

House Bill 844 (AS PASSED HOUSE AND SENATE)

By: Representatives Maxwell of the 17th, Jasperse of the 11th, Buckner of the 137th, Greene of the 151st, Rakestraw of the 19th, and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Chapter 7 of Title 47 of the Official Code of Georgia Annotated, relating to the
2 Georgia Firefighters' Pension Fund, so as to update certain language related to determining
3 which insurance premiums are subject to taxation related to the fund; to provide that venue
4 for any action brought in the superior court against the fund or the board shall be in the
5 superior court of the board's county of domicile; to repeal conflicting laws; and for other
6 purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 Chapter 7 of Title 47 of the Official Code of Georgia Annotated, relating to the Georgia
10 Firefighters' Pension Fund, is amended by revising paragraph (2) of subsection (a) of Code
11 Section 47-7-61, relating to tax on premiums charged by fire insurance companies for certain
12 classes of coverage, exclusions, and penalty for failure to report and pay such tax, as follows:
13 "(2) If property covered under any policy for which gross premiums are reported as
14 required by paragraph (1) of this subsection is served by public fire suppression facilities
15 ~~which are, and such property is~~ rated less favorably than a class nine rating under
16 standards set forth in the Fire Suppression Rating Schedule, ~~Section I, Public Fire~~
17 ~~Suppression, Edition 6-80, Copyright 1980~~, published by the Insurance Services Office,
18 a rating organization licensed by the Commissioner of Insurance, which schedule is
19 maintained on file with the Commissioner of Insurance as required by general law and
20 which has not been disapproved by the Commissioner, or less than a rating which the
21 board by regulation determines is substantially equivalent under rating standards
22 published by an organization licensed by the Commissioner of Insurance ~~performing~~
23 utilizing similar rating functions ratings, and which standards are maintained on file with
24 the Commissioner of Insurance and ~~which~~ have not been disapproved by the
25 Commissioner, then and to that extent the premiums under such policy shall be excluded

26 in determining the tax imposed under this Code section. The amount of ~~such~~ any
27 exclusion of such tax shall be reported on the returns filed with the board."

28 **SECTION 2.**

29 Said chapter is further amended by adding a new subsection to Code Section 47-7-124,
30 relating to disposition of funds abandoned by members separated from the service, notice,
31 and limitation on asserting certain claims, to read as follows:

32 "(d) The venue for actions arising under this chapter brought against the board or the fund
33 in superior court, including, but not limited to, a judicial review of a final decision of the
34 board, shall be in the superior court of the county of domicile of the board."

35 **SECTION 3.**

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