

House Bill 888

By: Representative Thomas of the 65<sup>th</sup>

A BILL TO BE ENTITLED  
AN ACT

1 To amend Part 1 of Article 1 of Chapter 2 of Title 44 of the Official Code of Georgia  
2 Annotated, relating to recording of deeds and other real property transactions, so as to  
3 authorize clerks of superior courts to require identification for the recording of deeds and  
4 other instruments; to provide requirements therefor; to provide for rules and regulations; to  
5 provide for a short title; to provide for related matters; to repeal conflicting laws; and for  
6 other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 This Act shall be known and may be cited as the "Georgia Not on My Deed Act."

10 **SECTION 2.**

11 Part 1 of Article 1 of Chapter 2 of Title 44 of the Official Code of Georgia Annotated,  
12 relating to recording of deeds and other real property transactions, is amended by adding a  
13 new Code section to read as follows:

14 "44-2-31.

15 (a) When a deed or other instrument is presented to a clerk of a superior court for  
16 recording, whether in person or through an electronic recording service, the clerk may

17 require the individual presenting the deed or other instrument to produce a government  
18 issued photographic identification card.

19 (b) A clerk who requires an individual to produce a government issued photographic  
20 identification card pursuant to this Code section may:

21 (1) Refuse to record a deed or other instrument if the individual presenting the deed or  
22 other instrument for recording does not produce such identification card in compliance  
23 with this Code section; and

24 (2) Photocopy such identification card, require the individual to submit a photocopy of  
25 such identification card, or record the identifying information, including the name and  
26 address, of the individual as such information appears on the identification card.

27 (c) A clerk who requires an individual to produce a government issued photographic  
28 identification card pursuant to this Code section shall:

29 (1) Require the production of such identification card from all individuals presenting a  
30 deed or other instrument for recording;

31 (2) Maintain a record of the photocopy of such identification card and note on such  
32 record the official records book and page number or instrument number assigned to the  
33 deed or other instrument recorded in connection therewith;

34 (3) Allow the individual to redact from the photocopy of such identification card any  
35 information the individual does not wish to be made public, except for the individual's  
36 name, address, and photograph; and

37 (4) Provide notice on the clerk's official public website of the identification requirement.

38 (d) Records created pursuant to this Code section shall not be made available for viewing  
39 on the clerk's official public website but shall be made available for public inspection and  
40 copying as required by the public records laws of this state.

41 (e) The Georgia Superior Court Clerks' Cooperative Authority may adopt rules and  
42 regulations necessary to implement this Code section."

43

**SECTION 3.**

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