

The House Committee on Rules offers the following substitute to HB 1094:

A BILL TO BE ENTITLED  
AN ACT

To amend Article 1 of Chapter 20 of Title 45 of the Official Code of Georgia Annotated, relating to general provisions regarding personnel administration, so as to provide for paid parental leave for state employees and local board of education employees; to provide for definitions; to provide for eligibility; to provide for terms and conditions; to provide for certain prohibitions; to provide for rules; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

**SECTION 1.**

Article 1 of Chapter 20 of Title 45 of the Official Code of Georgia Annotated, relating to general provisions regarding personnel administration, is amended by revising Code Section 45-20-17, which was previously reserved, as follows:

"45-20-17.

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

(1) 'Eligible employee' means:

(A) Any individual identified in subparagraph (A), (E), (F), (G), or (L) of paragraph (2) of Code Section 45-18-1 who is classified as full-time by the applicable state employing entity; and

(B) Any individual identified in paragraph (4) of Code Section 20-2-880 or paragraph (3) of Code Section 20-2-910 who is classified as full-time by the applicable local board of education.

(2) 'Employing entity' means:

(A) The executive, legislative, and judicial branches of state government; and

(B) Local boards of education.

(b) All eligible employees of an employing entity shall be eligible for paid parental leave for qualifying life events after six continuous months of employment with the employing entity regardless of whether the employee is eligible for leave under the federal Family and

27 Medical Leave Act of 1993 (FMLA). Paid parental leave shall be available for the  
 28 following qualifying life events:

- 29 (1) The birth of a child of the employee;  
 30 (2) The placement of a minor child for adoption with the employee; or  
 31 (3) The placement of a minor child for foster care with the employee.

32 Such leave shall be equally available to all eligible employees.

33 (c) The maximum amount of paid parental leave that may be taken by an employee during  
 34 any rolling 365 day period is 120 hours, regardless of the number of qualifying life events  
 35 that occur within such period. Such leave does not have to be used in a block and may be  
 36 used as needed, provided that such leave usage does not unduly disrupt the operations of  
 37 the applicable employing entity. Such leave must be used within 365 days of the  
 38 qualifying life event or such leave shall be forfeited.

39 (d) Unused paid parental leave shall have no cash value at the time of the eligible  
 40 employee's separation from employment with the employing entity.

41 (e) Each employing entity shall promulgate rules for the administration of paid parental  
 42 leave under this Code section for eligible employees which are not in conflict with this  
 43 Code section; provided, however, that the State Personnel Board shall promulgate such  
 44 rules for employing entities that are considered an agency or department for purposes of  
 45 paragraph (6) of Code Section 45-20-2. At a minimum, such rules shall address:

- 46 (1) Whether paid parental leave under this Code section shall run concurrently with the  
 47 FMLA to those eligible employees who are also FMLA eligible; and  
 48 (2) The documentation, if any, that an eligible employee shall be required to provide to  
 49 establish the existence of a qualifying life event.

50 (f) To implement paid parental leave under this Code section, the State Accounting Office  
 51 shall make any and all necessary adjustments to its current and any future human capital  
 52 management software used by employing entities to ensure that paid parental leave appears  
 53 as a new benefit leave category not later than the effective date of this Code section.

54 (g) An eligible employee employed on an hourly basis shall only be eligible for paid  
 55 parental leave under this Code section if he or she has worked a minimum of 700 hours  
 56 over the six-month period immediately preceding the requested paid parental leave date.

57 (h) Provided that the use of paid parental leave is not likely to unduly disrupt the  
 58 employing entity's operations, no employing entity shall interfere with, restrain, or deny  
 59 the exercise of or the attempt to exercise the provisions of this Code section by any eligible  
 60 employee. No employing entity shall discharge or in any other manner discriminate  
 61 against any eligible employee for lawfully exercising the provisions of this Code section.  
 62 Notwithstanding any other provision of this Code section, nothing shall prevent an  
 63 employing entity from disciplining an eligible employee who submits a false or fraudulent

64 document or otherwise provides false or fraudulent information in an attempt to obtain paid  
65 parental leave under this Code section Reserved."

66 **SECTION 2.**

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