

House Bill 422 (AS PASSED HOUSE AND SENATE)

By: Representatives McCollum of the 30th, Jones of the 47th, Burchett of the 176th,
Williamson of the 112th, Blackmon of the 146th, and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Chapter 18 of Title 45 of the Official Code of Georgia Annotated, relating to
2 employees' insurance and benefits plans, so as to require that the state employees' health
3 insurance plan include high deductible health plans; to provide for certain employees
4 enrolled in such high deductible health plans to have the ability to make pretax contributions
5 to health savings accounts through deductions from the salary, wages, or other compensation
6 payable to such employees; to authorize deductions from the salary, wages, or other
7 compensation of such employees for such accounts; to encourage other governmental entities
8 that employ other employees enrolled in such high deductible health plans to provide such
9 other employees the ability to make pretax contributions to health savings accounts through
10 deductions from the salary, wages, or other compensation payable to such other employees;
11 to provide for related matters; to repeal conflicting laws; and for other purposes.

12 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

13 **SECTION 1.**

14 Chapter 18 of Title 45 of the Official Code of Georgia Annotated, relating to employees'
15 insurance and benefits plans, is amended by adding a new Code section to read as follows:

"45-18-3.1.

(a) As used in this Code section, the term:

(1) 'Covered employee' means an individual described in subparagraph (A) or (D) of paragraph (2) of Code Section 45-18-1.

(2) 'High deductible health plan' shall have the meaning as set forth in Section 223 of the United States Internal Revenue Code.

(b) On or before January 1, 2028, the board shall ensure that at least two high deductible health plans are included in the health insurance plan or plans established under this part that are offered by different insurance providers that each have an affiliated custodian for health savings accounts authorized under Section 223 of the United States Internal Revenue Code, provided that any bid proposals accepted by the board for such high deductible health plans are cost neutral.

(c) On or before January 1, 2026, the board shall ensure that each covered employee who is enrolled in a high deductible health plan that is included in the health insurance plan or plans established under this part has the ability to make pretax contributions, through deductions from the salary, wages, or other compensation payable to such covered employee, to a health savings account, as authorized under Section 223 of the United States Internal Revenue Code, that is maintained by a custodian affiliated with the health insurance provider that offers such high deductible health plan.

(d) The State Accounting Office or the head of any state governmental entity that employs a covered employee who is enrolled in a high deductible health plan included in the health insurance plan or plans established under this part shall be authorized to deduct or reduce from the salary, wages, or other compensation payable to such covered employee amounts voluntarily designated by such covered employee for the purpose of making contributions to a health savings account, as authorized under Section 223 of the United States Internal Revenue Code.

42 (e) Any governmental entity that employs individuals who do not meet the definition of
43 a covered employee as provided in subsection (a) of this Code section but who are included
44 in the health insurance plan or plans established under this part, including, but not limited
45 to, any local board of education, is encouraged to ensure that any such individuals who are
46 enrolled in a high deductible health plan included in the health insurance plan or plans
47 established under this part can make pretax contributions, through deductions from the
48 salary, wages, or other compensation payable to such individuals, to a health savings
49 account, as authorized under Section 223 of the United States Internal Revenue Code."

50 **SECTION 2.**

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