

## House Bill 16

By: Representatives Thomas of the 65<sup>th</sup>, McClain of the 109<sup>th</sup>, Lim of the 98<sup>th</sup>, and Holly of the 116<sup>th</sup>

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 extend the sunset  
3 provision relating to the use of sick leave for the care of immediate family members; to  
4 provide for related matters; to provide for an effective date; to repeal conflicting laws; and  
5 for 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 revising Code Section  
10 34-1-10, relating to use of sick leave for care of immediate family members, as follows:

11 "34-1-10.

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

13 (1) 'Employee' means an individual who works for salary, wages, or other remuneration  
14 for an employer for at least 30 hours per week.

15 (2) 'Employee stock ownership plan' shall have the same meaning as provided in Section  
16 4975(e)(7) of the Internal Revenue Code, 26 U.S.C. Section 4975(e)(7).

17 (3) 'Employer' means any individual or entity that employs 25 or more employees and  
18 shall include the State of Georgia and its political subdivisions and instrumentalities.

19 (4) 'Immediate family member' means an employee's child, spouse, grandchild,  
20 grandparent, or parent or any dependents as shown in the employee's most recent tax  
21 return.

22 (5) 'Sick leave' means time away from work by an employee, due to his or her own  
23 incapacity, illness, or injury, for which the employee receives his or her regular salary,  
24 wages, or other remuneration. The term 'sick leave' shall not include paid short-term or  
25 long-term disability.

26 (b) An employer that provides sick leave shall allow an employee to use such sick leave  
27 for the care of an immediate family member; provided, however, that nothing in this Code  
28 section shall be construed to require an employer to offer sick leave or to require an  
29 employer to allow an employee to use more than five days of earned sick leave per  
30 calendar year for the care of an immediate family member.

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

34 (d) Nothing in this Code section shall be construed to create a new cause of action against  
35 an employer.

36 (e) This Code section shall not apply to any employer that offers to their employees an  
37 employee stock ownership plan.

38 (f) This Code section shall be repealed in its entirety on July 1, ~~2023~~ 2026, unless extended  
39 by an Act of the General Assembly."

40 **SECTION 2.**

41 This Act shall become effective upon its approval by the Governor or upon its becoming law  
42 without such approval.

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**SECTION 3.**

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