

House Bill 156

By: Representatives Cheokas of the 134th, Meadows of the 5th, Roberts of the 154th, England of the 108th, Bearden of the 68th, and others

**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 for indemnification for death or disability, procedure for making of payments, and
3 appeal, so as to change provisions relative to the indemnification of injured state highway
4 employees; to provide an effective date; 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 for
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

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

(5)(3) In the case of death or organic brain damage suffered in the line of duty by a law enforcement officer, firefighter, emergency medical technician, emergency management specialist, state highway employee, or prison guard, payment shall be made to the surviving unremarried spouse or the dependents of the spouse or deceased person as shown in his or her most recent tax return or to the legal guardian of the organically brain damaged person. The surviving unremarried spouse, dependents, or the legal guardian may elect to receive payment in a lump sum payment of \$100,000.00 paid in equal monthly installments for five years or a lump sum of such amount reduced to its present value upon the basis of interest calculated at the rate of 6 percent per annum; or

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

SECTION 2.

49 This Act shall become effective upon its approval by the Governor or upon its becoming law
50 without such approval.

SECTION 3.

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