

House Bill 800

By: Representatives Bonner of the 72<sup>nd</sup>, Werkheiser of the 157<sup>th</sup>, Shaw of the 176<sup>th</sup>, and Carpenter of the 4<sup>th</sup>

A BILL TO BE ENTITLED  
AN ACT

1 To amend Article 2 of Chapter 9 of Title 34 of the Official Code of Georgia Annotated,  
2 relating to administration related to workers' compensation, so as to change certain  
3 provisions relating to the eligibility for appointment as director emeritus and administrative  
4 law judge emeritus of the State Board of Workers' Compensation; to provide for terms of  
5 office and salary for the office of director emeritus and office of administrative law judge  
6 emeritus; to provide for related matters; to repeal conflicting laws; and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 Article 2 of Chapter 9 of Title 34 of the Official Code of Georgia Annotated, relating to  
10 administration related to workers' compensation, is amended by revising Code Section  
11 34-9-53, relating to directors emeritus of the State Board of Workers' Compensation and the  
12 eligibility and procedure for appointment, as follows:

13 "34-9-53.

14 (a) There is created the office of director emeritus of the board.

15 (b) Any director of the board ~~now or hereafter~~ in office on June 30, 2018, shall be eligible  
16 for appointment as director emeritus, ~~provided that~~ once such member of the board has  
17 reached the age of 60 years and has also attained 20 consecutive years of service in the  
18 capacity of chairman, director, deputy director or administrative law judge, member of the  
19 General Assembly, or a combination of consecutive service in these offices; ~~and provided,~~  
20 ~~further,~~ provided that not more than five years' service in the General Assembly shall be  
21 allowed as service credit under this Code section. The Governor shall appoint to the  
22 position of director emeritus anyone eligible under this Code section who shall advise the  
23 Governor in writing that he or she desires to resign from the office of director of the board  
24 and accept appointment as director emeritus of the board, stating in such notice the date  
25 upon which the resignation as director and appointment as director emeritus shall become  
26 effective; and upon such notice the Governor shall make such appointment effective upon

27 the date requested, and the resignation as director of the board shall be automatically  
 28 effective as of the same date as the appointment as director emeritus.

29 (c) Notwithstanding the provisions of subsection (b) of this Code section, all persons  
 30 appointed to the office of director emeritus of the board prior to June 30, 2018, shall  
 31 continue to hold such office for the term and salary provided for in Code Section 34-9-54."

32 **SECTION 2.**

33 Said article is further amended by revising Code Section 34-9-57, relating to the creation of  
 34 administrative law judge emeritus of the State Board of Workers' Compensation, eligibility  
 35 for and manner of appointment, and compensation, as follows:

36 "34-9-57.

37 (a) There is created the office of administrative law judge emeritus of the board.

38 (b) Any administrative law judge, formerly known as deputy director, of the board ~~now~~  
 39 ~~or hereafter~~ in office on June 30, 2018, shall be eligible for appointment as administrative  
 40 law judge emeritus, ~~provided~~ once he or she has reached the age of 70 years and has either  
 41 (1) attained 20 years of service in the capacity of administrative law judge or deputy  
 42 director or (2) attained 20 years of total service, aggregating his or her service as  
 43 administrative law judge or deputy director with any years of prior service as director,  
 44 member of the General Assembly of Georgia or the Georgia National Guard, or as special  
 45 assistant attorney general, or any combination of services in these offices.

46 (c) ~~Such~~ An administrative law judge emeritus shall be eligible for appointment by the  
 47 Governor in the same manner as provided for appointment of a director emeritus under  
 48 Code Section 34-9-53 and shall exercise the same duties as provided in Code Section  
 49 34-9-55 for a director emeritus.

50 (d) Notwithstanding the provisions of subsection (b) of this Code section, all persons  
 51 appointed to the office of administrative law judge emeritus of the board prior to  
 52 June 30, 2018, shall continue to hold such office and shall receive the annual salary  
 53 provided for in subsection (e) of this Code section.

54 (e) All persons appointed to the office of administrative law judge emeritus as provided  
 55 in this Code section shall receive an annual salary equal to one-third of the annual salary  
 56 provided by law for an administrative law judge of the board at the time of appointment of  
 57 the administrative law judge emeritus under this Code section, such salary to be paid by the  
 58 board in semimonthly installments from funds provided by law for the operation of the  
 59 board."

60 **SECTION 3.**

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