

House Bill 995

By: Representatives Boddie of the 62<sup>nd</sup>, Lewis-Ward of the 109<sup>th</sup>, Nelson of the 125<sup>th</sup>, Holly of the 111<sup>th</sup>, Burnough of the 77<sup>th</sup>, and others

A BILL TO BE ENTITLED  
AN ACT

1 To amend Title 34 of the Official Code of Georgia Annotated, relating to labor and industrial  
2 relations, so as to require employers to provide at least five days of sick leave for an  
3 employee that can be used for the care of immediate family members; to provide for related  
4 matters; to repeal conflicting laws; and for other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

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

7 Title 34 of the Official Code of Georgia Annotated, relating to labor and industrial relations,  
8 is amended by revising Code Section 34-1-10, relating to use of sick leave for care of  
9 immediate family members, as follows:

10 "34-1-10.

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

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

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

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16 ~~(3)~~(2) 'Employer' means any individual or entity that employs ~~25~~ one or more employees  
17 and shall include the State of Georgia and its political subdivisions and instrumentalities.

18 ~~(4)~~(3) 'Immediate family member' means an employee's child, spouse, grandchild,  
19 grandparent, or parent or any dependents as shown in the employee's most recent tax  
20 return.

21 ~~(5)~~(4) 'Sick leave' means time away from work by an employee, due to his or her own  
22 incapacity, illness, or injury, for which the employee receives his or her regular salary,  
23 wages, or other remuneration. ~~The~~ Such term '~~sick leave~~' shall not include paid  
24 short-term or long-term disability.

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

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

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

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

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

41

**SECTION 2.**

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