

The House Committee on Appropriations offers the following substitute to HB 1279:

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 August 1, 2006.  
16 In addition, any person newly elected to the office of sheriff, tax commissioner, clerk of  
17 superior court, or judge of probate court on or after January 1, 2007, may elect to be  
18 included in any health plan or plans established under this article. Such election shall be  
19 made within 31 days after taking office. If such officials elect not to be included in a  
20 health plan or plans established under this article, such officials shall not thereafter be  
21 eligible for participating in a health plan or plans established under this article. All such  
22 officials who leave office on or after December 31, 2006, who have served at least eight  
23 years in one or more of the following capacities: probate judge, sheriff, tax commissioner  
24 or tax collector, or clerk of the superior court and who elected to participate in a health  
25 plan or plans established under this article may continue such participation after leaving  
26 office for themselves and their spouses and dependents. The governing authority of a

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

16 **SECTION 2.**

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