

House Bill 353 (AS PASSED HOUSE AND SENATE)

By: Representatives Carpenter of the 4th, Morris of the 26th, Cantrell of the 22nd, Momtahan of the 17th, and Williams of the 148th

A BILL TO BE ENTITLED
AN ACT

1 To amend Chapter 1 of Title 33 of the Official Code of Georgia Annotated, relating to
2 general provisions regarding insurance, so as to create the crime of staging a collision; to
3 provide for related matters; to provide for an effective date; to repeal conflicting laws; and
4 for other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

6 style="text-align:center">**SECTION 1.**

7 Chapter 1 of Title 33 of the Official Code of Georgia Annotated, relating to general
8 provisions regarding insurance, is amended by adding a new Code section to read as follows:

9 "33-1-9.1.

10 (a) A person shall be guilty of the crime of staging a collision when, with intent to commit
11 insurance fraud, as defined in Code Section 33-1-9, such person does any of the following:

12 (1) Intentionally causes or attempts to cause a motor vehicle collision; or

13 (2) Engages in a scheme to fabricate evidence of a motor vehicle collision that did not
14 occur.

15 Staging a collision shall constitute a felony punishable by no less than one year nor more
16 than five years imprisonment.

17 (b) A person shall be guilty of the crime of aggravated staging of a collision when, with
18 intent to commit insurance fraud as defined in Code Section 33-1-9, such person commits
19 acts in violation of subsection (a) of this Code section which result in serious personal
20 injury to another. Aggravated staging of a collision shall constitute a felony punishable by
21 no less than two years nor more than ten years imprisonment.

22 (c) A person shall be guilty of the crime of making a fraudulent claim related to a staged
23 collision when such person makes, or assists in making, a claim for insurance benefits of
24 any type or brings, or assists in bringing, a civil lawsuit against another seeking monetary
25 damages with knowledge that the injuries for which insurance benefits or monetary
26 damages are sought resulted from a staged collision, or seeks to obtain any benefit to which

27 such claimant is not legally entitled. Making a fraudulent claim related to a staged
28 collision shall constitute a felony and shall be punishable by no less than one year nor more
29 than five years imprisonment."

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SECTION 2.

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

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SECTION 3.

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