

Senate Bill 280

By: Senators Halpern of the 39th, Jackson of the 41st, Rahman of the 5th and Jones II of the 22nd

A BILL TO BE ENTITLED
AN ACT

1 To amend Chapter 28 of Title 31 of the Official Code of Georgia Annotated, relating to
2 tourist courts, so as to prohibit tourist courts from offering to rent accommodations at an
3 hourly rate; to provide for exceptions; to require operators of tourist courts to conduct
4 background screening on employees and to provide requirements therefor; to require tourist
5 courts to maintain a log for the issuance and return of keys and to develop policies and
6 procedures regarding unissued keys; to amend Chapter 7 of Title 44 of the Official Code of
7 Georgia Annotated, relating to landlord and tenant, so as to require landlords to conduct
8 background screening on employees and to provide requirements therefor; to require
9 landlords to maintain a log for the issuance and return of keys and to develop policies and
10 procedures regarding unissued keys; to provide for rights and duties of landlords regarding
11 entry into dwelling units; to provide for a short title; to provide for related matters; to repeal
12 conflicting laws; and for other purposes.

13 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

14 **SECTION 1.**

15 This Act shall be known and may be cited as the "Georgia Residential Tenant Safety Bill."

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SECTION 2.

16
17 Chapter 28 of Title 31 of the Official Code of Georgia Annotated, relating to tourist courts,
18 is amended by adding a new Code section to read as follows:

19 "31-28-2.1.

20 (a)(1) A tourist court shall not offer an hourly rate for an accommodation.

21 (2) This subsection shall not apply to an hourly rate charged by an operator of a tourist
22 court as a late checkout fee or for accommodations of airline flight crews.

23 (b) A tourist court shall:

24 (1) Require that each employee of the tourist court undergo a background screening as
25 a condition of employment;

26 (2) Maintain a log accounting for the issuance and return of all keys for each dwelling
27 unit; and

28 (3) Establish policies and procedures for the issuance and return of dwelling unit keys
29 and regulating the storage of, and access to, unissued keys.

30 (c) The background screening required under paragraph (1) of subsection (b) of this Code
31 section shall be performed by a consumer reporting agency in accordance with the federal
32 Fair Credit Reporting Act and shall include a screening of criminal history records and
33 sexual predator and sexual offender registries of all 50 states and the District of Columbia.

34 (d) A tourist court may disqualify a person from employment if the person has been
35 convicted or found guilty of, or entered a plea of guilty or nolo contendere to, regardless
36 of adjudication, any of the following offenses:

37 (1) A criminal offense involving disregard for the safety of others which, if committed
38 in this state, is a felony or a misdemeanor of the first degree or, if committed in another
39 state, would be a felony or a misdemeanor of the first degree if committed in this state;
40 or

41 (2) A criminal offense committed in any jurisdiction which involves violence, including,
42 but not limited to, murder, sexual battery, robbery, carjacking, home-invasion robbery,
43 and stalking."

44 **SECTION 3.**

45 Chapter 7 of Title 44 of the Official Code of Georgia Annotated, relating to landlord and
46 tenant, is amended by adding new Code sections to read as follows:

47 "44-7-25.

48 (a) A landlord shall require that each employee undergo a background screening as a
49 condition of employment.

50 (b) The background screening required under subsection (a) of this Code section shall be
51 performed by a consumer reporting agency in accordance with the federal Fair Credit
52 Reporting Act and shall include a screening of criminal history records and sexual predator
53 and sexual offender registries of all 50 states and the District of Columbia.

54 (c) A landlord may disqualify a person from employment if the person has been convicted
55 or found guilty of, or entered a plea of guilty or nolo contendere to, regardless of
56 adjudication, any of the following offenses:

57 (1) A criminal offense involving disregard for the safety of others which, if committed
58 in this state, is a felony or a misdemeanor of the first degree or, if committed in another
59 state, would be a felony or a misdemeanor of the first degree if committed in this state;
60 or

61 (2) A criminal offense committed in any jurisdiction which involves violence, including,
62 but not limited to, murder, sexual battery, robbery, carjacking, home-invasion robbery,
63 and stalking.

64 44-7-26.

65 A landlord shall:

66 (1) Maintain a log accounting for the issuance and return of all keys for each dwelling
67 unit; and

68 (2) Establish policies and procedures for the issuance and return of dwelling unit keys
69 and regulating the storage of, and access to, unissued keys.

70 44-7-27.

71 (a) Except as otherwise provided in subsection (b) of this Code section, a landlord may
72 enter a dwelling unit only at a reasonable time and shall give the tenant at least 24 hours'
73 notice of the intent to enter the unit.

74 (b) In an emergency, the landlord may enter the dwelling unit without the tenant's consent
75 if the landlord gives notice that is reasonable under the circumstances. If the landlord
76 enters the unit when the tenant is not present and notice was not given, the landlord shall
77 leave notice of the entry in a conspicuous place in the unit stating the fact of entry, the date
78 and time of entry, and the reason for the entry.

79 (c) When notice is given under this Code section before the landlord enters the unit, the
80 notice must state the intended purpose for the entry and the date and a reasonable period
81 during which the landlord anticipates making the entry.

82 (d) A landlord shall not abuse the right under this section to enter a tenant's dwelling unit
83 or use such right to harass the tenant."

84 **SECTION 4.**

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