

House Bill 559

By: Representatives Kaiser of the 59th, Sheldon of the 105th, Ashe of the 56th, Jones of the 46th, Thomas of the 55th, and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Part 6 of Article 17 of Chapter 2 of Title 20 of the Official Code of Georgia
2 Annotated, relating to health insurance plans for teachers and other school personnel in
3 elementary and secondary education, so as to provide for teachers and employees of charter
4 schools to be considered employees for purposes of participating in the health insurance
5 plans for teachers and other school personnel; to provide for related matters; to repeal
6 conflicting laws; and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 Part 6 of Article 17 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated,
10 relating to health insurance plans for teachers and other school personnel in elementary and
11 secondary education, is amended in Code Section 20-2-880, relating to definitions relative
12 to a health plan for public school teachers, by revising paragraph (4) as follows:

13 "(4) 'Public school teacher,' 'teacher,' and 'employee' mean any person employed not
14 less than half time in a professionally certificated capacity or position in the public
15 school systems of this state. 'Public school teacher,' 'teacher,' and 'employee' also mean
16 librarians and other personnel employed by regional and county libraries or the high
17 school program of Georgia Military College. 'Public school teacher,' 'teacher,' and
18 'employee' also mean any professionally certificated person who has acquired ten years
19 or more of creditable service and who is being paid retirement benefits by the Teachers
20 Retirement System of Georgia, Chapter 3 of Title 47, or by any other public school
21 teacher retirement system in this state. 'Public school teacher,' 'teacher,' and 'employee'
22 also mean any person employed not less than half time in a professionally certificated
23 capacity or position in a charter school in this state established pursuant to Article 31
24 of Chapter 2 of Title 20, if so elected to be deemed as such by the charter school.
25 'Public school teacher,' 'teacher,' and 'employee' shall not be deemed to include any
26 emergency or temporary employee. Notwithstanding this definition or any other

1 provision of this subpart, the board may, by regulation, make available to employees
2 who work 17 1/2 hours or more per week such benefits as are required to be made
3 available to such employees by regulations of the United States Internal Revenue
4 Service or any other federal authority."

5 **SECTION 2.**

6 Said part is further amended in Code Section 20-2-910, relating to definitions relative to a
7 health plan for public school employees, by revising paragraph (3) as follows:

8 "(3) 'Public school employee' means an 'employee' as defined in paragraph (20) of
9 Code Section 47-4-2. 'Public school employee' also means classroom aides,
10 paraprofessionals, and noncertified administrative and clerical personnel. It is
11 specifically provided, however, that the term 'public school employee' shall not include
12 any emergency or temporary employee or any other employee who works in a position
13 otherwise covered by such term less than 60 percent of the time required to carry out
14 the duties of such position. 'Public school employee' also means any person, other than
15 an employee in a professionally certificated capacity or position, employed in a charter
16 school in this state established pursuant to Article 31 of Chapter 2 of Title 20, if so
17 elected to be deemed as such by the charter school. Notwithstanding this definition or
18 any other provision of this subpart, the board may, by regulation, make available to
19 employees who work 17 1/2 hours or more per week such benefits as are required to be
20 made available to such employees by regulations of the United States Internal Revenue
21 Service or any other federal authority."

22 **SECTION 3.**

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