

The House Committee on Public Safety and Homeland Security offers the following substitute to SB 371:

A BILL TO BE ENTITLED
AN ACT

1 To amend Article 1 of Chapter 9 of Title 34 of the Official Code of Georgia Annotated,
2 relating to general provisions of workers' compensation, so as to require the State Board of
3 Workers' Compensation to notify the Department of Administrative Services when the board
4 has reasonable cause to believe that an injured worker is an eligible peace officer; to provide
5 for a definition; to amend Chapter 1 of Title 35 of the Official Code of Georgia Annotated,
6 relating to general provisions of law enforcement officers and agencies, so as to require a
7 certain notification to certain peace officers who become disabled in the line of duty under
8 certain circumstances; to provide for a definition; to provide for related matters; to provide
9 for a short title; to repeal conflicting laws; and for other purposes.

10 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

11 **SECTION 1.**

12 This Act shall be known and may be cited as the "Daniel D. Podsiadly, Jr. Act."

13

SECTION 2.

14 Article 1 of Chapter 9 of Title 34 of the Official Code of Georgia Annotated, relating to
15 general provisions of workers' compensation, is amended by adding a new Code section to
16 read as follows:

17 "34-9-26.

18 (a) As used in this Code section, the term 'eligible peace officer' means any individual who
19 is employed on a full-time or part-time basis by the state or any municipality, county, or
20 other political subdivision thereof; who is required by the terms of such employment,
21 whether by election or appointment, to maintain public order or to make arrests for all
22 criminal offenses; who is required by the terms of such employment to comply with the
23 requirements of the 'Georgia Peace Officer Standards and Training Act' contained in
24 Chapter 8 of Title 35; and who suffers permanent or temporary disability in the line of duty
25 due to a direct interaction with a criminal suspect, arrestee, or inmate.

26 (b) In the event that the State Board of Workers' Compensation has reasonable cause to
27 believe that an injured worker is an eligible peace officer, the board shall notify the
28 Department of Administrative Services. Additionally, the board shall notify the injured
29 employee of such belief and such notification shall include such appropriate contact
30 information of the Georgia State Indemnification Fund and the temporary disability
31 compensation program of Parts 1 and 2, respectively, of Article 5 of Chapter 9 of Title 45
32 and other information as shall be determined necessary by the Department of
33 Administrative Services through the promulgation of rules and regulations."

34

SECTION 3.

35 Chapter 1 of Title 35 of the Official Code of Georgia Annotated, relating to general
36 provisions of law enforcement officers and agencies, is amended by adding a new Code
37 section to read as follows:

38 "35-1-24.

39 (a) As used in this Code section, the term 'eligible peace officer' means any individual who
40 is employed on a full-time or part-time basis by the state or any municipality, county, or
41 other political subdivision thereof; who is required by the terms of such employment,
42 whether by election or appointment, to maintain public order or to make arrests for all
43 criminal offenses; who is required by the terms of such employment to comply with the
44 requirements of the 'Georgia Peace Officer Standards and Training Act' contained in
45 Chapter 8 of this title; and who suffers permanent or temporary disability in the line of duty
46 due to a direct interaction with a criminal suspect, arrestee, or inmate.

47 (b) Each law enforcement agency of this state shall notify every employee whom such
48 agency has reasonable cause to believe may be an eligible peace officer of the existence
49 of the Georgia State Indemnification Fund and the Georgia State Indemnification
50 Commission. Such notification shall be given within ten days of such employee suffering
51 an injury which may reasonably cause such employee to suffer a permanent or temporary
52 disability. Additionally, such notification shall include such appropriate contact and other
53 information as shall be determined necessary by the Department of Administrative Services
54 through the promulgation of rules and regulations.

55 (c) In the event that a peace officer settles his or her claim with the workers' compensation
56 carrier and does not appeal to the State Board of Workers' Compensation, such peace
57 officer may apply directly for compensation or indemnification in accordance with
58 Chapter 9 of Title 45."

59 **SECTION 4.**

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