

Senate Bill 338

By: Senators Hill of the 32nd and Thompson of the 14th

A BILL TO BE ENTITLED  
AN ACT

1 To amend Article 1 of Chapter 9 of Title 34 of the Official Code of Georgia Annotated,  
2 relating to workers' compensation generally, so as to provide for a certificate of state law  
3 applicability to be issued by the State Board of Workers' Compensation under certain  
4 circumstances; to provide for an application fee; to authorize the board to promulgate certain  
5 rules and regulations; to provide for related matters; to repeal conflicting laws; and for other  
6 purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 Article 1 of Chapter 9 of Title 34 of the Official Code of Georgia Annotated, relating to  
10 workers' compensation generally, is amended by adding a new Code section to read as  
11 follows:

12 "34-9-2.4.

13 (a) Any person, firm, or private corporation, including any public service corporation, that  
14 has regularly in service less than three employees in the same business within this state and  
15 has not voluntarily elected to be bound by this chapter may apply with the board for the  
16 issuance of a certificate of state law applicability. A form for making such application  
17 shall be made available by the board and shall require the applicant to swear or affirm  
18 under penalty of perjury facts necessary to show that the applicant meets the qualifications  
19 for the applicable exemption under paragraph (2) of subsection (a) of Code Section 34-9-2.  
20 The certificate of state law applicability shall recite relevant state law and certify that the  
21 applicant has represented facts to the board which, if true, would not require such applicant  
22 to provide workers' compensation insurance coverage under such laws of this state or to  
23 comply with any other provisions of this chapter. The certificate shall be issued by the  
24 board within 15 days of receipt of such application. A fee of \$25.00 shall be submitted  
25 with the application. If the application is denied for any reason, such application fee shall  
26 not be returned.

27 (b) Nothing in this Code section shall be construed to require the board to investigate or  
28 make an independent determination as to any facts represented by the applicant for a  
29 certificate of state law applicability.

30 (c) The board shall be authorized to promulgate rules and regulations necessary for the  
31 implementation of this Code section."

32 **SECTION 2.**

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