

Senate Bill 126

By: Senators Kennedy of the 18th, Shafer of the 48th, Cowsert of the 46th, Albers of the 56th, Black of the 8th and others

**AS PASSED SENATE**

A BILL TO BE ENTITLED

AN ACT

1 To amend Article 2 of Chapter 21 of Title 50 of the Official Code of Georgia Annotated,  
2 relating to the state tort claims, so as to change provisions relating to the venue of actions;  
3 to provide for related matters; to repeal conflicting laws; and for other purposes.

4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

5 **SECTION 1.**

6 Article 2 of Chapter 21 of Title 50 of the Official Code of Georgia Annotated, relating to the  
7 state tort claims, is amended by revising Code Section 50-21-28, relating to venue of actions,  
8 as follows:

9 "50-21-28.

10 All tort actions against the state under this article shall be brought in the state or superior  
11 court of the county wherein the tort giving rise to the loss occurred; provided, however,  
12 that, wrongful death actions may be brought in the county wherein the tort giving rise to  
13 the loss occurred or the county wherein the decedent died, and provided, further, that in any  
14 case in which an officer or employee of the state may be included as a defendant in his or  
15 her individual capacity, the action may be brought in the county of residence of such  
16 officer or employee. All actions against the state for losses sustained in any other state  
17 shall be brought in the county of residence of any officer or employee residing in this state  
18 upon whose actions or omissions the claim against the state is based."

19 **SECTION 2.**

20 All laws and parts of laws in conflict with this Act are repealed.