

House Bill 1371 (RULES COMMITTEE SUBSTITUTE)

By: Representative Burchett of the 176<sup>th</sup>

A BILL TO BE ENTITLED  
AN ACT

1 To amend Article 1 of Chapter 3 of Title 51 of the Official Code of Georgia Annotated,  
2 relating to general provisions regarding liability of owners and occupiers of land, so as to  
3 clarify liability regarding third-party criminal activity; to provide for related matters; to  
4 provide for an effective date and applicability; to repeal conflicting laws; and for other  
5 purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Article 1 of Chapter 3 of Title 51 of the Official Code of Georgia Annotated, relating to  
9 general provisions regarding liability of owners and occupiers of land, is amended by adding  
10 a new Code section to read as follows:

11 "51-3-4.

12 (a) An owner or occupier of land shall not be liable under Code Section 51-3-1 to a  
13 claimant for injuries arising from third-party criminal activity where the claimant came  
14 upon the owner or occupier's premises or approaches for the purpose of committing a crime  
15 punishable by more than one year of imprisonment under the laws of this state or under

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16 Chapter 8 of Title 16; provided, however, that this subsection shall not apply to a victim  
17 of a crime under Code Section 16-5-46.

18 (b) Under Code Section 51-3-1, for injuries arising from third-party criminal activity,  
19 whether the premises is located in a high-crime area may be considered by the trier of fact  
20 regarding reasonable foreseeability; provided, however, that the mere fact that the premises  
21 is situated in a high-crime area is not, on its own, sufficient to establish a duty to keep the  
22 premises and approaches safe from criminal activity."

23 **SECTION 2.**

24 This Act shall become effective on July 1, 2024, and shall be applicable to causes of action  
25 accruing on or after July 1, 2024.

26 **SECTION 3.**

27 All laws and parts of laws in conflict with this Act are repealed.