

The House Committee on Education offers the following substitute to HB 1121:

**A BILL TO BE ENTITLED  
AN ACT**

1 To amend Code Section 20-2-55 of the Official Code of Georgia Annotated, relating to per  
2 diem and expenses of members of local boards of education, and Code Section 45-18-5 of  
3 the Official Code of Georgia Annotated, relating to coverage of county officers and  
4 employees under the state employees' health insurance plan, so as to authorize local boards  
5 of education to pay additional costs imposed on certain members of the local board by such  
6 board's decision to provide certain state health insurance benefits to members of the local  
7 board; to provide for the use of tax funds for such purpose; to provide for related matters;  
8 to provide for an effective date; to repeal conflicting laws; and for other purposes.

9                   **BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:**

10                   **SECTION 1.**

11 Code Section 20-2-55 of the Official Code of Georgia Annotated, relating to per diem and  
12 expenses of members of local boards of education, is amended by striking subsection (b) and  
13 inserting in lieu thereof the following:

14       "(b) (1) A local board of education is authorized to provide group medical and dental  
15 insurance for its members who elect to participate. Such insurance may be provided  
16 through a group policy secured by the local school district, a group policy secured by  
17 several local school districts, a policy secured by an organization of local school boards,  
18 or in accordance with Code Section 45-18-5 providing for the inclusion of electing  
19 members of the local board of education and their the spouses and dependents of such  
electing members within any health insurance plan or plans established under Article 1  
20 of Chapter 18 of Title 45. It shall be the duty of the board to make the employer  
21 contributions required for the operation of such plan or plans. ~~A board Except as provided~~  
22 ~~in paragraph (3) of this subsection, a board~~ providing such insurance shall pay no greater  
23 percentage of the cost of that insurance than the percentage of the cost paid as an  
24 employer contribution by the state for the health insurance plan for state employees  
25 pursuant to Article 1 of Chapter 18 of Title 45. The remainder of such insurance costs,  
26

1 and all the costs of any coverage for family members, shall be paid as an employee  
2 contribution by the board member. It shall be the duty of the board to deduct from the  
3 salary or other remuneration of qualified electing members or otherwise collect such  
4 payment from the qualified electing members or dependents.

5 (2) Taxes levied by or on behalf of a local board of education may be expended for  
6 employer contributions, but not employee contributions, required for insurance coverage  
7 of electing members of that board as provided in paragraph (1) of this subsection. Taxes  
8 levied by or on behalf of a local board of education also may be expended for  
9 contributions authorized in paragraph (3) of this subsection. Such expenditures on behalf  
10 of any electing member may continue only as long as that electing member continues in  
11 office and makes any employee contribution required for such coverage. That electing  
12 member, and eligible dependents thereof, shall be ineligible for coverage pursuant to the  
13 provisions of paragraph (1) of this subsection upon such person's ceasing to serve as a  
14 member of a local board of education. Such expenditures on behalf of any member in  
15 accordance with paragraph (3) of this subsection may continue only as long as that  
16 electing member continues in office and makes any contribution which is not the result  
17 of the board of education's decision to allow its members to participate in the health  
18 insurance plan. Such expenditure for the employer contribution Expenditures authorized  
19 by this Code section shall be in addition to, and not in lieu of, any salary, expense, per  
20 diem, or other compensation payable to that member of a local board of education.

21 (3) If a board member is already a member of a health insurance plan established by  
22 Article 1 of Chapter 18 of Title 45 as a retired employee and the result of the board of  
23 education's decision to allow its members to participate is to change the status of such  
24 member for purposes of medicare coverage so as to make medicare a secondary rather  
25 than a primary provider and thus to increase the cost to such member of the state  
26 insurance plan, then the local board may pay any additional cost imposed on such  
27 member as a result of the local board's decision to allow its members to participate in  
28 coverage under paragraph (1) of this subsection."

29 **SECTION 2.**

30 Code Section 45-18-5 of the Official Code of Georgia Annotated, relating to coverage of  
31 county officers and employees under the state employees' health insurance plan, is amended  
32 by striking subsection (c.1) and inserting in lieu thereof the following:

33 "(c.1) Any local board of education may elect for members thereof who elect to participate  
34 and their the spouses and dependents of such electing members to be included in any health  
35 plan or plans established under Code Section 20-2-918. It shall be the duty of any local  
36 boards of education so electing to deduct from the salary or other compensation of its

electing members such payment as may be required under paragraph (1) of subsection (b) of Code Section 20-2-55 and to remit the same to the health insurance fund created under Code Section 20-2-918."

### **SECTION 3.**

This Act shall become effective on the first day of the month following the month in which it is approved by the Governor or in which it becomes law without such approval.

## SECTION 4.

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