

House Bill 920

By: Representatives Smith of the 70th and Horne of the 71st

A BILL TO BE ENTITLED
AN ACT

1 To amend Article 3 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated,
2 relating to local boards of education, and Article 1 of Chapter 18 of Title 45 of the Official
3 Code of Georgia Annotated, relating to the state employees' health insurance plan, so as to
4 authorize local boards of education to provide health insurance benefits to members leaving
5 office on or after a specified date if such members have served on the board for at least 12
6 years; to provide that such former members shall pay the entire cost of the health insurance
7 coverage; to provide for related matters; to provide for an effective date; to repeal conflicting
8 laws; and for other purposes.

9 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

10 **SECTION 1.**

11 Article 3 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to local
12 boards of education, is amended in Code Section 20-2-55, relating to compensation of
13 members of such boards, by striking subsection (b) and inserting in lieu thereof the
14 following:

15 "(b)(1) A local board of education is authorized to provide group medical and dental
16 insurance for its members who elect to participate. Such insurance may be provided
17 through a group policy secured by the local school district, a group policy secured by
18 several local school districts, a policy secured by an organization of local school boards,
19 or in accordance with Code Section 45-18-5 providing for the inclusion of members of
20 the local board of education and their spouses and dependents within any health insurance
21 plan or plans established under Article 1 of Chapter 18 of Title 45. It Except for former
22 members of the local board of education eligible for coverage under paragraph (4) of this
23 subsection, it shall be the duty of the board to make the employer contributions required
24 for the operation of such plan or plans. Except as provided in paragraph (3) of this
25 subsection, a board providing such insurance shall pay no greater percentage of the cost
26 of that insurance than the percentage of the cost paid as an employer contribution by the

1 state for the health insurance plan for state employees pursuant to Article 1 of Chapter
2 18 of Title 45. The remainder of such insurance costs, and all the costs of any coverage
3 for family members, shall be paid as an employee contribution by the board member. It
4 shall be the duty of the board to deduct from the salary or other remuneration of qualified
5 members or otherwise collect such payment from the qualified members or dependents.

6 (2) Taxes levied by or on behalf of a local board of education may be expended for
7 employer contributions, but not employee contributions, required for insurance coverage
8 of members of that board as provided in paragraph (1) of this subsection. Taxes levied
9 by or on behalf of a local board of education also may be expended for contributions
10 authorized in paragraph (3) of this subsection. Such expenditures on behalf of any
11 member may continue only as long as that member continues in office and makes any
12 employee contribution required for such coverage. That member, and eligible dependents
13 thereof, shall be ineligible for coverage pursuant to the provisions of paragraph (1) of this
14 subsection upon such person's ceasing to serve as a member of a local board of
15 education. Such expenditures on behalf of any member in accordance with paragraph (3)
16 of this subsection may continue only as long as that member continues in office and
17 makes any contribution which is not the result of the board of education's decision to
18 allow its members to participate in the health insurance plan. 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 establish dual eligibility for
24 a member and thus to increase the cost to such member of the state insurance plan, then
25 the local board may pay any additional cost imposed on such member as a result of the
26 local board's decision to allow its members to participate in coverage under paragraph
27 (1) of this subsection.

28 (4) A local board of education is authorized to provide group medical insurance for a
29 member and the spouse and dependents of a member leaving office on or after December
30 31, 2006, if such member has served at least 12 years as a member of the local board of
31 education. A former member of a board of education who elects group medical insurance
32 coverage in accordance with this paragraph shall pay all costs of such insurance. The
33 local board of education shall remit such payments to the health insurance fund created
34 under Code Section 20-2-918."

SECTION 2.

Article 1 of Chapter 18 of Title 45 of the Official Code of Georgia Annotated, relating to the state employees' health insurance plan, is amended in Code Section 45-18-5, relating to county officials and employees, by striking subsection (c.1) and inserting in lieu thereof the following:

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

(2) Any local board of education may provide health insurance for a member and the spouse and dependents of a member who leaves office on or after December 31, 2006, if such member has served at least 12 years as a member of the local board of education. Such former members shall pay all the costs of the insurance, and the board of education shall remit such payments to the health insurance fund created under Code Section 20-2-918."

SECTION 3.

This Act shall become effective on July 1, 2006.

SECTION 4.

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