and for other purposes.	<b>3/29 House withdrawn and recommitted</b> 3/7/2023 House Second Readers 2/13/2023 - Senate Read and Referred 2/9/2023 - Senate Hopper	<u>Real Estate Matters:</u> Prohibits ownership of agricultural land or land near military installations by certain nonresident aliens.  <b>Will need to monitor next year.</b> <b>The Legislative Committee did not provide support or drafting of this bill.</b>

<p><a href="#">SB215</a></p>	<p>A BILL to be entitled an Act to amend Article 4 of Chapter 18 of Title 50 of the Official Code of Georgia Annotated, relating to inspection of public records, so as to protect from public disclosure certain personal information of public employees; to remove an exemption relating to public disclosure of certain public records pertaining to public employees; to provide for definitions; to require local governments to remove upon request certain personally identifiable information of public employees from certain property records; to require local governments to provide a form for such requests; to provide for related matters; to repeal conflicting laws; and for other purposes.</p>	<p><b>4/5/2023 Passed and sent to Governor for signature</b>  3/7/2023 House Second Readers  3/2/2023 Senate passed/adopted by substitute  2/16/2023 Senate Hopper</p>	<p><u>Real Estate Matters:</u>  Yes – Will allow a public employee, as defined, to request that certain information, including a residential address, phone number or individual’s spouse to be redacted from public records.</p> <p>Revised to limit application to law enforcement officers.</p> <p><b>The Legislative Committee of the Section did not draft or support this bill.</b></p>
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