

Senate Bill 201

By: Senators Miller of the 49th, Unterman of the 45th, Shafer of the 48th, Watson of the 1st, Hufstetler of the 52nd and others

AS PASSED

A BILL TO BE ENTITLED

AN ACT

1 To amend Chapter 1 of Title 34 of the Official Code of Georgia Annotated, relating to
2 general provisions relative to labor and industrial relations, so as to allow employees to use
3 sick leave for the care of immediate family members; to provide for definitions; to provide
4 for conditions to take leave; to provide for applicability; to provide for automatic repeal; to
5 provide for related matters; to repeal conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Chapter 1 of Title 34 of the Official Code of Georgia Annotated, relating to general
9 provisions relative to labor and industrial relations, is amended by adding a new Code section
10 to read as follows:

11 "34-1-10.

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

13 (1) 'Employee' means an individual who works for salary, wages, or other remuneration
14 for an employer for at least 30 hours per week.

15 (2) 'Employee stock ownership plan' shall have the same meaning as provided in Section
16 4975(e)(7) of the Internal Revenue Code, 26 U.S.C. Section 4975(e)(7).

17 (3) 'Employer' means any individual or entity that employs 25 or more employees and
18 shall include the State of Georgia and its political subdivisions and instrumentalities.

19 (4) 'Immediate family member' means an employee's child, spouse, grandchild,
20 grandparent, or parent or any dependents as shown in the employee's most recent tax
21 return.

22 (5) 'Sick leave' means time away from work by an employee, due to his or her own
23 incapacity, illness, or injury, for which the employee receives his or her regular salary,
24 wages, or other remuneration. The term 'sick leave' shall not include paid short-term or
25 long-term disability.

26 (b) An employer that provides sick leave shall allow an employee to use such sick leave
27 for the care of an immediate family member; provided, however, that nothing in this Code

28 section shall be construed to require an employer to offer sick leave or to require an
29 employer to allow an employee to use more than five days of earned sick leave per
30 calendar year for the care of an immediate family member.

31 (c) An employee shall not be entitled to use sick leave under this Code section until that
32 leave has been earned. Any employee who uses such sick leave shall comply with the
33 terms of the employer's employee sick leave policy.

34 (d) Nothing in this Code section shall be construed to create a new cause of action against
35 an employer.

36 (e) This Code section shall not apply to any employer that offers to their employees an
37 employee stock ownership plan.

38 (f) This Code section shall be repealed in its entirety on July 1, 2020, unless extended by
39 an Act of the General Assembly.

40 **SECTION 2.**

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