

Senate Bill 44

By: Senators Clay of the 37th, Tanksley of the 32nd and Hamrick of the 30th

AS PASSED SENATE

**A BILL TO BE ENTITLED
AN ACT**

1 To amend Chapter 1 of Title 29 of the Official Code of Georgia Annotated, relating to
2 general provisions concerning guardians, so as to provide certain immunities from liability
3 for persons serving as guardians ad litem; to provide for related matters; to provide an
4 effective date; to repeal conflicting laws; and for other purposes.

5 **BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:**

6 **SECTION 1.**

7 Chapter 1 of Title 29 of the Official Code of Georgia Annotated, relating to general
8 provisions concerning guardians, is amended by adding a new Code Section 29-1-3 to read
9 as follows:

10 "29-1-3.

11 No person appointed by any court in this state to serve as a guardian ad litem shall be liable
12 for damages resulting from any act or failure to act by such person in the performance of
13 such person's duties as a guardian ad litem unless such act or failure to act constituted
14 gross negligence or reckless, wanton, or intentional misconduct."

15 **SECTION 2.**

16 This Act shall become effective upon its approval by the Governor or upon its becoming law
17 without such approval.

18 **SECTION 3.**

19 All laws and parts of laws in conflict with this Act are repealed.