

House Bill 689

By: Representatives Horne of the 71<sup>st</sup> and Smith of the 70<sup>th</sup>

A BILL TO BE ENTITLED  
AN ACT

1 To amend Article 3 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated,  
2 relating to local boards of education, and Article 1 of Chapter 18 of Title 45 of the Official  
3 Code of Georgia Annotated, relating to the state employees' health insurance plan, so as to  
4 authorize local boards of education to provide health insurance benefits to members leaving  
5 office on or after a specified date if such members have served on the board for at least 12  
6 years; to provide that such former members shall pay the entire cost of the health insurance  
7 coverage; to provide for related matters; to provide for an effective date; to repeal conflicting  
8 laws; and for other purposes.

9 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

10 **SECTION 1.**

11 Article 3 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to local  
12 boards of education, is amended in Code Section 20-2-55, relating to compensation of  
13 members of such boards, by revising subsection (b) as follows:

14 "(b)(1) A local board of education is authorized to provide group medical and dental  
15 insurance for its members who elect to participate. Such insurance may be provided  
16 through a group policy secured by the local school district, a group policy secured by  
17 several local school districts, a policy secured by an organization of local school boards,  
18 or in accordance with Code Section 45-18-5 providing for the inclusion of members of  
19 the local board of education and their spouses and dependents within any health insurance  
20 plan or plans established under Article 1 of Chapter 18 of Title 45. Except for former  
21 members of the local board of education eligible for coverage under paragraph (4) of this  
22 subsection, it ~~It~~ shall be the duty of the board to make the employer contributions  
23 required for the operation of such plan or plans. Except as provided in paragraph (3) of  
24 this subsection, a board providing such insurance shall pay no greater percentage of the  
25 cost of that insurance than the percentage of the cost paid as an employer contribution by  
26 the state for the health insurance plan for state employees pursuant to Article 1 of Chapter

27 18 of Title 45. The remainder of such insurance costs, and all the costs of any coverage  
28 for family members, shall be paid as an employee contribution by the board member. It  
29 shall be the duty of the board to deduct from the salary or other remuneration of qualified  
30 members or otherwise collect such payment from the qualified members or dependents.

31 (2) Taxes levied by or on behalf of a local board of education may be expended for  
32 employer contributions, but not employee contributions, required for insurance coverage  
33 of members of that board as provided in paragraph (1) of this subsection. Taxes levied  
34 by or on behalf of a local board of education also may be expended for contributions  
35 authorized in paragraph (3) of this subsection. Such expenditures on behalf of any  
36 member may continue only as long as that member continues in office and makes any  
37 employee contribution required for such coverage. That member, and eligible dependents  
38 thereof, shall be ineligible for coverage pursuant to the provisions of paragraph (1) of this  
39 subsection upon such person's ceasing to serve as a member of a local board of education.  
40 Such expenditures on behalf of any member in accordance with paragraph (3) of this  
41 subsection may continue only as long as that member continues in office and makes any  
42 contribution which is not the result of the board of education's decision to allow its  
43 members to participate in the health insurance plan. Expenditures authorized by this  
44 Code section shall be in addition to, and not in lieu of, any salary, expense, per diem, or  
45 other compensation payable to that member of a local board of education.

46 (3) If a board member is already a member of a health insurance plan established by  
47 Article 1 of Chapter 18 of Title 45 as a retired employee and the result of the board of  
48 education's decision to allow its members to participate is to establish dual eligibility for  
49 a member and thus to increase the cost to such member of the state insurance plan, then  
50 the local board may pay any additional cost imposed on such member as a result of the  
51 local board's decision to allow its members to participate in coverage under paragraph (1)  
52 of this subsection.

53 (4) A local board of education is authorized to provide group medical insurance for a  
54 member and the spouse and dependents of a member leaving office on or after December  
55 31, 2012, if such member has served at least 12 years as a member of the local board of  
56 education. A former member of a board of education who elects group medical insurance  
57 coverage in accordance with this paragraph shall pay all costs of such insurance. The  
58 local board of education shall remit such payments to the health insurance fund created  
59 under Code Section 20-2-918."

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**SECTION 2.**

61 Article 1 of Chapter 18 of Title 45 of the Official Code of Georgia Annotated, relating to the  
62 state employees' health insurance plan, is amended in Code Section 45-18-5, relating to  
63 county officials and employees, by revising subsection (c.1) as follows:

64 "(c.1)(1) Any local board of education may elect for members thereof and their spouses  
65 and dependents to be included in any health plan or plans established under Code Section  
66 20-2-918. It shall be the duty of any local boards of education so electing to deduct from  
67 the salary or other compensation of its members such payment as may be required under  
68 paragraph (1) of subsection (b) of Code Section 20-2-55 and to remit the same to the  
69 health insurance fund created under Code Section 20-2-918. Should any local board of  
70 education fail to remit such payment to the board, the provisions of subsection (b) of  
71 Code Section 20-2-920 shall be applicable to such nonpayment.

72 (2) Any local board of education may provide health insurance for a member and the  
73 spouse and dependents of a member who leaves office on or after December 31, 2012,  
74 if such member has served at least 12 years as a member of the local board of education.  
75 Such former members shall pay all the costs of the insurance, and the board of education  
76 shall remit such payments to the health insurance fund created under Code Section  
77 20-2-918."

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**SECTION 3.**

79 This Act shall become effective on July 1, 2012.

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**SECTION 4.**

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