

House Bill 746

By: Representatives Benton of the 31st, Hatchett of the 150th, Frye of the 118th, and Dempsey of the 13th

A BILL TO BE ENTITLED
AN ACT

1 To amend Chapter 1 of Title 34 of the Official Code of Georgia Annotated, relating to
2 general provisions relative to labor and industrial relations, so as to allow employees to use
3 sick leave for the care of immediate family members; to provide for definitions; to provide
4 for conditions to take leave; to provide for related matters; to repeal conflicting laws; and for
5 other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Chapter 1 of Title 34 of the Official Code of Georgia Annotated, relating to general
9 provisions relative to labor and industrial relations, is amended by adding a new Code section
10 to read as follows:

11 "34-1-9.

12 (a) As used in this Code section, the term:

13 (1) 'Employee' means any individual employed by an employer.

14 (2) 'Employer' means any person or entity that employs ten or more individuals and shall
15 include the State of Georgia and its political subdivisions and instrumentalities.

16 (3) 'Immediate family member' means an employee's child, spouse, grandchild,
17 grandparent, or parent or any dependents as shown in such employee's most recent tax
18 return.

19 (4) 'Sick leave' means time away from work taken by an employee for which such
20 employee receives compensation and is limited to sick time. Such term shall not include
21 paid short-term or long-term disability, catastrophic leave, or similar types of benefits.

22 (b) An employer that provides sick leave shall allow an employee to use such sick leave
23 for the care of an immediate family member; provided, however, that nothing in this Code
24 section shall be construed to require an employer to offer sick leave of any kind or to
25 require an employer to allow an employee to use more than five days of earned sick leave
26 for the care of an immediate family member.

27 (c) An employee shall not be entitled to use sick leave under this Code section until such
28 leave has been earned. Any employee who uses such sick leave shall comply with the
29 terms of the employer's employee sick leave policy."

30

SECTION 2.

31 All laws and parts of laws in conflict with this Act are repealed.