

Senate Bill 543

By: Senators Halpern of the 39th, Parent of the 42nd, Jones of the 10th, Jordan of the 6th and Strickland of the 17th

A BILL TO BE ENTITLED
AN ACT

1 To amend Chapter 4 of Title 51 of the Official Code of Georgia Annotated, relating to
2 wrongful death, so as to provide that a parent who is determined to be responsible for the
3 homicide of his or her child shall have no right of recovery against the value of the child's
4 life; to amend Article 1 of Chapter 1 of Title 53 of the Official Code of Georgia Annotated,
5 relating to wills, trusts, and administration of estates generally, so as to provide for forfeiture
6 of an intestate share of an estate under certain circumstances; to provide for related matters;
7 to provide for an effective date; to repeal conflicting laws; and for other purposes.

8 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

9 **SECTION 1.**

10 Chapter 4 of Title 51 of the Official Code of Georgia Annotated, relating to wrongful death,
11 is amended by revising Code Section 51-4-4, relating to wrongful death of a child, as
12 follows:

13 "51-4-4.

14 The right to recover for the homicide of a child shall be as provided in Code Section 19-7-1
15 and Code Section 53-1-5."

S. B. 543

- 1 -

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SECTION 2.

17 Article 1 of Chapter 1 of Title 53 of the Official Code of Georgia Annotated, relating to
18 wills, trusts, and administration of estates generally, is amended in Code Section 53-1-5,
19 relating to right of an individual who feloniously and intentionally kills or conspires to kill
20 to inherit, by revising subsections (a) and (b) as follows:

21 "(a) An individual who feloniously and intentionally kills or conspires to kill or procures
22 the killing of another individual forfeits the right to take an interest from the decedent's
23 estate, including, but not limited to, the right to recover under Code Sections 19-7-1,
24 51-4-2, or 51-4-4, and to serve as a personal representative or trustee of the decedent's
25 estate or any trust created by the decedent. For purposes of this Code section, the killing
26 or conspiring to kill or procuring another to kill is felonious and intentional if the killing
27 would constitute murder or felony murder or voluntary manslaughter under the laws of this
28 state.

29 (b) An individual who forfeits the right to take an interest from a decedent's estate by
30 virtue of this Code section forfeits the right to take any interest such individual would
31 otherwise take at the decedent's death by intestacy, year's support, will, deed, power of
32 appointment, the right to recover under Code Sections 19-7-1, 51-4-2, or 51-4-4, or by any
33 other conveyance duly executed during life by the decedent and is treated as having
34 predeceased the decedent for purposes of determining the distribution of the decedent's
35 property and of appointing personal representatives or trustees."

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SECTION 3.

37 This Act shall become effective on July 1, 2022.

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SECTION 4.

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