

House Bill 59

By: Representatives Willard of the 51st, Efstoration of the 104th, Powell of the 171st, Atwood of the 179th, Pak of the 108th, and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Chapter 21 of Title 50 of the Official Code of Georgia Annotated, relating to
2 waiver of sovereign immunity as to actions ex contractu and state tort claims, so as to
3 provide for waiver of sovereign immunity for declaratory judgment or injunctive relief; to
4 provide for an effective date and applicability; to provide for related matters; to repeal
5 conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Chapter 21 of Title 50 of the Official Code of Georgia Annotated, relating to waiver of
9 sovereign immunity as to actions ex contractu and state tort claims, is amended by adding
10 a new article to read as follows:

11 "ARTICLE 3

12 50-21-50.

13 The defense of sovereign immunity is waived as to any action brought in the courts of this
14 state by an aggrieved person seeking declaratory judgment or injunctive relief."

15 **SECTION 2.**

16 This Act shall become effective upon its approval by the Governor or upon its becoming law
17 without such approval and shall apply to all actions filed on or after such date.

18 **SECTION 3.**

19 All laws and parts of laws in conflict with this Act are repealed.