

House Bill 263

By: Representatives Martin of the 49th, Riley of the 50th, Neal of the 2nd, Harbin of the 122nd,
Battles of the 15th, and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Subpart 1 of Part 6 of Article 17 of Chapter 2 of Title 20 of the Official Code of
2 Georgia Annotated, relating to school personnel post-employment health benefit fund, so as
3 to provide that any person who becomes eligible to participate in such fund on or after July
4 1, 2013, shall pay a premium which reflects the entire cost of such coverage; to define certain
5 terms; to prohibit the expenditure of public funds to subsidize the cost of health care; to
6 provide for persons currently eligible; to amend Part 2 of Article 1 of Chapter 18 of Title 45
7 of the Official Code of Georgia Annotated, relating to the state employees post-employment
8 health benefit fund, so as to provide that any person who becomes eligible to participate in
9 such fund on or after July 1, 2013, shall pay a premium which reflects the entire cost of such
10 coverage; to define certain terms; to prohibit the expenditure of public funds to subsidize the
11 cost of health care; to provide for persons currently eligible; to repeal conflicting laws; and
12 for other purposes.

13 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

14 style="text-align:center">**SECTION 1.**

15 Subpart 1 of Part 6 of Article 17 of Chapter 2 of Title 20 of the Official Code of Georgia
16 Annotated, relating to school personnel post-employment health benefit fund, is amended by
17 adding a new Code section to read as follows:

18 "20-2-879.1.

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

20 (1) 'Becomes eligible' means satisfying a condition stated in subpart (2) or (3) of this part
21 necessary to qualify a person to participate in a health benefit plan pursuant to such
22 subpart. Such term includes, without limitation, becoming employed in or elected to or
23 appointed to a position which renders the person so eligible.

24 (2) 'Break in service' means any period during which a person ceases to receive
25 compensation from a position. Such term also means the expiration of the term of office
26 of an elected or appointed public officer.

27 (3) 'Currently eligible person' means a person who, on July 1, 2013, is eligible to
 28 participate in a health benefit plan pursuant to this part and any person who, on July 1,
 29 2013, has an inchoate eligibility based on a future event, including, without limitation,
 30 retirement.

31 (b) Notwithstanding any other provision of this part, any person who first or again after
 32 a break in service becomes eligible to participate in a health benefit plan shall pay a
 33 premium in an amount to be determined by the board which shall reflect the true cost of
 34 such participation.

35 (c)(1) The General Assembly shall be prohibited from appropriating funds to subsidize
 36 the cost of health care benefits to any person other than currently eligible persons.

37 (2) No agency, department, or authority of the state or any political subdivision of the
 38 state shall expend any funds to subsidize the cost of health care benefits to any person
 39 other than currently eligible persons."

40 **SECTION 2.**

41 Part 2 of Article 1 of Chapter 18 of Title 45 of the Official Code of Georgia Annotated,
 42 relating to the state employees post-employment health benefit fund, is amended by adding
 43 a new Code section to read as follows:

44 "45-18-29.

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

46 (1) 'Becomes eligible' means satisfying a condition stated in this part necessary to qualify
 47 a person to participate in a health benefit plan pursuant to this part. Such term includes,
 48 without limitation, becoming employed in or elected to or appointed to a position which
 49 renders the person so eligible.

50 (2) 'Break in service' means any period during which a person ceases to receive
 51 compensation from a position. Such term also means the expiration of the term of office
 52 of an elected or appointed public officer.

53 (3) 'Currently eligible person' means a person who, on July 1, 2013, is eligible to
 54 participate in a health benefit plan pursuant to this part and any person who, on July 1,
 55 2013, has an inchoate eligibility based on a future event, including, without limitation,
 56 retirement.

57 (b) Notwithstanding any other provision of this article, any person who first or again after
 58 a break in service becomes eligible to participate in a health benefit plan shall pay a
 59 premium in an amount to be determined by the board which shall reflect the true cost of
 60 such participation.

61 (c)(1) The General Assembly shall be prohibited from appropriating funds to subsidize
 62 the cost of health care benefits to any person other than currently eligible persons.

63 (2) No agency, department, or authority of the state or any political subdivision of the
64 state shall expend any funds to subsidize the cost of health care benefits to any person
65 other than currently eligible persons."

66 **SECTION 3.**

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