

House Bill 1163

By: Representatives Reeves of the 99th, Hawkins of the 27th, Newton of the 127th, Hatchett of the 155th, Au of the 50th, and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Chapter 13 of Title 51 of the Official Code of Georgia Annotated, relating to
2 recovery in medical malpractice actions, so as to provide for an exemption in medical
3 malpractice actions for the primary residences of health care providers; to provide for
4 exceptions; to provide for a short title; to provide for an effective date and applicability; to
5 provide for related matters; to repeal conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 This Act shall be known and may be cited as the "Health Care Homestead Protection Act."

9 **SECTION 2.**

10 Chapter 13 of Title 51 of the Official Code of Georgia Annotated, relating to recovery in
11 medical malpractice actions, is amended by adding a new Code section to read as follows:

12 "51-13-2.

13 (a) In any medical malpractice action, the primary residence, including any real property
14 or mobile home that serves as a primary residence, of a health care provider, as defined in
15 Code Section 51-13-1, that is a natural person shall be fully exempt from any levy, sale,

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16 garnishment, or other legal process arising from a creditor's claims, liens, or judgments, in
17 addition to any other exemptions provided by law.

18 (b) The exemption granted pursuant to this Code section shall not apply to:

19 (1) Tax liens or obligations owed to government entities;

20 (2) Debts secured by consensual security interest in the property, such as mortgages or
21 deeds of trust; or

22 (3) Obligations arising from criminal restitution orders."

23 **SECTION 3.**

24 This Act shall become effective on July 1, 2026, and shall apply to any claims, liens, or
25 judgments filed on or after such date.

26 **SECTION 4.**

27 All laws and parts of laws in conflict with this Act are repealed.