

House Bill 827 (AS PASSED HOUSE AND SENATE)

By: Representative Sims of the 169th

A BILL TO BE ENTITLED
AN ACT

1 To amend Part 1 of Article 5 of Chapter 9 of Title 45 of the Official Code of Georgia
2 Annotated, relating to Georgia State Indemnification Fund, so as to provide that, in the case
3 of death or organic brain damage suffered in the line of duty by a law enforcement officer,
4 firefighter, emergency medical technician, emergency management specialist, state highway
5 employee, or prison guard, if such person does not have an unremarried spouse or
6 dependents, the indemnification payment shall be made to the parents or siblings of such
7 person; to provide for related matters; to provide for an effective date and applicability; to
8 repeal conflicting laws; and for other purposes.

9 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

10 style="text-align:center">**SECTION 1.**

11 Part 1 of Article 5 of Chapter 9 of Title 45 of the Official Code of Georgia Annotated,
12 relating to Georgia State Indemnification Fund, is amended in Code Section 45-9-85, relating
13 to payment of indemnification for death or disability, procedure for making of payments, and
14 appeal, by revising subsection (a) as follows:

15 "(a) Indemnification shall be paid under this article as follows:

16 (1) In the case of a partial permanent disability suffered in the line of duty by a law
17 enforcement officer, firefighter, emergency medical technician, emergency management
18 rescue specialist, state highway employee, or prison guard, the eligible disabled person
19 may elect payment of \$35,000.00 paid in equal monthly installments for five years or a
20 lump sum of such amount reduced to its present value upon the basis of interest
21 calculated at the rate of 6 percent per annum;

22 ~~(2) In the case of a partial permanent disability suffered in the line of duty by a state~~
23 ~~highway employee, the eligible person may elect to receive a payment of \$12,000.00 paid~~
24 ~~in equal monthly installments for five years or a lump sum of such amount reduced to its~~
25 ~~present value upon the basis of interest calculated at the rate of 6 percent per annum;~~

26 ~~(3)~~(2) In the case of a total permanent disability suffered in the line of duty by a law
 27 enforcement officer, firefighter, emergency medical technician, emergency management
 28 rescue specialist, state highway employee, or prison guard, the injured person may elect
 29 to receive a payment of \$75,000.00 paid in equal monthly installments for five years or
 30 a lump sum of such amount reduced to its present value upon the basis of interest
 31 calculated at the rate of 6 percent per annum; or

32 ~~(4) In the case of a total permanent disability suffered in the line of duty by a state
 33 highway employee, the eligible person may elect to receive a payment of \$25,000.00 paid
 34 in equal monthly installments for five years or a lump sum of such amount reduced to its
 35 present value upon the basis of interest calculated at the rate of 6 percent per annum;~~

36 ~~(5)~~(3) In the case of death or organic brain damage suffered in the line of duty by a law
 37 enforcement officer, firefighter, emergency medical technician, emergency management
 38 specialist, state highway employee, or prison guard, payment shall be made to the
 39 surviving unremarried spouse or the dependents of the spouse or deceased person as
 40 shown in his or her most recent tax return, to such person's dependent parents if such
 41 person does not have an unremarried spouse or dependents, to his or her surviving
 42 dependent siblings if such person has no surviving parents, or to the legal guardian of the
 43 organically brain damaged person. The surviving unremarried spouse, dependents,
 44 parents, siblings, or the legal guardian may elect to receive payment in a lump sum
 45 payment of \$100,000.00 paid in equal monthly installments for five years or a lump sum
 46 of such amount reduced to its present value upon the basis of interest calculated at the
 47 rate of 6 percent per annum; ~~or~~

48 ~~(6) In the case of death or organic brain damage suffered in the line of duty by a state
 49 highway employee, payment shall be made to the surviving unremarried spouse or the
 50 dependents of the spouse or deceased person as shown in his or her most recent tax return
 51 or to the legal guardian of the organically brain damaged person. The surviving
 52 unremarried spouse, dependents, or the legal guardian may elect to receive payment in
 53 a lump sum payment of \$40,000.00 paid in equal monthly installments for five years or
 54 a lump sum of such amount reduced to its present value upon the basis of interest
 55 calculated at the rate of 6 percent per annum."~~

56 **SECTION 2.**

57 This Act shall become effective upon its approval by the Governor or upon its becoming law
 58 without such approval and shall apply to all claims filed or pending on and after such date.

59 **SECTION 3.**

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