

House Bill 844

By: Representative Ridley of the 6th

A BILL TO BE ENTITLED
AN ACT

1 To amend Title 36 of the Official Code of Georgia Annotated, relating to local government,
2 so as to prohibit certain restrictions on long-term rental of single-family detached dwellings;
3 to provide for definitions; to provide a limited waiver of sovereign immunity; to provide of
4 interest prior to judgment; to provide for the withholding of certain state funding; to provide
5 for related matters; to repeal conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Title 36 of the Official Code of Georgia Annotated, relating to local government, is amended
9 by enacting a new chapter to read as follows:

10 "CHAPTER 93

11 36-93-1.

12 As used in this chapter, the term:

13 (1) 'Local government entity' means any county, municipality, or consolidated
14 government.

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15 (2) 'Long-term rental' means any landlord-tenant relationship in which there is a written
16 lease for an initial term of at least 12 months.

17 (3) 'Restriction' means condition or refusal to issue any land disturbance permit, building
18 permit, certificate of occupancy, or other permit or non-zoning approval required for the
19 development of land or the construction or occupancy of a single-family detached
20 dwelling, based on its use as one or more long-term rental properties.

21 36-93-2.

22 Notwithstanding any other provision of this title to the contrary, local government entities
23 shall not enact or enforce any restrictions on the long-term rental of single-family detached
24 dwellings on any property where such dwellings are authorized under the local zoning code
25 or where not otherwise prohibited by the local land use plan.

26 36-93-3.

27 (a) The sovereign immunity of all local government entities is waived to the extent
28 necessary to effectuate this chapter, provided that such waiver shall not authorize damages
29 arising out of violations of this chapter in an amount exceeding \$1 million per occurrence.

30 (b) Interest prior to judgment may be recovered pursuant to Code Section 51-12-14;
31 provided, however, that any such interest recovered shall be counted toward the cap on
32 damages provided for in subsection (a) of this Code section.

33 (c) Any local government entity that acts in violation of this chapter shall not be entitled
34 to any financial assistance, funds, or grants from the Department of Community Affairs."

35 **SECTION 2.**

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