

House Bill 543 (AS PASSED HOUSE AND SENATE)

By: Representatives Casas of the 103<sup>rd</sup>, Hembree of the 67<sup>th</sup>, Maxwell of the 17<sup>th</sup>, Chambers of the 81<sup>st</sup>, and Jones of the 46<sup>th</sup>

A BILL TO BE ENTITLED  
AN ACT

1 To amend Code Section 20-2-850 of the Official Code of Georgia Annotated, relating to sick  
2 leave for teachers and other public school personnel, so as to provide for the donation of sick  
3 leave from an employee of a local board of education to his or her spouse who is also an  
4 employee of the local board of education for certain purposes; to provide for related matters;  
5 to repeal conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Code Section 20-2-850 of the Official Code of Georgia Annotated, relating to sick leave for  
9 teachers and other public school personnel, is amended by striking subsection (c) and  
10 inserting in its place a new subsection to read as follows:

11 "(c)(1) The sick leave and the accumulation of unused sick leave and the payments for  
12 unused sick leave provided for by this part shall be subject to subsection (g) of Code  
13 Section 20-2-182, but this part shall not be construed so as to prohibit local boards of  
14 education from adopting policies relative to sick leave and the accumulation of unused  
15 sick leave and payments for unused sick leave which are supplemental to this part,  
16 provided the cost of implementing and maintaining any such supplemental policies shall  
17 be paid entirely from local funds.

18 (2) A local board of education may establish and set policies and procedures for a sick  
19 leave bank or pool of voluntarily contributed employee sick leave days. Participating  
20 employees shall make equal contributions to the bank or pool. Such employees may draw  
21 sick leave days from the bank or pool as provided by adopted local board of education  
22 policy. Any other provisions of this part or any other laws to the contrary  
23 notwithstanding, state allotted sick leave days funded pursuant to the provisions of  
24 subsection (g) of Code Section 20-2-182 may be contributed to or withdrawn from a local  
25 board of education sick leave bank or pool subject to the following requirements:

1 (A) Each employee may contribute only up to a maximum of 45 state funded sick leave  
2 days to the bank or pool, but each employee may contribute as many locally funded  
3 sick leave days as provided for by local board of education policy; and

4 (B) Each employee shall be entitled to withdraw from the bank or pool as many state  
5 and locally funded sick leave days as provided for by local board of education policy.

6 (3) Local boards of education shall maintain for each employee an accurate, complete,  
7 and up-to-date record of all state and locally funded sick leave days contributed to and  
8 withdrawn from the sick leave bank or pool, and such record shall show a separate  
9 accounting for state funded and locally funded sick leave days.

10 (4) A local board of education that establishes a sick leave bank pursuant to paragraph  
11 (2) of this subsection shall allow an employee of the local board to donate up to ten sick  
12 leave days to his or her spouse if such spouse is also an employee of the local board for  
13 purposes of maternity leave, illness, illness of a family member, or death of a family  
14 member."

15 **SECTION 2.**

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