

House Bill 353

By: Representatives Carpenter of the 4th, Morris of the 26th, Cantrell of the 22nd, Momtahan of the 17th, and Williams of the 148th

A BILL TO BE ENTITLED
AN ACT

1 To amend Chapter 1 of Title 33 of the Official Code of Georgia Annotated, relating to
2 general provisions regarding insurance, so as to create the crime of staging a motor vehicle
3 collision; to provide for related matters; to provide for an effective date; to repeal conflicting
4 laws; and for other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

6 style="text-align:center">**SECTION 1.**

7 Chapter 1 of Title 33 of the Official Code of Georgia Annotated, relating to general
8 provisions regarding insurance, is amended by adding a new Code section to read as follows:

9 "33-1-9.1.

10 (a) A natural person shall be guilty of the crime of staging a motor vehicle collision when,
11 with intent to commit insurance fraud or file a lawsuit, such person:

12 (1) Operates a motor vehicle and intentionally causes or attempts to cause a collision
13 involving a motor vehicle;

14 (2) Engages in a scheme to create evidence of a motor vehicle collision that did not
15 occur; or

16 (3) Organizes, plans, participates in, causes, or otherwise assists in a scheme to
17 intentionally cause a collision involving a motor vehicle.

18 Staging a motor vehicle collision shall constitute a felony punishable by no less than a term
19 of one year imprisonment.

20 (b) A natural person shall be guilty of the crime of aggravated staging of a motor vehicle
21 collision when, with intent to commit insurance fraud or file a lawsuit, such person
22 commits acts in violation of subsection (a) of this Code section which result in personal
23 injury or death. Aggravated staging of a motor vehicle collision shall constitute a felony
24 punishable by no less than a term of five years imprisonment.

25 (c) A natural person shall be guilty of the crime of making a fraudulent claim related to a
26 staged motor vehicle collision when such person makes, or assists in making, a claim for

27 insurance benefits of any type or brings, or assists in bringing, a civil lawsuit against
28 another seeking monetary damages with knowledge that the injuries for which insurance
29 benefits or monetary damages are sought resulted from a staged motor vehicle collision.
30 Making a fraudulent claim related to a staged motor vehicle collision shall constitute a
31 felony and shall be punishable by no less than a term of five years imprisonment."

32 **SECTION 2.**

33 This Act shall become effective upon its approval by the Governor or upon its becoming law
34 without such approval.

35 **SECTION 3.**

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