

House Bill 197 (AS PASSED HOUSE AND SENATE)

By: Representatives Teasley of the 37th, Hatchett of the 150th, Kelley of the 16th, Brockway of the 102nd, and Bonner of the 72nd

A BILL TO BE ENTITLED
AN ACT

1 To amend Part 2 of Article 15 of Chapter 1 of Title 10 of the Official Code of Georgia
2 Annotated, relating to the Fair Business Practices Act, so as to provide for requirements for
3 solicitations of services for obtaining a copy of an instrument conveying real estate; to
4 provide for a definition; to provide for related matters; to repeal conflicting laws; and for
5 other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Part 2 of Article 15 of Chapter 1 of Title 10 of the Official Code of Georgia Annotated,
9 relating to the Fair Business Practices Act, is amended by adding a new Code section to read
10 as follows:

11 "10-1-393.15.

12 (a) For purposes of this Code section, the term 'instrument conveying real estate' means
13 any documentary material evidencing an interest in real property required under law to be
14 recorded with the superior court in the county in which the land is located, including, but
15 not limited to, a deed to secure debt, a mortgage, a deed under power, and a lien.

16 (b) Any person who mails a solicitation for services to obtain a copy of an instrument
17 conveying real estate shall include, in at least 16 point Helvetica font at the top of and at
18 least two inches apart from any other text on such solicitation, the words:

19 'THIS IS NOT A BILL OR OFFICIAL GOVERNMENT DOCUMENT. THIS IS A
20 SOLICITATION.'

21 No text on the solicitation shall be larger than the above required words.

22 (c) Failure to comply with the provisions of this Code section shall be considered an unfair
23 or deceptive act or practice which is unlawful and which shall be punishable by the
24 provisions of this part."

25

SECTION 2.

26 All laws and parts of laws in conflict with this Act are repealed.