

The Senate Committee on Education and Youth offered the following substitute to HB 846:

A BILL TO BE ENTITLED
AN ACT

1 To amend Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to
2 elementary and secondary education, so as to require local school systems to provide notice
3 to employees regarding social security withholdings and eligibility for inclusion in certain
4 benefits, pension, or retirement plans; to increase from three to five the number of
5 accumulated sick leave days teachers and other school personnel may take each school year
6 for personal or professional reasons; to provide for an effective date; to provide for related
7 matters; to repeal conflicting laws; and for other purposes.

8 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

9 **SECTION 1.**

10 Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to elementary and
11 secondary education, is amended in Subpart 2 of Part 6 of Article 6, relating to conditions
12 of employment under the "Quality Basic Education Act," by adding a new Code section to
13 read as follows:

14 "20-2-219.1.

15 (a) Beginning July 1, 2024, and continuing thereafter, each local school system shall, upon
16 hiring a new employee, provide such new employee the following:

17 (1) Notice of whether:

18 (A) Social security taxes will be withheld from his or her pay;

19 (B) He or she is eligible to be included in a plan with coverage for the benefits of Title
20 II of the Social Security Act; and

21 (C) He or she is eligible to be included in any other pension or retirement plan; and

22 (2) If he or she is eligible to be included in one or more plans provided for in
23 subparagraph (B) or (C) of paragraph (1) of this subsection, information regarding such
24 plan or plans.

25 (b) No later than October 1, 2024, and at least once every five years thereafter, each local
26 school system shall provide each current employee with the notice required in
27 paragraph (1) of subsection (a) of this Code section.

28 (c) Beginning July 1, 2024, and continuing thereafter, each local school system shall notify
29 each employee at or near the time of such employee's separation whether social security
30 taxes were withheld from his or her pay during any part of his or her employment."

31 **SECTION 2.**

32 Said chapter is further amended in Part 4 of Article 17, relating to sick, personal, and
33 maternity leave for teachers and other school personnel, by revising Code Section 20-2-851,
34 relating to use of accumulated sick leave for personal or professional reasons, as follows:
35 "20-2-851.

36 During any school year, personnel may utilize up to a maximum of ~~three~~ five days of any
37 accumulated sick leave for the purpose of absenting themselves from their duties for
38 personal or professional reasons if prior approval of their absence is given by the local
39 school superintendent or his or her authorized representative; provided, however, that the
40 absence is not in conflict with a local board of education policy concerning school days on
41 which the presence of the personnel requesting absence is essential for effective school
42 operation. No grant of approval for an absence permitted under this Code section shall be

43 conditioned upon disclosure of the specific purpose for which such absence is sought, nor
44 shall any such grant of approval be withheld or denied because of the failure or refusal of
45 personnel to disclose the specific purpose for which such an absence is sought; provided,
46 however, that personnel may be requested to state whether the absence is sought under the
47 category of 'personal' or 'professional' absence."

48 **SECTION 3.**

49 This Act shall become effective on July 1, 2024.

50 **SECTION 4.**

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