

House Bill 94

By: Representatives Welch of the 110<sup>th</sup>, Lindsey of the 54<sup>th</sup>, and Willard of the 51<sup>st</sup>

A BILL TO BE ENTITLED  
AN ACT

1 To amend Article 1 of Chapter 12 of Title 51 of the Official Code of Georgia Annotated,  
2 relating to general provisions for damages, so as to change provisions relating to the  
3 reduction of earnings to present value; to provide for determining the present value of certain  
4 future damages; to provide for related matters; to repeal conflicting laws; and for other  
5 purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Article 1 of Chapter 12 of Title 51 of the Official Code of Georgia Annotated, relating to  
9 general provisions for damages, is amended by revising Code Section 51-12-13, relating to  
10 reduction of earnings to present value, as follows:

11 "51-12-13.

12 (a) In determining the present value of future medical expenses, living expenses, lost  
13 wages, or other economic damages, the trier of fact may reduce the same to the present  
14 value based on: It shall be lawful for the trier of fact, in determining the present value of  
15 any future earnings, annuity, or amounts, to reduce the same to the present value upon the  
16 basis of interest calculated at 5 percent per annum.

17 (1) Expert testimony; or

18 (2) A discount rate of 5 percent.

19 (b) This Code section shall not be construed to provide for the introduction of evidence  
20 showing the cost of any specific private investment product, including, but not limited to,  
21 an annuity."

22 **SECTION 2.**

23 All laws and parts of laws in conflict with this Act are repealed.