

Senate Resolution 37

By: Senators James of the 35th, Rhett of the 33rd, Sims of the 12th and Harbison of the 15th

ADOPTED SENATE

A RESOLUTION

1 Creating the Senate Property Owners' Associations, Homeowners' Associations, and
2 Condominium Associations Study Committee; and for other purposes.

3 WHEREAS, property owners' associations, homeowners' associations, and condominium
4 associations were established as a means of governing and paying for the maintenance and
5 improvement of the common areas of condominiums and subdivisions and to provide for the
6 upkeep of property to protect the value of all of the properties in such associations; and

7 WHEREAS, property owners' associations, homeowners' associations, and condominium
8 associations have had through the years the mission of ensuring that owners of properties
9 under such associations do not allow their properties to be unkempt or in a state of unsightly
10 disrepair; and

11 WHEREAS, in some cases, property owners' associations, homeowners' associations, and
12 condominium associations have imposed what many believe to be excessive fees for property
13 transfers, certification letters, initiation, and similar actions by owners subject to the authority
14 of such associations; and

15 WHEREAS, these associations also impose fines for violations of the associations' rules for
16 which the owners have little to no due process provided, including an inability to appeal such
17 fines; and

18 WHEREAS, in some cases, property owners' associations, homeowners' associations, and
19 condominium associations have engaged in conduct which many believe to be harassment
20 or discrimination against property owners or prospective property owners, for which there
21 is little or no recourse.

22 NOW, THEREFORE, BE IT RESOLVED BY THE SENATE:

23 (1) **Creation of Senate study committee.** There is created the Senate Property Owners'
24 Associations, Homeowners' Associations, and Condominium Associations Study
25 Committee.

26 (2) **Members and officers.** The committee shall be composed of five members of the
27 Senate to be appointed by the President of the Senate. The President shall designate a
28 member of the committee as chairperson of the committee.

29 (3) **Powers and duties.** The committee shall undertake a study of the conditions, needs,
30 issues, and problems mentioned above or related thereto and recommend any action or
31 legislation which the committee deems necessary or appropriate.

32 (4) **Meetings.** The chairperson shall call all meetings of the committee. The committee
33 may conduct such meetings at such places and at such times as it may deem necessary or
34 convenient to enable it to exercise fully and effectively its powers, perform its duties, and
35 accomplish the objectives and purposes of this resolution.

36 (5) **Allowances and funding.**

37 The legislative members of the committee shall receive the allowances provided for in
38 Code Section 28-1-8 of the Official Code of Georgia Annotated. The allowances
39 authorized by this resolution shall not be received by any member of the committee for

40 more than five days unless additional days are authorized. Funds necessary to carry out
41 the provisions of this resolution shall come from funds appropriated to the Senate.

42 **(6) Report.**

43 (A) In the event the committee adopts any specific findings or recommendations that
44 include suggestions for proposed legislation, the chairperson shall file a report of the
45 same prior to the date of abolishment specified in this resolution, subject to
46 subparagraph (C) of this paragraph.

47 (B) In the event the committee adopts a report that does not include suggestions for
48 proposed legislation, the chairperson shall file the report subject to subparagraph (C)
49 of this paragraph.

50 (C) No report shall be filed unless the same has been approved prior to the date of
51 abolishment specified in this resolution by majority vote of a quorum of the committee.
52 A report so approved shall be signed by the chairperson of the committee and filed with
53 the Secretary of the Senate.

54 (D) In the absence of an approved report, the chairperson may file with the Secretary
55 of the Senate a copy of the minutes of the meetings of the committee in lieu thereof.

56 **(7) Abolishment.** The committee shall stand abolished on December 1, 2023.