

House Bill 459

By: Representative Teasley of the 37th

A BILL TO BE ENTITLED
AN ACT

1 To amend Chapter 8 of Title 13 of the Official Code of Georgia Annotated, relating to illegal
2 and void contracts generally, so as to provide for clauses which are void and unenforceable
3 in contracts for the sale of residential real estate; to provide for exceptions; to provide for
4 applicability; to provide for related matters; to repeal conflicting laws; and for other
5 purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Chapter 8 of Title 13 of the Official Code of Georgia Annotated, relating to illegal and void
9 contracts generally, is amended by adding a new subsection to Code Section 13-8-2, relating
10 to contracts contravening public policy generally, to read as follows:

11 "(d) A covenant, promise, agreement, or understanding in or in connection with or
12 collateral to a contract or agreement for the sale of residential real estate purporting to
13 prohibit the prospective buyer from including the buyer's real estate broker or salesperson,
14 real estate appraiser, or home inspector in a viewing of the residential structure described
15 in such contract or agreement is against public policy and void and unenforceable. This
16 subsection shall apply to contracts and agreements entered into or renewed after the
17 effective date of this subsection."

18 **SECTION 2.**

19 All laws and parts of laws in conflict with this Act are repealed.