

House Bill 1005

By: Representatives Gonzalez of the 117th, Dreyer of the 59th, Kendrick of the 93rd, Hugley of the 136th, Oliver of the 82nd, and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Chapter 1 of Title 51 of the Official Code of Georgia Annotated, relating to
2 general provisions for torts, so as to provide for a private right of action for damages suffered
3 due to sexual harassment under certain circumstances; to provide a definition; to provide for
4 related matters; to repeal conflicting laws; and for other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

6 style="text-align:center">**SECTION 1.**

7 Chapter 1 of Title 51 of the Official Code of Georgia Annotated, relating to general
8 provisions for torts, is amended by adding a new Code section to read as follows:

9 "51-1-56.

10 (a) As used in this Code section, the term 'sexual harassment' means unwelcome sexual
11 advances, requests for sexual favors, and other verbal or physical conduct of a sexual
12 nature.

13 (b) When the remedies provided under Title VII of the federal Civil Rights Act of 1964
14 do not apply, a private right of action is hereby created for the tort of sexual harassment
15 when the sexual harassment explicitly or implicitly affects an individual's employment,
16 unreasonably interferes with an individual's work performance, or creates an intimidating,
17 hostile, or offensive work environment. When an individual suffers an economic loss or
18 personal injury, including emotional distress, as a result of sexual harassment, he or she
19 may bring a civil action for the harm or damage sustained."

20 style="text-align:center">**SECTION 2.**

21 All laws and parts of laws in conflict with this Act are repealed.