

House Bill 570

By: Representatives Bannister of the 70th, Post 1, Ralston of the 6th, Coan of the 67th, Post 1, Williams of the 4th and Maddox of the 59th, Post 2

A BILL TO BE ENTITLED
AN ACT

1 To amend Article 9 of Chapter 9 of Title 34 of the Official Code of Georgia Annotated,
2 relating to the Subsequent Injury Trust Fund, so as to provide that the Subsequent Injury
3 Trust Fund shall not reimburse an employer for a subsequent injury occurring after
4 December 31, 2003; to provide that the fund shall continue to reimburse employers for
5 injuries occurring prior to December 31, 2003; to provide for dissolution of the fund; to
6 provide an effective date; to repeal conflicting laws; and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 Article 9 of Chapter 9 of Title 34 of the Official Code of Georgia Annotated, relating to the
10 Subsequent Injury Trust Fund, is amended by inserting at the end thereof a new Code section
11 to read as follows:

12 "34-9-368.

13 (a) The Subsequent Injury Trust Fund shall not reimburse an employer for a subsequent
14 injury occurring after December 31, 2003. The Subsequent Injury Trust Fund shall
15 continue to reimburse employers for subsequent injuries occurring prior to December 31,
16 2003, for which claims have been filed prior to that date and assessments shall continue to
17 be made for those reimbursements under Code Section 34-9-358.

18 (b) Upon or in contemplation of the final payment of all claims filed for subsequent
19 injuries occurring prior to December 31, 2003, the board of trustees shall adopt and carry
20 out a resolution providing for the final dissolution of the Subsequent Injury Trust Fund.
21 Such resolution shall include provisions for:

- 22 (1) The termination of assessments against insurers or self-insurers;
23 (2) The pro rata refund of assessments previously collected and unexpended;
24 (3) The termination of employment of the employees of the fund or the transfer of
25 employment of any employees to any other state agency desiring to accept them;

- 1 (4) A final accounting of the financial affairs of the fund;
 - 2 (5) The transfer of the books and records and property of the fund to the custody of the
 - 3 State Board of Workers' Compensation;
 - 4 (6) Any other matters pertinent to the dissolution of the fund; and
 - 5 (7) One or more effective dates upon which such provisions shall take effect.
- 6 Upon the completion of all matters provided for in such resolution, the fund and the board
7 shall cease to exist and the members of the board shall be discharged from their duties."

8 **SECTION 2.**

9 This Act shall become effective on July 1, 2003.

10 **SECTION 3.**

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