

House Bill 1279

By: Representatives Butler of the 18th, Smith of the 131st, Sheldon of the 105th, Smith of the 168th, and Willard of the 49th

A BILL TO BE ENTITLED
AN ACT

1 To amend Code Section 45-18-5 of the Official Code of Georgia Annotated, relating to
2 county officers and employees' participation in the state health benefit plan, so as to provide
3 sheriffs, tax commissioners, clerks of superior court, and judges of the probate court with the
4 option of participating in the state health benefit plan for themselves and their dependents;
5 to provide for the coverage of their dependents; to provide for the manner of exercising such
6 option; to provide for related matters; to repeal conflicting laws; and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 Code Section 45-18-5 of the Official Code of Georgia Annotated, relating to county officers
10 and employees' participation in the state health benefit plan, is amended by striking
11 subsections (b) and (c) and inserting in lieu thereof new subsections (b) and (c) to read as
12 follows:

13 "(b)(1) Any sheriff, tax commissioner, clerk of superior court, or judge of the probate
14 court in office on July 1, 2006, may elect to be included in any health plan or plans
15 established under this article. Such election shall be made no later than December 31,
16 2006. In addition, any person newly elected to the office of sheriff, tax commissioner,
17 clerk of superior court, or judge of probate court on or after January 1, 2007, may elect
18 to be included in any health plan or plans established under this article. Such election
19 shall be made within six months after taking office. If such officials elect not to be
20 included in a health plan or plans established under this article, such officials shall not
21 thereafter be eligible for participating in a health plan or plans established under this
22 article. All such officials who leave office on or after December 31, 2006, who have
23 served at least eight years in one or more of the following capacities: probate judge,
24 sheriff, tax commissioner or tax collector, or clerk of the superior court and who elected
25 to participate in a health plan or plans established under this article may continue such
26 participation after leaving office for themselves and their spouses and dependents. The

1 governing authority of a county may elect by majority vote to provide for payment in a
 2 uniform manner of any portion, all, or none of the employer contributions for or required
 3 premiums or payments due from such county officials or former county officials who
 4 under this paragraph are eligible for inclusion in the health plan or plans established
 5 under this article. The board may contract with the County Officers Association of
 6 Georgia on behalf of the various counties of this state for the collection of the health
 7 insurance premiums of such officials who elect to be covered under this paragraph and
 8 their respective spouses and dependents. The County Officers Association of Georgia
 9 is authorized to contract with the board as provided in this Code section. Upon entering
 10 into such contract, it shall be the duty of the County Officers Association of Georgia to
 11 collect from the various counties of this state with which it has contracted under this
 12 subsection and remit to the board such payment as may be required under any health plan
 13 for inclusion in the health fund. The County Officers Association of Georgia may add
 14 a reasonable fee to the premiums required under the plan to cover necessary
 15 administrative costs. In addition, it shall be the duty of the County Officers Association
 16 of Georgia to maintain and remit to the board accurate records of official, dependent, and
 17 other information required by the board to administer this Code section. To the extent
 18 employer contributions are not fully made by a county, it shall be the duty of the covered
 19 officials and former officials to make such employer contributions required on their
 20 behalf for the operation of such plan or plans.

21 (2) County officials may elect to be included in a health insurance plan, health
 22 maintenance organization, or other health benefits plan offered or provided by a county
 23 for its county officials or any health plan or plans established under this article. The
 24 governing authority of a county may elect by majority vote to provide for payment in a
 25 uniform manner of any portion, all, or none of the employer contributions for or required
 26 premiums or payments due from the county officials or former county officials who
 27 under this Code section are eligible for inclusion in the health plan or plans established
 28 under this article. The board is authorized to contract with the County Officers
 29 Association of Georgia on behalf of the various counties of this state for the inclusion in
 30 any health insurance plan or plans established under this article of officials, spouses, and
 31 dependents of officials serving in one or more of the following capacities: probate judge,
 32 sheriff, tax commissioner or tax collector, clerk of the superior court, full-time or
 33 part-time state court judge, solicitor, state court clerk, or solicitor-general, chief
 34 magistrate, juvenile court judge, or members of the county governing authority and
 35 officials, spouses, and dependents of officials leaving office on or after December 31,
 36 1996, who have served at least 12 years in one or more of the following capacities:
 37 probate judge, sheriff, tax commissioner or tax collector, clerk of the superior court,

1 full-time or part-time state court judge, solicitor, state court clerk, or solicitor-general,
2 chief magistrate, juvenile court judge, or members of the county governing authority.
3 The County Officers Association of Georgia is authorized to contract with the board as
4 provided in this Code section. In the event that such a contract is entered into, it shall be
5 the duty of the County Officers Association of Georgia to collect from the various
6 counties of this state with which it has contracted under this subsection and remit to the
7 board such payment as may be required under any health insurance plan for inclusion in
8 the health insurance fund. The County Officers Association of Georgia may add a
9 reasonable fee to the premiums required under the plan to cover necessary administrative
10 costs. In addition, it shall be the duty of the County Officers Association of Georgia to
11 maintain and remit to the board accurate records of official, dependent, and other
12 information required by the board to administer this Code section."

13 **SECTION 2.**

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