



**2009 GENERAL ASSEMBLY - BILLS OF INTEREST**  
**Updated through March 5, 2009**

The Georgia General Assembly convened the 2009 session on January 11, 2009 with all members concerned about the impending FY 2009 and FY 2010 budget crisis. Because of the continuing decline in State revenues and the passage of President Obama’s Stimulus bill (The American Recovery and Reinvestment Act), the General Assembly adopted a resolution to convene for 3 days each week until March 25<sup>th</sup> and then reconvene on Monday, June 22<sup>nd</sup> for the final 5 legislative days. **That Resolution has been superseded by HR 565 that provides for the General Assembly to convene on March 9, 10, 12, 17, 18, 19, 20, 23, 25, 26, and 30, April 1 and to adjourn on April 3—the 40<sup>th</sup> legislative day.**

The following table provides information on bills of interest that has been introduced through March 5th in the 2009 General Assembly Session. Changes and updates since February 26, 2009, are **highlighted in red.**

Bill Number	Short Description	Status (3/5/09)
SB 3	Requires the Commissioner of Insurance to oversee the operation of pharmacy benefits managers (PBM), including the ones used by the State Health Benefit Plan (SHBP). The response to a request for prior authorization must be completed within 24 hours, step-therapy must be used for medications excluded from the preferred drug list, and a physician must be reimbursed when prior approvals exceed 10 in a 30-day period, at the rate of \$10 per approval.	Assigned to Senate Insurance & Labor (I&L) Committee 1/14/09.
SB 122	Amends the Code to separate the Georgia Retiree Health Benefit Fund into two separate funds—the Georgia State Retiree Health Benefit Fund and the Georgia School Retiree Health Benefit Fund. <b>The Committee Substitute establishes two Trust funds with the same provisions for each, except for liability provision. The bill provides for local school systems to be liable for the post-employment costs for teachers and school personnel retirees, and for state agencies (subject to appropriations) to be liable for the post-employment costs for state retirees. DCH shall identify the funds to be placed in each fund as of August 31, 2009.</b>	<b>Favorably reported by Senate Appropriation Committee 3/4/09.</b>
SB 129 and HB 249	Amends Public Retirement Systems Investment Authority Law to allow retirement funds to be placed in “alternative investments”. Applies to large retirement systems, including the Employees Retirement System (ERS), <u>but not</u> the Teachers Retirement System (TRS). <b>See GSRA’s Feb. 13 Action Alert!</b>	SB 129 assigned to Senate Retirement Committee 2/10/09. <b>Auditor Russell Hinton provided a letter that this bill is non-fiscal.</b> HB 249 assigned to House Retirement Committee 2/3/09.



**GEORGIA STATE RETIREES ASSOCIATION**

Bill Number	Short Description	Status (3/5/09)
SB 161 & HB 426	Amends the insurance code and the State Health Benefit Plan code to require coverage of autism.	<b>SB 161 favorable reported by the Senate I&amp;L Committee 3/4/09.</b> HB 426 assigned to House Insurance Committee 2/17/09.
SB 171	Amends the retirement code to require divestiture of investments in companies doing business with Sudan.	Assigned to Senate Retirement Committee 2/18/09.
SB 176	Amends Public Retirement Systems Standards Law to require full funding of any bill during the first year that creates liability so that no unfunded liability will be created. <i>(See GSRA Newsletter of 2/28/09 for analysis)</i>	Assigned to Senate Retirement Committee 2/19/09. Favorably reported by Senate Retirement Committee 2/25/09.
<b>SB 245</b>	<b>Amends the insurance code to require insurers, including contracts for the SHBP, to provide coverage for oral cancer chemotherapy if other forms of chemotherapy are covered.</b>	<b>Assigned to the Senate Insurance &amp; Labor Committee on 3/5/09</b>
HB 54	Amends the Georgia Judicial Retirement System to allow members who initially rejected spouses' benefits to elect such benefits by paying an actuarially determined amount.	Assigned to House Retirement Committee 1/15/09.
HB 89	Amends the Code to require physicians who participate in the SHBP or the Board of Regents Plan to also participate in the Georgia Medicaid program.	Assigned to House Health & Human Services (H&HS) Committee 1/15/09.
HB 118	Amends the Supplemental FY 2009 Appropriations Act	Passed House on 2/26/09 <b>and passed Senate on 3/5/09</b>
HB 171	Provides that public disclosure will not required for personal contact information of individuals obtained by local governments.	<b>Passed House 3/5/09</b>
HB 172	Amends the ERS law to require the periodic re-examination of a disability beneficiary to be performed by a physician designated by the ERS medical board and to include workers' compensation payments to the exclusions in the amount earnable by the beneficiary.	Passed House 2/17/09, read by Senate and assigned to Senate Retirement Committee.
HB 190	Amends ERS to provide that the benefit payment for persons reappointed and who decease with at least 10 years of service shall be based upon the creditable service on the date of death. The bill allows the ERS Board of Trustees to increase the employer contribution rates for groups of employees in additional agencies, i.e. GBI, Corrections and Pardons and Paroles. It also clarifies the survivor's benefit when a member having 15 years of creditable service is deemed to be eligible to retire without regard to age.	Passed House on 2/17/09, read by Senate 2/18/09 and assigned to Senate Retirement Committee. <b>Favorably Report by Senate Committee 3/5/09.</b>



**GEORGIA STATE RETIREES ASSOCIATION**

Bill Number	Short Description	Status (3/5/09)
HB 191	Amends the ERS law for new members after July 1, 2009 to limit any compensation increase in the last 12 months of employment to no more than 10 percent.	Favorably Reported from House Retirement Committee on 2/4/09.
HB 194	Requires pharmacies to include both the brand and generic names for prescription drugs where the generic has been dispensed.	Passed House 2/10/09 and assigned to Senate H&HS Committee 2/11/09.
HB 202	Amends the Retirement Code to more closely comply with the federal Internal Revenue Code for contributions, compensation, and distributions and other issues.	Passed House on 2/19/09. Favorably reported by Senate Retirement Committee 2/25/09.
HB 210	Clarifies provisions for the Judicial Retirement System and preserves the prior rights of certain attorneys employed by the Legislative Counsel or the Department of Law.	Passed House on 2/6/09 and assigned to Senate Retirement Committee 2/10/09. Favorably reported by Senate Retirement Committee 2/25/09.
HB 211	Amends the retirement code for the state supported retirement systems to assure that Fulton County is the exclusive jurisdiction of any action against the respective retirement systems.	Favorably reported on 2/4/09. Recommitted to House Retirement Committee on 2/24/09
HB 228	Changes the organizations of the Department of Human Resources and Department of Community Health and establishes three new departments: Department of Health, Department of Human Services, and Department of Behavioral Health; and reassigns various functions of the current DCH and DHR to the new Departments.	Assigned to House Appropriations Committee 1/30/09. Favorably reported 3/5/09.
HB 345	Changes the vesting provisions for the Teachers Retirement System from 10 to 5 years of service.	Assigned to House Retirement Committee 2/10/09.
HB 354	Separates the Division of Aging Services from the Department of Human Resources and establishes a new Department of Aging.	Assigned to House H&HS Committee 2/10/09.
HB 371	Amends code to allow large retirement systems to invest up to 75% in equities. (See GSRA Newsletter of 2/28/09 for analysis.)	Passed House on 3/4/09 and assigned to Senate Retirement Committee on 3/5/09.
HB 377	Requires that all Department of Community Health contracts, fee reimbursements, contract rates and schedules be subject to open records.	Assigned to House H&HS Committee 2/11/09.
HB 426 & SB 161	Amends the Insurance Code and the State Health Benefit Plan Code to require coverage for autism.	Assigned to House Insurance Committee 2/17/09. SB 161 assigned to Senate I&L 2/17/09.



**GEORGIA STATE RETIREES ASSOCIATION**

Bill Number	Short Description	Status (3/5/09)
HB 452	Amends the ERS code to prohibit pension COLAs for new employees after July 1, 2009.	Assigned on 2/18/09 and favorably reported by House Retirement Committee on 2/25/09.
HB 489	Amends the Insurance Code and the State Health Benefit Plan Code to require coverage for infertility.	Assigned to House Insurance Committee 2/19/09.
<b>HB 542</b>	<b>Amends the monthly retirement payment from \$15 to \$20 for each year of employment for persons in the Public School Employees Retirement System, if funded.</b>	<b>Assigned to the House Retirement Committee on 2/25/06.</b>
HB 546	Amends the Firefighter Pension Fund to include part-time firefighters, repeal certain prohibitions relative to creditable service and other matters	Assigned to House Retirement Committee 2/25/09.
HB 605	The Transforming Transportation Act to abolish the State Road & Tollway Authority and create the State Transportation Agency and State Transportation Authority. The act changes the role of the Transportation Authority and transfers many of the Transportation Board duties to the State Transportation Authority.	Assigned to the Transportation Committee on 2/26/09.
<b>HB 671</b>	<b>Allows furloughed State employees to continue to accumulate sick and annual leave as though they were not furloughed.</b>	<b>Assigned to House State Institutions &amp; Property on 3/5/09</b>