

The House Committee on Judiciary offers the following substitute to SB 126:

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 provide for applicability; to repeal conflicting laws; and for
4 other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

6 **SECTION 1.**

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

10 "50-21-28.

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

20 **SECTION 2.**

21 This Act shall apply only to causes of action arising on or after July 1, 2017.

22 **SECTION 3.**

23 All laws and parts of laws in conflict with this Act are repealed.

S. B. 126 (SUB)