



2009 GENERAL ASSEMBLY - BILLS OF INTEREST
Updated through March 27, 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 20th, are highlighted in red.**

| Bill Number | Short Description | Status (3/27/09) |
|-------------------|---|--|
| 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. 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 | Amends the insurance code and the State Health Benefit Plan code to require coverage of autism. | 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 (3/27/09) |
|-----------------|---|---|
| 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 220 | 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. | Passed by the Senate on 3/5/09 and assigned to the House Transportation Committee 3/9/09. |
| 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 3/18/09. |
| HB 118 | Amends the Supplemental FY 2009 Appropriations Act | Governor signed into law. |
| HB 119 | 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. |
| HB 190 | Amends ERS to provide that the benefit payment for | Favorably reported by |



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| | persons reappointed and who deacease 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. | Senate Retirement Committee on 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. 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 | 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 | 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 | Changes the Department of Human Resources to establish two new departments: Department of Public and Behavioral Health and Department of Human Services and reassigns various functions of the current DHR to the new Departments. Senate Committee restored the original provisions to establish three new departments. See SB 222. | Senate Passed amended similar to original HB 228. House insists on its position 3/26/09 and Conference Committee Appointed. |
| 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. <i>(See GSRA Newsletter of</i> | Favorably reported by Senate Retirement |



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|-----------------|--|---|
| | <i>2/28/09 for analysis.)</i> | 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. . | After floor amendments, the Senate tabled SB 161. |
| HB 452 | Amends the ERS code to prohibit pension COLAs for new employees after July 1, 2009. | Passed by Senate on 3/25/09. |
| HB 477 | 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. |
| 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. |