

Senate Bill 448

By: Senators James of the 35th and Rhett of the 33rd

A BILL TO BE ENTITLED
AN ACT

1 To amend Code Section 36-33-5 of the Official Code of Georgia Annotated, relating to
2 written demand prerequisite to action for injury to person or property, time for presenting
3 claim and for consideration by governing authority, suspension of limitations, statement of
4 specific amount of monetary damages sought, and service of claim on city officials, so as to
5 revise the time for presenting a claim to a municipal governing authority; to provide for
6 applicability; to provide for related matters; to repeal conflicting laws; and for other
7 purposes.

8 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

9 **SECTION 1.**

10 Code Section 36-33-5 of the Official Code of Georgia Annotated, relating to written demand
11 prerequisite to action for injury to person or property, time for presenting claim and for
12 consideration by governing authority, suspension of limitations, statement of specific amount
13 of monetary damages sought, and service of claim on city officials, is amended by revising
14 subsection (b) as follows:

15 "(b) Within ~~six months~~ one year of the happening of the event upon which a claim against
16 a municipal corporation is predicated, the person, firm, or corporation having the claim
17 shall present the claim in writing to the governing authority of the municipal corporation
18 for adjustment, stating the time, place, and extent of the injury, as nearly as practicable, and
19 the negligence which caused the injury. No action shall be entertained by the courts
20 against the municipal corporation until the cause of action therein has first been presented
21 to the governing authority for adjustment."

22 **SECTION 2.**

23 This Act shall apply to the happening of events upon which a claim is based that occurs on
24 and after July 1, 2018.

25

SECTION 3.

26 All laws and parts of laws in conflict with this Act are repealed.