

House Bill 1475

By: Representatives Leverett of the 123rd, Carpenter of the 4th, Chastain of the 7th, and LaHood of the 175th

A BILL TO BE ENTITLED
AN ACT

1 To amend Code Sections 10-6B-53, 31-32-7, and 50-13-13 of the Official Code of Georgia
2 Annotated, relating to benefits from governmental programs or civil or military service,
3 duties and responsibilities of health care agents, and opportunity for hearing in contested
4 cases, notice, counsel, subpoenas, record, enforcement powers, and revenue cases,
5 respectively, so as to provide limited authority for the appointment of an authorized
6 representative for the purposes of completing an application for public benefits on behalf of
7 a deceased individual and attending any hearing thereon or litigating any appeal related
8 thereto; to provide for the termination of such authority; to provide for related matters; to
9 provide an effective date; to repeal conflicting laws; and for other purposes.

10 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

11 **SECTION 1.**

12 Code Section 10-6B-53 of the Official Code of Georgia Annotated, relating to benefits from
13 governmental programs or civil or military service, is amended by adding a new subsection
14 to read as follows:

15 "(c)(1) Notwithstanding any provision of Code Section 10-6B-10 or any other law to the
16 contrary, a valid power of attorney that grants general authority with respect to the

17 principal's entitlement to or claim for benefits from governmental programs or civil or
18 military service shall not terminate when the principal dies, but shall continue after the
19 principal's death for the exclusive and limited purpose of authorizing the agent to appoint
20 an authorized representative for the purposes of completing an application for public
21 benefits on behalf of a principal and attending any hearing thereon or litigating any
22 appeal related thereto; provided, however, that such authority shall terminate immediately
23 upon the earlier of the appointment of such an authorized representative by any individual
24 or entity authorized to make such appointment or the appointment of an administrator or
25 personal representative for the principal's estate by a court of competent jurisdiction."

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SECTION 2.

27 Code Section 31-32-7 of the Official Code of Georgia Annotated, relating to duties and
28 responsibilities of health care agents, is amended by adding a new paragraph to
29 subsection (e) to read as follows:

30 "(3.1) The individual who is a declarant's health care agent at the time of such declarant's
31 death shall be authorized for a period not to exceed 12 months from the date of such
32 death to appoint an authorized representative for the purposes of completing an
33 application for public benefits on behalf of the declarant and attending any hearing
34 thereon or litigating any appeal related thereto; provided, however, that such authority
35 shall terminate immediately upon the earlier of the appointment of such an authorized
36 representative by any individual or entity authorized to make such appointment or the
37 appointment of an administrator or personal representative for the declarant's estate by
38 a court of competent jurisdiction."

39 **SECTION 3.**

40 Code Section 50-13-13 of the Official Code of Georgia Annotated, relating to opportunity
41 for hearing in contested cases, notice, counsel, subpoenas, record, enforcement powers, and
42 revenue cases, is amended by adding a new subsection to read as follows:

43 "(b.1) An individual who is authorized by law to file an application for public benefits on
44 behalf of a second individual during the life of the second individual shall be authorized
45 to complete an application for public benefits on behalf of the second individual upon his
46 or her death and attend any hearing thereon or litigate any appeal related thereto; provided,
47 however, that such authority shall terminate immediately upon the earlier of the
48 appointment of an authorized representative for such purposes by any individual or entity
49 authorized to make such appointment or the appointment of an administrator or personal
50 representative for the declarant's estate by a court of competent jurisdiction."

51 **SECTION 4.**

52 This Act shall become effective on July 1, 2026.

53 **SECTION 5.**

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