

House Bill 559 (AS PASSED HOUSE AND SENATE)

By: Representatives Kaiser of the 59<sup>th</sup>, Sheldon of the 105<sup>th</sup>, Ashe of the 56<sup>th</sup>, Jones of the 46<sup>th</sup>, Thomas of the 55<sup>th</sup>, 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 paragraphs (3) and (4) as follows:

13 "(3) 'Local employer' means the county or independent board of education, a charter  
14 school, regional and county libraries, and the governing authority of Georgia Military  
15 College.

16 (4) 'Public school teacher,' 'teacher,' and 'employee' mean any person employed not less  
17 than half time in a professionally certificated capacity or position in the public school  
18 systems of this state. 'Public school teacher,' 'teacher,' and 'employee' also mean librarians  
19 and other personnel employed by regional and county libraries or the high school  
20 program of Georgia Military College. 'Public school teacher,' 'teacher,' and 'employee'  
21 also mean any professionally certificated person who has acquired ten years or more of  
22 creditable service and who is being paid retirement benefits by the Teachers Retirement  
23 System of Georgia, Chapter 3 of Title 47, or by any other public school teacher  
24 retirement system in this state. 'Public school teacher,' 'teacher,' and 'employee' also  
25 mean any person employed not less than half time and compensated in a professionally  
26 certificated capacity or position in a charter school in this state established pursuant to

1 Article 31 of Chapter 2 of Title 20, if the charter school elects to participate in the health  
 2 insurance plan established pursuant to this subpart. 'Public school teacher,' 'teacher,' and  
 3 'employee' shall not be deemed to include any emergency or temporary employee.  
 4 Notwithstanding this definition or any other provision of this subpart, the board may, by  
 5 regulation, make available to employees who work 17 1/2 hours or more per week such  
 6 benefits as are required to be made available to such employees by regulations of the United  
 7 States Internal Revenue Service or any other federal authority."

8 **SECTION 2.**

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

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

26 **SECTION 3.**

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