

House Bill 1128 (AS PASSED HOUSE AND SENATE)

By: Representatives Seabaugh of the 34th, Gambill of the 15th, Wade of the 9th, Werkheiser of the 157th, Bonner of the 73rd, and others

A BILL TO BE ENTITLED

AN ACT

1 To amend Code Section 34-9-26 of the Official Code of Georgia Annotated, relating to
2 required notice regarding injured peace officers, so as to provide that the State Board of
3 Workers' Compensation shall provide for notice of eligibility for compensation to an injured
4 employee to his or her legal guardian; to amend Code Section 35-1-24 of the Official Code
5 of Georgia Annotated, relating to peace officers eligible for indemnification or disability
6 compensation and notifications, so as to provide that law enforcement agencies shall provide
7 notice of eligibility for compensation to an injured employee to his or her legal guardian; to
8 amend Part 1 of Article 5 of Chapter 9 of Title 45 of the Official Code of Georgia Annotated,
9 relating to the Georgia State Indemnification Fund, so as to provide for an application
10 window for eligible individuals incapacitated by organic brain damage sustained in the line
11 of duty on or before July 1, 2024; to provide for automatic repeal; to provide for related
12 matters; to provide for an effective date; to repeal conflicting laws; and for other purposes.

13 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

14 **SECTION 1.**

15 Code Section 34-9-26 of the Official Code of Georgia Annotated, relating to required notice
16 regarding injured peace officers, is amended by revising subsection (b) as follows:

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17 "(b) In the event that the State Board of Workers' Compensation has reasonable cause to
18 believe that an injured employee is an eligible peace officer, the board shall notify the
19 Department of Administrative Services. Additionally, the board shall notify the injured
20 employee or his or her legal guardian of such belief and such notification shall include such
21 appropriate contact information of the Georgia State Indemnification Fund and the
22 temporary disability compensation program of Parts 1 and 2, respectively, of Article 5 of
23 Chapter 9 of Title 45 and other information as shall be determined necessary by the
24 Department of Administrative Services through the promulgation of rules and regulations."

25 **SECTION 2.**

26 Code Section 35-1-24 of the Official Code of Georgia Annotated, relating to peace officers
27 eligible for indemnification or disability compensation and notifications, is amended by
28 revising subsection (b) as follows:

29 "(b) Each law enforcement agency of this state shall notify every employee whom such
30 agency has reasonable cause to believe may be an eligible peace officer, or his or her legal
31 guardian, of the existence of the Georgia State Indemnification Fund and the temporary
32 disability compensation program of Parts 1 and 2, respectively, of Article 5 of Chapter 9
33 of Title 45. Such notification shall be given within ten days of such employee suffering
34 an injury which may reasonably cause such employee to suffer a permanent or temporary
35 disability. Additionally, such notification shall include such appropriate contact and other
36 information as shall be determined necessary by the Department of Administrative Services
37 through the promulgation of rules and regulations."

38 **SECTION 3.**

39 Part 1 of Article 5 of Chapter 9 of Title 45 of the Official Code of Georgia Annotated,
40 relating to the Georgia State Indemnification Fund, is amended by adding a new Code
41 section to read as follows:

42 "45-9-86.1.

43 (a) Notwithstanding subsection (d) of Code Section 45-9-86, a public safety officer or his
44 or her legal guardian may submit an application for indemnification with respect to a claim
45 for total permanent disability between July 1, 2026, and August 1, 2026, when:

46 (1) The total permanent disability is due to organic brain damage incurred by a public
47 safety officer in the line of duty on or before July 1, 2024; and

48 (2) The organic brain damage incurred required extended recovery such that it impaired
49 the capacity of the public safety officer to the extent it prevented his or her ability to
50 make an application for indemnification within the time required by subsection (d) of
51 Code Section 45-9-86.

52 (b) An application submitted under this Code section shall be accompanied by
53 documentation prescribed by the department to demonstrate the public safety officer
54 satisfies the requirements of subsection (a) of this Code section.

55 (c) This Code section shall stand repealed on July 1, 2030."

56 **SECTION 4.**

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

58 **SECTION 5.**

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