

House Bill 1277 (COMMITTEE SUBSTITUTE)

By: Representatives Kaiser of the 59th and Holt of the 112th

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

1 pursuant to Article 31 of Chapter 2 of Title 20 if such charter school elects upon initial
 2 approval of its charter or, if such charter school is an existing charter school, elects upon
 3 notice by the health insurance plan provided in this part or upon the expiration of its
 4 current health care plan or by no later than December 31, 2009, to participate in the health
 5 insurance plan established pursuant to this subpart. 'Public school teacher,' 'teacher,' and
 6 'employee' shall not be deemed to include any emergency or temporary employee.
 7 Notwithstanding this definition or any other provision of this subpart, the board may, by
 8 regulation, make available to employees who work 17 1/2 hours or more per week such
 9 benefits as are required to be made available to such employees by regulations of the
 10 United States Internal Revenue Service or any other federal authority."

11 SECTION 2.

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

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

31 SECTION 3.

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