

House Bill 733

By: Representatives Smith of the 18th, Gambill of the 15th, and Williams of the 148th

A BILL TO BE ENTITLED
AN ACT

1 To amend Code Section 33-63-3 of the Official Code of Georgia Annotated, relating to
2 definitions regarding guaranteed asset protection waivers, so as to revise the definition of a
3 guaranteed asset protection waiver; to provide for an effective date and applicability; to
4 provide for related matters; to repeal conflicting laws; and for other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

6 **SECTION 1.**

7 Code Section 33-63-3 of the Official Code of Georgia Annotated, relating to definitions
8 regarding guaranteed asset protection waivers, is amended by revising paragraph (6), as
9 follows:

10 "(6) 'Guaranteed asset protection waiver' means a contractual agreement wherein a
11 creditor agrees, with or without a ~~for~~ a separate charge to cancel or waive all or part of
12 amounts due on a borrower's finance agreement in the event of a total physical damage
13 loss or unrecovered theft of the motor vehicle, which agreement must be part of, or a
14 separate addendum to, the finance agreement or a contractual agreement wherein a
15 creditor agrees, with or without a ~~for~~ a separate charge to cancel or waive all or part of
16 the excess wear and use charges owed by the borrower to the creditor under the lease

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17 contract when the borrower returns a leased vehicle to the creditor at termination of the
18 lease, which agreement must be part of, or a separate addendum to, the lease contract.
19 Such waiver may also provide, with or without a separate charge, a benefit that waives
20 an amount, or provides a borrower with a credit, toward the purchase of a replacement
21 vehicle."

22 **SECTION 2.**

23 This Act shall become effective on July 1, 2021, and apply to all guaranteed asset protection
24 waivers which become effective on or after January 1, 2022.

25 **SECTION 3.**

26 All laws and parts of laws in conflict with this Act are repealed.