

House Bill 1277

By: Representative Kaiser of the 59th

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

9 **SECTION 2.**

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

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

27 **SECTION 3.**

28 All laws and parts of laws in conflict with this Act are repealed.