

**GSRA Key Legislation Update – Updated on 03/16/17**

There are two legislative tracking lists indicated below. The first list highlights the bills that are currently "active", meaning that they were passed prior to Crossover Day. The second list shows "inactive" legislation, which are the bills that did not pass in time, but could potentially be added to currently active legislation as an amendment. We will continue to track each of these pieces of legislation and report on any updated language.

**Active Legislation** (Bills which crossed over)

| <b>Bill</b>   | <b>Sponsor</b>              | <b>Committee</b>  | <b>Status</b>                                     |
|---|-----------------------------|-------------------|---|
| HB083   | (1) Maxwell, Howard<br>17th | SC:<br>Retirement | Mar/15/2017 - Senate Passed/Adopted by Substitute |
| Rep. Howard Maxwell (R-Dallas) would amend O.C.G.A. § 47-20-83 to provide that the Georgia Firefighters' Pension Fund may invest up to 10 percent of the total assets in real estate, provided, however, that if the fund's assets decrease in value, the funds shall be entitled to retain all real estate investments if owned prior to the reduction in value of assets.   |                             |                   |   |
| HB312   | (1) Maxwell, Howard<br>17th | SC:<br>Retirement | March/15/2017 – Senate Read Second Time           |
| Rep. Howard Maxwell (R-Dallas) would authorize the Board of Trustees of the Employees' Retirement System of Georgia to include a qualified Roth IRA contribution program in state and local deferred compensation plans, in accordance with Section 402A of the U.S. Internal Revenue Code.   |                             |                   |   |
| HB329   | (1) Powell, Jay 171st       | SC: Finance       | March/03/2017 – Senate Read and Referred          |
| Amends 48-7-2 to change the rate of income taxation for all taxpayers to 5.4% of taxable net income of individuals; to add Georgia income tax paid by an individual to his or her Georgia taxable income to the extent deducted in determining federal taxable income, and to provide for a nonrefundable earned income tax credit.   |                             |                   |   |
| SB008   | (1) Unterman, Renee<br>45th | HC: Insurance     | Feb/28/2017 – House Second Readers                |
| Amends O.C.G.A. Title 33 to provide for consumer protections regarding health insurance; disclosure requirements of providers, hospitals, and insurers; billing and reimbursement of out-of-network services; procedures for dispute resolution for surprise bills for nonemergency services; payment of emergency services, and out-of-network reimbursement rate workgroup. |                             |                   |   |
| SB126   | (1) Kennedy, John 18th      | HC: Judiciary     | Mar/09/2017 – House Second Readers                |
| Sen. Ellis Black (R-Valdosta), amends O.C.G.A. § 47-2-95 to allow retired military members to obtain up to 60 months of creditable service toward his or her retirement benefits. The bill outlines the application and approval process, along with the requirements that must be met to receive such creditable service.  |                             |                   |   |

**Inactive Legislation** (Bills that did NOT cross over)

| <b>Bill</b>   | <b>Sponsor</b>                          | <b>Committee</b> | <b>Status</b>                          |
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| HB071   | (1) Smith, Richard<br>134th             | HC: Insurance    | Mar/03/2017 – House Tabled             |
| <p>Rep. Richard Smith (R-Columbus), would add a new chapter (Chapter 20E) to Title 33 of the Official Code of Georgia Annotated relating to insurance. This bill requires health care providers, group practices, diagnostic and treatment centers and health centers to inform patients of the various health benefit plans and hospitals that it contracts with. If the provider is out of network for a patient and the patient is receiving nonemergency services, the provider must, upon the patient's request, provide the patient with the estimated cost of such services in writing. The bill also requires physicians to make certain disclosures to patients regarding referrals, such as the name and address of the referred physician or provider. Hospitals would be required to post information about its health benefit plans, physician groups contracted by the hospital, and a statement regarding the physician's services that are not included in the hospital's charges. Further, this legislation requires hospitals to enter into credentialing agreements with health benefit plans insurers. Finally, O.C.G.A. § 33-20E-3 and O.C.G.A. § 33-20E-5 of this bill create disclosure requirements for insurers.</p> |   |                  |  |
| HB084   | (1) Maxwell,<br>Howard 17 <sup>th</sup> | HC: Retirement   | Feb/14/2017 - Senate Read and Referred |
| <p>Rep. Howard Maxwell (R-Dallas) would amend O.C.G.A. § 47-20-87 to provide authorization for the Georgia Firefighters' Pension Fund to invest up to 10 percent of its assets in 'alternative investments'.</p>  |   |                  |  |
| HB119   | (1) Kelley, Trey 16th                   | HC: Retirement   | Jan/26/2017 - House Second Readers     |
| <p>Rep. Trey Kelley (R-Cedartown), would amend O.C.G.A. § 47-23-64 to provide that any 'member' of the Employees' Retirement System of Georgia may elect to have their contributions transferred to the Judicial Retirement System. Currently, only superior judges, state court judges, solicitors general, or district attorneys may transfer such funds.</p>   |   |                  |  |
| HB128   | (1) Battles, Paul 15th                  | HC: Retirement   | Jan/30/2017 - House Second Readers     |
| <p>Rep. Paul Battles (R-Cartersville) would amend O.C.G.A § 47-3-22, providing that the board of trustees for the Teachers' Retirement System of Georgia shall elect a chairperson from among its membership.</p>   |   |                  |  |
| HB129   | (1) Battles, Paul 15th                  | HC: Retirement   | Jan/30/2017 - House Second Readers     |
| <p>Rep. Paul Battles (R-Cartersville) would amend O.C.G.A § 47-2-22, providing that the board of trustees for the Employees' Retirement System of Georgia shall elect a chairperson from among its membership.</p>  |   |                  |  |
| HB135   | (1) Carter, Amy<br>175th                | HC: Retirement   | Jan/30/2017 - House Second Readers     |
| <p>Rep. Amy Carter (R-Valdosta), would amend O.C.G.A § 47-2-226, relating to the Employees'</p>   |   |                  |  |

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| <p>Retirement System of Georgia, to include "any investigator of the Department of Driver Services" under the definition of the term 'law enforcement officer'. Currently law enforcement officers are eligible to obtain up to five years of credible service for certain prior service with a local government, provided they were not eligible for a defined benefit or defined contribution plan. The bill clarifies that credible service could be obtained if such law enforcement officers are not eligible to receive a present or future benefit from the local governing authority in which they were employed. Members wishing to purchase such creditable service would be required to pay the full actuarial cost of the service granted.</p>  |                            |                                 |   |
| HB152   | (1) Gravley, Micah<br>67th | HC: Industry and<br>Labor       | Feb/01/2017 - House Committee<br>Favorably Reported By Substitute |
| <p>Rep. Micah Gravley (R-Douglasville), seeks to address Georgia's workers' compensation laws relating to compensation for occupational disease in O.C.G.A. § 34-9-280 (this follows the pursuit of similar legislation in 2016). It proposes to include in certain ordinary diseases of life attributable to the performance of the usual work of an employee within the meaning of occupational disease so that firefighters (as defined in O.C.G.A. § 25-4-2, who are diagnosed with the disease of cancer (otherwise an ordinary disease of life), is shown by a preponderance of the competent and credible evidence, including medical evidence, to have been attributable to the firefighter's performance of his or her duties as a firefighter.</p>  |                            |                                 |   |
| HB218   | (1) Evans, Stacey<br>42nd  | HC: Retirement                  | Feb/07/2017 - House Second Readers                                |
| <p>Rep. Stacey Evans (D-Smyrna), addresses retirement and pensions in Title 47 so as to provide that an election to participate in the Board of Regents Retirement Plan in lieu of the Teachers Retirement System of Georgia is to be revocable at will. These changes are added in O.C.G.A. § 47-3-68. There are notice requirements which are to be fulfilled. It further provides that persons who made an irrevocable election for such participation may nonetheless elect to participate in the Teachers Retirement System of Georgia. There are also permissions for creditable service. This specifically authorizes individuals who elected to join the Board of Regents Optional Retirement Plan to revoke such election to become a member of the Teachers Retirement System. Deadlines for exercising this option are as follows:</p> <ul style="list-style-type: none"> <li>• Any person employed on or before July 1, 2018 who has at least five years of reemployment as an eligible university system employee must submit his/her application and payment to the Teachers Retirement System on or before December 31, 2018</li> <li>• Any person employed on or before July 1, 2018 who has less than five years of employment as an eligible university system employee must submit his or her application and payment to the Teachers Retirement System any time during the sixth year of his/her employment</li> <li>• Any person who first or again becomes employed after July 1, 2108 must submit his/her application and payment any time during the sixth year of his/her employment as an eligible employee of the University System of Georgia.</li> </ul> |                            |                                 |   |
| HB300   | Duncan 26 <sup>th</sup>    | HC Health and<br>Human Services | Feb 14 2017 – House Second Readers                                |
| <p>Amends O.C.G.A. 50-5, 45-18 and 20-2 to transfer the administration of the SHBP from DCH to</p>  |                            |                                 |   |

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| DOAS, it provides for creating up to 100 federally qualified health centers and providing "incentives" for plan members to use the centers, and it creates a 12-member advisory panel which has only 2 SHBP employee/retiree members.   |  |                                  |   |
| HB339   | (2) Thomas, Erica<br>39 <sup>th</sup>  | HC: Industry and<br>Labor        | Feb/15/2017 – House Second Readers        |
| Rep. Erica Thomas (D-Austell), seeks to increase the amount of the minimum wage paid by employers to employees in O.C.G.A. § 34-4-3(a). Under current law, it is \$5.15 per hour; this proposal increases it to \$7.25 per hour. If adopted, it would become effective on January 1, 2018   |  |                                  |   |
| SB031   | (1) McKoon, Joshua<br>29 <sup>th</sup> | SC: Health and<br>Human Services | Feb/23/2017 - Senate Read Second<br>Time  |
| Sen. Josh McKoon (R-Columbus), would amend O.C.G.A. § 31-2-3 relating to the Board of Community Health to mandate that at least two of its nine members be active or retired participants of either the Employee's Retirement System of Georgia or Teachers Retirement System of Georgia. This bill also creates the State Health Benefit Plan Customer Advisory Council. The Department of Community Health must consult the council when coordinating and purchasing health care benefit plans. SB 41, by Sen. Renee Unterman (R-Buford), amends O.C.G.A. § 26-4-28 to authorize the State Board of Pharmacy to issue durable medical equipment supplier licenses. With the exception of the entities listed in subsection (f) of this bill, any person who wishes to sell or rent durable medical equipment must obtain such licensure. Finally, the board is required to promulgate rules and regulations necessary to implement the provisions of this Code section. |  |                                  |   |
| SB101   | (1) Ligon, Jr.,<br>William 3rd         | SC: Retirement                   | Feb/01/2017 - Senate Read and<br>Referred |
| Sen. William Ligon, Jr. (R-Brunswick), addresses Georgia's laws relating to the Employees' Retirement System of Georgia (ERS), adding a new Code Section at O.C.G.A. § 47-2-101 to provide for creditable service for prior service as a full-time hourly employee with the Department of Natural Resources (DNR) immediately prior to becoming a member of the ERS and so that person will be entitled to obtain such creditable service for all such service rendered prior to November 1, 2016. To do so, the individual will have to apply, if this law is passed, to the board on or before December 31, 2018, in a manner that the board prescribes; provide for proof of such service with the DNR; and pay to the board of trustees an amount determined by the board of trustees to be sufficient to cover the full actuarial cost of granting such creditable service.  |  |                                  |   |
| SB196   | (1) Black, Ellis<br>8 <sup>th</sup>    | SC: Retirement                   | Feb/17/2017 - Senate Read and<br>Referred |
| Sen. Ellis Black (R-Valdosta), addresses O.C.G.A. § 47-3-22(a), so that it changes the Teachers Retirement System of Georgia selects its chairperson for the board of trustees – "the board of trustees shall elect a chairperson from among its membership and shall elect an executive director, who shall not be one of its members." Thus, this allows a woman to be elected to the chair position of this organization.  |  |                                  |   |
| SB197   | (2) Black, Ellis                       | SC: Retirement                   | Feb/17/2017 - Senate Read and             |

|   | 8th |  | Referred |
|---|-----|--|----------|
| <p>Sen. Ellis Black (R-Valdosta), is another retirement bill. This one proposes to amend O.C.G.A. § 47-2-22(a) so that the Employees' Retirement System of Georgia would have its board of trustees select from among its membership a chairperson.</p> |     |  |          |