



2009 GENERAL ASSEMBLY - BILLS OF INTEREST
Updated through April 4, 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. House Resolution 565 provides for the General Assembly to convene on March 30, April 1 and to adjourn on April 3—the 40th legislative day.

The following table provides information on bills of interest that has been introduced through March 20th in the 2009 General Assembly Session. **Changes and updates since March 27th, are highlighted in red.**

Bill Number	Short Description	Status (4/4/09)
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 PASSED	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. 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.	Passed the House on 3/23/09—ready for Governor’s signature.
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), but not the Teachers Retirement System (TRS). See GSRA’s Feb. 13 Action Alert! HB 249 amended to apply only to the Firefighters Pension Plan.	SB 129 assigned to Senate Retirement Committee 2/10/09. HB 249 favorably reported by House Retirement Committee 3/9/09 for Firefighters Pension Plan only.
SB 161 & HB 426	Original bill amends the insurance code and the State Health Benefit Plan code to require coverage of autism. Later versions of SB 161 delet4d reference to the SHBP.	SB 161 tabled by Senate. 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.



GEORGIA STATE RETIREES ASSOCIATION

Bill Number	Short Description	Status (4/4/09)
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 House Retirement Committee on 3/10/09 and was discussed on 3/18/09.
SB 200 PASSED	Reorganizes the Department of Transportation, creates a State Transportation Authority, and changes the responsibilities between the State Board of Transportation and the State Transportation Authority.	Senate agreed to House Substitute.
SB 222	Reorganizes the Department of Human Resources and Department of Community Health to create three new departments: Department of Public Health, Department of Behavioral Health, and Department of Human Services. Comparable to the original HB 228 which was amended significantly by the House.	Passed Senate on 3/12/09. Assigned to House Appropriations Committee.
SB 245	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.	Assigned to the Senate Insurance & Labor Committee on 3/5/09
SB 257 & HB 740	Allows a Board of Regent faculty member or principal administrator to revoke his/her choice to participate in the Board of Regents optional retirement plan.	Assigned to the respective Retirement Committees on 3/18/09.
SB 260	Allows any school system employee to join the Teachers Retirement System.	Assigned to the Senate Retirement Committee on 3/17/09.
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	House Committee substituted the bill to define Radiologist Assistant.	Favorable Reported by House Committee on 3/12/09.
HB 118 PASSED	Amends the Supplemental FY 2009 Appropriations Act	Governor signed into law.
HB 119 PASSED	Appropriations Act for FY 2010. House amended the bill to continue cost-sharing in the State Health Benefit Plan at 75%.	House passed and Senate assigned to Senate Appropriations on 3/20/09.
HB 171	Provides that public disclosure will not required for personal contact information of individuals obtained by local governments.	Favorably reported by Senate Governmental Oversight on 3/26/09.
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.	Favorably reported by the Senate Retirement Committee on 3/18/09.



GEORGIA STATE RETIREES ASSOCIATION

Bill Number	Short Description	Status (4/4/09)
HB 190 Rolled into HB 476	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.	Favorably reported by Senate Retirement Committee on 3/5/09.
HB 191 Rolled into HB 476	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. The House Committee amended the bill to change the increase to no more than 5 percent.	Assigned to Senate Retirement Committee on 3/12/09.
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 PASSED	Amends the Retirement Code to more closely comply with the federal Internal Revenue Code for contributions, compensation, and distributions and other issues.	Passed Senate on 3/18/09.
HB 210 PASSED	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 Senate on 3/19/09.
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 PASSED	Abolishes the Department of Human Resources and establishes TWO new departments: Departments of Behavioral Health and Human Services and reassigns various Public Health functions of the current DHR to the Department of Community Health.	Conference Committee Appointed. House and Senate agree to Conference Committee report.
HB 249 & SB 129	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 the Teachers Retirement System (TRS)</u> . HB 249 was amended in the House Retirement Committee to apply only to the Firefighters Pension Plan. <i>See GSRA’s Feb. 13 Action Alert! HB 249 amended to apply only to the Firefighters Pension Plan.</i>	HB 249 favorably reported by House Retirement Committee. SB 129 assigned to Senate Retirement Committee on 2/10/09.
HB 277	Amends methods of funding Transportation.	Versions passed House and



GEORGIA STATE RETIREES ASSOCIATION

Bill Number	Short Description	Status (4/4/09)
		Senate, but Conference Committee failed to agree on 4/1/09.
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 PASSED	Amends code to allow large retirement systems to invest up to 75% in equities. <i>(See GSRA Newsletter of 2/28/09 for analysis.)</i>	Favorably reported by Senate Retirement Committee on 3/25/09.
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. SB 161 amended in Committee to delete references to SHBP and Medicaid.	HB 426 assigned to House Insurance Committee on 2/18/09. After floor amendments, the Senate tabled SB 161.
HB 452 PASSED	Amends the ERS code to prohibit pension COLAs for new employees after July 1, 2009.	Passed by Senate on 3/25/09.
HB 476 PASSED	Amends ERS to require the employing unit to pay an actuarially determined amount for the pension cost for awarded salary increases greater than 5% during the 12 months immediately prior to the member's retirement. 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.	House agreed to Senate Substitute on 4/1/09.
HB 477 PASSED	Amends the retirement code to delete the 6 months limit on qualified returning veterans to notify ERS to establish creditable service for a period of qualified service.	Favorably reported by the Senate Retirement Committee on 3/18/09.
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.
HB 542	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.	Assigned to the House Retirement Committee on 2/25/06.



GEORGIA STATE RETIREES ASSOCIATION

Bill Number	Short Description	Status (4/4/09)
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.
HB 671	Allows furloughed State employees to continue to accumulate sick and annual leave as though they were not furloughed.	Assigned to House State Institutions & Property on 3/5/09
HB 739	Allows service credit for an Assistant District Attorney to buy credit under certain conditions at a cost not to create an unfunded liability.	Assigned to the House Retirement Committee on 3/18/09.
HR 642	Establish a Study Committee to study the Regional Educational Service Agencies (RESAs) services and assistance to local school systems and other educational institutions.	Favorably reported by House Education Committee 3/20/09.