

Senate Bill 155

By: Senators Albers of the 56th, Mullis of the 53rd, Goggans of the 7th and Murphy of the 27th

AS PASSED SENATE

**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 the Georgia State Indemnification Fund, so as to provide a short title;
3 to revise provisions relating to indemnification payments in the case of death or organic brain
4 damage suffered in the line of duty by a law enforcement officer, firefighter, emergency
5 medical technician, emergency management specialist, or prison guard; to provide for duties
6 of the Georgia State Indemnification Commission; to provide for related matters; to provide
7 for an effective date and applicability; to repeal conflicting laws; and for other purposes.

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

9 **SECTION 1.**

10 This Act shall be known and may be cited as the "Jarrett Little Act."

11 **SECTION 2.**

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

16 ~~"(5)(A) In the case of death or organic brain damage~~ suffered in the line of duty by a
17 law enforcement officer, firefighter, emergency medical technician, emergency
18 management specialist, or prison guard, payment shall be made to ~~the surviving~~
19 ~~unremarried spouse or the dependents of the spouse or deceased person as shown in his~~
20 ~~or her most recent tax return, or:~~

21 (i) The deceased's spouse;

22 (ii) In the event there is no surviving spouse, to the deceased's dependent children;

23 and

24 (iii) In the event there is no surviving spouse or dependent children of the deceased,
 25 equally to such other surviving dependents of the deceased, including his or her
 26 dependent parents and siblings.

27 (B) In the case of organic brain damage suffered in the line of duty by a law
 28 enforcement officer, firefighter, emergency medical technician, emergency
 29 management specialist, or prison guard, payment shall be made to the legal guardian
 30 of the organically brain damaged person.

31 A person entitled to payment under this paragraph ~~The surviving unremarried spouse,~~
 32 ~~dependents, or the legal guardian~~ may elect to receive payment in a lump sum payment
 33 of \$100,000.00 paid in equal monthly installments for five years or a lump sum of such
 34 amount reduced to its present value upon the basis of interest calculated at the rate of 6
 35 percent per annum. For purposes of this paragraph, the term 'dependent' shall have such
 36 meaning as shall be established by the rules and regulations of the department subject to
 37 the approval of the commission; or"

38 **SECTION 3.**

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

41 **SECTION 4.**

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