

Senate Bill 367

By: Senators Kirk of the 13th, Gooch of the 51st, Hill of the 4th, Wilkinson of the 50th, Harper of the 7th and others

**AS PASSED SENATE**

**A BILL TO BE ENTITLED  
AN ACT**

1 To amend Code Section 45-9-85 of the Official Code of Georgia Annotated, relating to  
2 payment of indemnification for death or disability, procedure for making payments, and  
3 appeal, so as to provide for the option of payment to an estate in the case of death suffered  
4 in the line of duty by a law enforcement officer, firefighter, emergency medical technician,  
5 emergency management specialist, state highway employee, or prison guard; to provide for  
6 related matters; to repeal conflicting laws; and for other purposes.

7 **BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:**

8 **SECTION 1.**

9 Code Section 45-9-85 of the Official Code of Georgia Annotated, relating to payment of  
10 indemnification for death or disability, procedure for making payments, and appeal, is  
11 amended by revising paragraph (3) of subsection (a) as follows:

12 "(3) In the case of death or organic brain damage suffered in the line of duty by a law  
13 enforcement officer, firefighter, emergency medical technician, emergency management  
14 specialist, state highway employee, or prison guard, payment shall be made to the  
15 surviving unremarried spouse or the dependents of the spouse or deceased person as  
16 shown in his or her most recent tax return or to the estate of the deceased law  
17 enforcement officer, firefighter, emergency medical technician, emergency management  
18 specialist, state highway employee, or prison guard as provided for by will or operation  
19 of law or to the legal guardian of the organically brain damaged person. The surviving  
20 unremarried spouse, dependents, estate administrator, or ~~the~~ legal guardian may elect to  
21 receive payment in a lump sum payment of \$150,000.00 paid in equal monthly  
22 installments for five years or a lump sum of such amount reduced to its present value  
23 upon the basis of interest calculated at the rate of 6 percent per annum."

24 **SECTION 2.**

25 All laws and parts of laws in conflict with this Act are repealed.