

House Bill 827

By: Representative Sims of the 169th

A BILL TO BE ENTITLED
AN ACT

1 To amend Code Section 45-9-85 of the Official Code of Georgia Annotated, relating to
2 payment of indemnification for death or disability, procedure for making of payments, and
3 appeal, so as to change provisions relating to indemnification for the death or disability of
4 a highway employee; to repeal conflicting laws; and for other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

6 **SECTION 1.**

7 Code Section 45-9-85 of the Official Code of Georgia Annotated, relating to payment of
8 indemnification for death or disability, procedure for making of payments, and appeal, is
9 amended by revising subsection (a) as follows:

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

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

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

21 ~~(3)~~(2) In the case of a total permanent disability suffered in the line of duty by a law
22 enforcement officer, firefighter, emergency medical technician, emergency management
23 rescue specialist, state highway employee, or prison guard, the injured person may elect
24 to receive a payment of \$75,000.00 paid in equal monthly installments for five years or
25 a lump sum of such amount reduced to its present value upon the basis of interest
26 calculated at the rate of 6 percent per annum; or

27 ~~(4) In the case of a total permanent disability suffered in the line of duty by a state~~
28 ~~highway employee, the eligible person may elect to receive a payment of \$25,000.00 paid~~
29 ~~in equal monthly installments for five years or a lump sum of such amount reduced to its~~
30 ~~present value upon the basis of interest calculated at the rate of 6 percent per annum;~~
31 ~~(5)(3) In the case of death or organic brain damage suffered in the line of duty by a law~~
32 ~~enforcement officer, firefighter, emergency medical technician, emergency management~~
33 ~~specialist, state highway employee, or prison guard, payment shall be made to the~~
34 ~~surviving unremarried spouse or the dependents of the spouse or deceased person as~~
35 ~~shown in his or her most recent tax return or to the legal guardian of the organically brain~~
36 ~~damaged person. The surviving unremarried spouse, dependents, or the legal guardian~~
37 ~~may elect to receive payment in a lump sum payment of \$100,000.00 paid in equal~~
38 ~~monthly installments for five years or a lump sum of such amount reduced to its present~~
39 ~~value upon the basis of interest calculated at the rate of 6 percent per annum; or~~
40 ~~(6) In the case of death or organic brain damage suffered in the line of duty by a state~~
41 ~~highway employee, payment shall be made to the surviving unremarried spouse or the~~
42 ~~dependents of the spouse or deceased person as shown in his or her most recent tax return~~
43 ~~or to the legal guardian of the organically brain damaged person. The surviving~~
44 ~~unremarried spouse, dependents, or the legal guardian may elect to receive payment in~~
45 ~~a lump sum payment of \$40,000.00 paid in equal monthly installments for five years or~~
46 ~~a lump sum of such amount reduced to its present value upon the basis of interest~~
47 ~~calculated at the rate of 6 percent per annum."~~

48 **SECTION 2.**

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