

House Bill 1297

By: Representatives Thompson of the 69<sup>th</sup>, Post 1, Dooley of the 33<sup>rd</sup>, Post 3, and Warren of the 99<sup>th</sup>

A BILL TO BE ENTITLED  
AN ACT

1 To amend Code Section 45-9-81 of the Official Code of Georgia Annotated, relating to  
2 definitions relative to the Georgia State Indemnification Fund, so as to provide a short title;  
3 to change the definition of a certain term; to provide for a rebuttable presumption that certain  
4 conditions contracted by firefighters were contracted in the line of duty; to provide for  
5 exceptions; to repeal conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 This Act shall be known and may be cited as the "Stevenson-Gibson Act."

9 **SECTION 2.**

10 Code Section 45-9-81 of the Official Code of Georgia Annotated, relating to definitions  
11 relative to the Georgia State Indemnification Fund, is amended by striking in its entirety  
12 paragraph (7) and inserting in lieu thereof the following:

13 "(7) 'Permanent disability' means disability due to:

14 (A) Loss of both eyes or blindness in both eyes with only light perception;

15 (B) Loss or loss of use of both hands;

16 (C) Loss or loss of use of both legs;

17 (D) Loss of a lower extremity or residuals of organic disease or injury which so affect  
18 the functions of balance or propulsion as to preclude locomotion without resort to a  
19 wheelchair; ~~or~~

20 (E) Organic brain damage resulting from direct physical trauma incurred after January  
21 1, 1973, which so affects the mental capacity as to preclude ability to function  
22 productively in any employment; or

23 (F) With respect to a firefighter who has been employed by a governmental entity for  
24 at least five years, the inability to perform normal duties as a firefighter because of  
25 heart disease, pulmonary or lung disease or injury, hypertension, or hepatitis. For

1 purposes of this paragraph, there shall be a rebuttable presumption that any of the  
2 enumerated conditions were contracted in the line of duty; provided, however, that if  
3 the disabled firefighter used any tobacco product within five years of the onset of the  
4 disability or if the condition existed at the time he or she first became employed, there  
5 shall be no such rebuttable presumption."

6 **SECTION 3.**

7 All laws and parts of laws in conflict with this Act are repealed.