

The House Committee on Industrial Relations offers the following substitute to HB 1579:

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 a self-insured employer or an insurer for an injury occurring
4 after June 30, 2007, for which a claim is made after June 30, 2007; to provide that the fund
5 shall continue to reimburse self-insured employers and insurers for claims made prior to June
6 30, 2007; to provide for dissolution of the fund; to provide an effective date; to repeal
7 conflicting laws; and for other purposes.

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

9 **SECTION 1.**

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

13 "34-9-368.

14 (a) The Subsequent Injury Trust Fund shall not reimburse a self-insured employer or an
15 insurer for a subsequent injury for which a claim is made for an injury occurring after June
16 30, 2007. The Subsequent Injury Trust Fund shall continue to reimburse self-insured
17 employers or insurers for claims for injuries occurring on and prior to June 30, 2007, which
18 qualify for reimbursement.

19 (b) Self-insured employers and insurers shall continue to pay assessments pursuant to
20 Code Section 34-9-358 to the extent necessary to fund claims for injuries occurring on and
21 prior to June 30, 2007.

22 (c) The Subsequent Injury Trust Fund is directed to complete an actuarial study not later
23 than January 1, 2005.

24 (d) Upon or in contemplation of the final payment of all claims filed for subsequent
25 injuries for which claims are filed for injuries occurring on and prior to June 30, 2007, the
26 board of trustees shall adopt and implement resolutions providing for the final dissolution

1 of the Subsequent Injury Trust Fund. Such resolutions shall become effective when all
2 claims made for injuries occurring on and prior to June 30, 2007, have been fully paid or
3 otherwise resolved and shall include provisions for:

- 4 (1) The termination of assessments against insurers or self-insurers;
- 5 (2) The pro rata refund of assessments previously collected and unexpended;
- 6 (3) The termination of employment of the employees of the fund or the transfer of
7 employment of any employees to any other state agency desiring to accept them;
- 8 (4) A final accounting of the financial affairs of the fund; and
- 9 (5) The transfer of the books, records, and property of the fund to the custody of the State
10 Board of Workers' Compensation.

11 Upon the completion of all matters provided for in such resolutions, but not later than
12 December 31, 2020, the Subsequent Injury Trust Fund and the members of its board of
13 trustees shall be discharged from their duties except for such personnel necessary to
14 administer any remaining claims."

15 **SECTION 2.**

16 This Act shall become effective on July 1, 2004.

17 **SECTION 3.**

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