

The House Committee on Judiciary offers the following substitute to HB 1475:

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 to serve as an authorized representative for  
6 the purposes of completing an application for public benefits on behalf of a deceased  
7 individual and attending any hearing thereon or litigating any appeal related thereto; to  
8 provide for the termination of such authority; to provide for related matters; to provide an  
9 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

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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 serve  
20 as an authorized representative, to the extent one was not previously appointed, for the  
21 purposes of completing an application for public benefits on behalf of a principal and  
22 attending any hearing thereon or litigating any appeal related thereto; provided, however,  
23 that such authority shall terminate immediately upon the earlier of the appointment of  
24 such authorized representative by any individual or entity authorized to make such  
25 appointment or the appointment of an administrator or personal representative for the  
26 principal's estate by a court of competent jurisdiction."

27 **SECTION 2.**

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

31 "(3.1) The individual who is a declarant's health care agent at the time of such declarant's  
32 death shall be authorized to serve as an authorized representative, to the extent one was  
33 not previously appointed, for the purposes of completing an application for public  
34 benefits on behalf of the declarant and attending any hearing thereon or litigating any  
35 appeal related thereto; provided, however, that such authority shall terminate immediately  
36 upon the earlier of the appointment of such authorized representative by any individual  
37 or entity authorized to make such appointment or the appointment of an administrator or  
38 personal representative for the declarant's estate by 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) The authority of a general power of attorney provided for in Chapter 6B of  
44 Title 10, a healthcare agent provided for in Chapter 32 of Title 31, a conservator or  
45 guardian provided for in Title 29, or an authorized representative for the purposes of  
46 completing an application for public benefits, shall continue after the death of the  
47 principal to serve as an authorized representative for the purposes of completing an  
48 application for public benefits on behalf of such principal and attending any hearing  
49 thereon or litigating any appeal related thereto; provided, however, that such authority  
50 shall terminate immediately upon the earlier of the appointment of such authorized  
51 representative by any individual or entity authorized to make such appointment or the  
52 appointment of an administrator or personal representative for the declarant's estate by  
53 a court of competent jurisdiction."

54 **SECTION 4.**

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

56 **SECTION 5.**

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