

House Bill 1149

By: Representatives Burnough of the 77<sup>th</sup>, Boddie of the 62<sup>nd</sup>, Dreyer of the 59<sup>th</sup>, Allen of the 40<sup>th</sup>, Holland of the 54<sup>th</sup>, and others

A BILL TO BE ENTITLED  
AN ACT

1 To amend Code Section 44-7-50 of the Official Code of Georgia Annotated, relating to  
2 demand for possession, procedure upon a tenant's refusal, and concurrent issuance of federal  
3 lease termination notice, so as to enact the "Georgia Evictions Records Restriction Act"; to  
4 provide for a short title; to provide that certain records of dispossessory actions be sealed  
5 from the public; to provide for related matters; to repeal conflicting laws; and for other  
6 purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 This Act shall be known and may be cited as the "Georgia Evictions Records Restriction  
10 Act."

11 **SECTION 2.**

12 Code Section 44-7-50 of the Official Code of Georgia Annotated, relating to demand for  
13 possession, procedure upon a tenant's refusal, and concurrent issuance of federal lease  
14 termination notice, is amended by adding two new subsections to read as follows:

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15 "(c) A court of competent jurisdiction shall order the immediate sealing of all public  
16 records that are in the custody of the clerk of court making civil case records permanently  
17 unavailable to the public in dispossessory actions when:

18 (1) The plaintiff does not prevail;

19 (2) If a settlement agreement is effectuated; or

20 (3) When three years have lapsed since a resolved case of dispossessory action caused  
21 by nonpayment;

22 (d) In periods of a public health emergency, a one-time sealing of civil case records in  
23 dispossessory actions shall be effective immediately provided that such action was due to  
24 nonpayment caused by uncontrolled loss of income."

25 **SECTION 3.**

26 All laws and parts of laws in conflict with this Act are repealed.