

The House Committee on Rules offers the following substitute to HB 1371:

A BILL TO BE ENTITLED
AN ACT

To amend Article 1 of Chapter 3 of Title 51 of the Official Code of Georgia Annotated, relating to general provisions regarding liability of owners and occupiers of land, so as to clarify liability regarding third-party criminal activity; to provide for related matters; to provide for an effective date and applicability; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Article 1 of Chapter 3 of Title 51 of the Official Code of Georgia Annotated, relating to general provisions regarding liability of owners and occupiers of land, is amended by adding a new Code section to read as follows:

"51-3-4.

(a) An owner or occupier of land shall not be liable under Code Section 51-3-1 to a claimant for injuries arising from third-party criminal activity where the claimant came upon the owner or occupier's premises or approaches for the purpose of committing a crime punishable by more than one year of imprisonment under the laws of this state or under

Chapter 8 of Title 16; provided, however, that this subsection shall not apply to a victim of a crime under Code Section 16-5-46.

(b) Under Code Section 51-3-1, for injuries arising from third-party criminal activity, whether the premises is located in a high-crime area may be considered by the trier of fact regarding reasonable foreseeability; provided, however, that the mere fact that the premises is situated in a high-crime area is not, on its own, sufficient to establish a duty to keep the premises and approaches safe from criminal activity."

SECTION 2.

This Act shall become effective on July 1, 2024, and shall be applicable to causes of action accruing on or after July 1, 2024.

SECTION 3.

All laws and parts of laws in conflict with this Act are repealed.