

Senate Bill 65

By: Senators Watson of the 1st, Walker III of the 20th, Hodges of the 3rd, Kennedy of the 18th, Gooch of the 51st and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Chapter 1 of Title 33 of the Official Code of Georgia Annotated, relating to
2 general provisions, so as to authorize the Commissioner of Insurance to take certain actions,
3 including but not limited to promulgating rules, applying for federal moneys, and
4 establishing an advisory committee, to create, implement, or operate a state, federal, or
5 partnership exchange or marketplace; to repeal former exemptions and prohibitions; to
6 provide for related matters; to provide for an effective date; to repeal conflicting laws; and
7 for other purposes.

8 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

9 **SECTION 1.**

10 Chapter 1 of Title 33 of the Official Code of Georgia Annotated, relating to general
11 provisions, is amended by revising Code Section 33-1-23, relating to establishment of
12 exchange, as follows:

13 "33-1-23.

14 (a) As used in this Code section, the term 'exchange' shall have the same meaning provided
15 for in paragraph (1) of Code Section 33-23-201.

16 ~~(b) No department, agency, instrumentality, or political subdivision of this state shall~~ The
 17 Commissioner of Insurance shall have the authority to:

18 (1) Establish any program; promulgate any rule, policy, guideline, or plan; or change any
 19 program, rule, policy, or guideline to implement, establish, create, administer, or
 20 otherwise operate an exchange; ~~or~~

21 (2) Apply for, accept, or expend federal moneys related to the creation, implementation,
 22 or operation of an exchange; and

23 (3) Establish any advisory board or committee the Commissioner deems necessary for
 24 providing recommendations on the creation, implementation, or operation of an
 25 exchange.

26 ~~(c) Nothing in this Code section shall apply to the Commissioner of Insurance in the~~
 27 ~~implementation or enforcement of the provisions of Article 3 of Chapter 23 of this title.~~

28 ~~(d) Neither the state nor any department, agency, bureau, authority, office, or other unit~~
 29 ~~of the state, including the University System of Georgia and its member institutions, nor~~
 30 ~~any political subdivision of the state shall establish, create, implement, or operate a~~
 31 ~~navigator program or its equivalent as defined in Code Section 33-23-201; provided,~~
 32 ~~however, that any grant regarding a navigator program in effect on April 15, 2014, shall~~
 33 ~~be permitted to continue for the term of such grant but shall then terminate upon the~~
 34 ~~expiration of the term of such grant and shall not be renewed, notwithstanding any~~
 35 ~~provision contained within such grant allowing for automatic renewal under certain~~
 36 ~~circumstances.~~

37 ~~(e) Nothing in this Code section shall be construed to preclude the state from participating~~
 38 ~~in any Medicaid program."~~

39 **SECTION 2.**

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

42

SECTION 3.

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