

Senate Bill 91

By: Senators Dixon of the 45th, Kennedy of the 18th, Hodges of the 3rd, Hufstetler of the 52nd, Hickman of the 4th and others

AS PASSED

A BILL TO BE ENTITLED
AN ACT

1 To amend Chapter 9 of Title 34 of the Official Code of Georgia Annotated, relating to
2 workers' compensation, so as to extend the time period for the dissolution of the Subsequent
3 Injury Trust Fund; to provide for related matters; to repeal conflicting laws; and for other
4 purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

6 **SECTION 1.**

7 Chapter 9 of Title 34 of the Official Code of Georgia Annotated, relating to workers'
8 compensation, is amended by revising subsection (c) of Code Section 34-9-368, relating to
9 reimbursement of self-insured employers or insureds, actuarial study required, and
10 dissolution of Subsequent Injury Trust Fund, as follows:

11 "(c) Upon or in contemplation of the final payment of all claims filed for subsequent
12 injuries for which claims are filed for injuries occurring on and prior to June 30, 2006, the
13 board of trustees shall adopt and implement resolutions providing for the final dissolution
14 of the Subsequent Injury Trust Fund. Such resolutions shall become effective when all
15 claims made for injuries occurring on and prior to June 30, 2006, have been fully paid or
16 otherwise resolved and shall include provisions for:

17 (1) The termination of assessments against insurers or self-insurers;

- 18 (2) The pro rata refund of assessments previously collected and unexpended, consistent
19 with the provisions of subsection (f) of Code Section 34-9-358;
- 20 (3) The termination of employment of the employees of the fund or the transfer of
21 employment of any employees to any other state agency desiring to accept them;
- 22 (4) A final accounting of the financial affairs of the fund; and
- 23 (5) The transfer of the books, records, and property of the fund to the custody of the
24 Department of Insurance.
- 25 Upon the completion of all matters provided for in such resolutions, but not later than
26 ~~December 31, 2023~~ December 31, 2025, the Subsequent Injury Trust Fund and the
27 members of its board of trustees shall be discharged from their duties except for such
28 personnel necessary to administer any remaining claims."

29

SECTION 2.

30 All laws and parts of laws in conflict with this Act are repealed.