

House Bill 961

By: Representatives Efstration of the 104<sup>th</sup>, Oliver of the 82<sup>nd</sup>, Williamson of the 115<sup>th</sup>, Smith of the 18<sup>th</sup>, Hatchett of the 150<sup>th</sup>, and others

A BILL TO BE ENTITLED  
AN ACT

1 To amend Code Section 51-12-33 of the Official Code of Georgia Annotated, relating to  
2 reduction and apportionment of award or bar of recovery according to percentage of fault of  
3 parties and nonparties, so as to authorize apportionment of damages in single-defendant  
4 lawsuits; to provide for evidence of fault of nonparties; to provide for related matters; to  
5 provide for applicability; to provide for an effective date; to repeal conflicting laws; and for  
6 other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 Code Section 51-12-33, relating to reduction and apportionment of award or bar of recovery  
10 according to percentage of fault of parties and nonparties, is amended by revising  
11 subsection (b) as follows:

12 "(b) Where an action is brought against ~~more than one person~~ one or more persons for  
13 injury to person or property, the trier of fact, in its determination of the total amount of  
14 damages to be awarded, if any, shall after a reduction of damages pursuant to subsection (a)  
15 of this Code section, if any, apportion its award of damages among the person or persons  
16 who are liable according to the percentage of fault of each person. Damages apportioned

17 by the trier of fact as provided in this Code section shall be the liability of each person  
18 against whom they are awarded, shall not be a joint liability among the persons liable, and  
19 shall not be subject to any right of contribution."

20 **SECTION 2.**

21 This Act shall apply to all cases filed after the effective date of this Act.

22 **SECTION 3.**

23 This Act shall become effective upon its approval by the Governor or upon its becoming law  
24 without such approval.

25 **SECTION 4.**

26 All laws and parts of laws in conflict with this Act are repealed.