



Summary of Proposed Senate Bill 361 (as of January 5, 2026)

Sponsors:

1. Matt Brass
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Status: Senate Read and Referred on 03.27.2025

- This proposed bill applies to property owners' associations.
- This proposed bill would amend O.C.G.A. § 44-3-232 of the POAA:
 - This proposed bill would require a property owners' association to receive written authorization from the Georgia Secretary of State before proceeding with the judicial foreclosure process, via an action, judgment, and court order for foreclosure.
 - This proposed bill increases the minimum lien amount to proceed with judicial foreclosure process to at least \$4,000.00 (the current minimum lien amount being \$2,000.00).
- This proposed bill would add a provision to the POAA, O.C.G.A. § 44-3-236:
 - This proposed bill would require proper owners' associations, at the same time that said association's articles of incorporation are filed, to register and file additional information with the Georgia Secretary of State.
 - This proposed bill would require property owners' associations to file an annual registration with the Georgia Secretary of State and then provide current data as to the following:
 - Name and address of association;
 - Copy of the association's bylaws;
 - Name of the association's officers;
 - A list of all lots subject to the declaration; and
 - The number of lot owners.
 - This proposed bill would require the Georgia Secretary of State to promulgate rules and regulations providing for administrative hearings regarding disputes between associations and owners.

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- Such hearings could be requested by an association or owner; and
- The fee for such administrative hearings would be paid for by the “losing” party.
- This proposed bill would require the Department of Banking and Finance to promulgate rules and regulations providing for the escrow of funds held by an association.

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