

The House Committee on Retirement offered the following substitute to HB 931:

A BILL TO BE ENTITLED
AN ACT

1 To amend Chapter 2 of Title 47 of the Official Code of Georgia Annotated, relating to the
2 Employees' Retirement System of Georgia, so as to provide that persons who retired with
3 at least ten years of actual service as an officer of the Uniform Division of the Department
4 of Public Safety may return to service in certain capacities and continue to receive a full
5 retirement benefit; to provide that the board of trustees of such retirement system may reduce
6 the amount of certain employee contributions under certain conditions; to provide conditions
7 for an effective date and automatic repeal; to repeal conflicting laws; and for other purposes.

8 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

9 SECTION 1.

10 Chapter 2 of Title 47 of the Official Code of Georgia Annotated, relating to the Employees'
11 Retirement System of Georgia, is amended by striking in its entirety subsection (c) of Code
12 Section 47-2-110, relating to retirement age, application and eligibility for a retirement
13 allowance, suspension of retirement allowance upon reemployment, and health benefits, and
14 inserting in lieu thereof the following:

15 ~~"(c)(1) Anything in this chapter to the contrary notwithstanding~~ Except as provided in
16 this subsection, if a member accepts employment with or renders services to any
17 employer after his or her retirement, payment of his or her retirement allowance shall be
18 suspended and no contributions to the retirement system shall be made on account of such
19 service either by that member or his or her employer, provided that, upon termination of
20 such service, all rights shall vest in that member as if he or she had continued his or her
21 option to retire; ~~provided, further, that payment of his~~

22 (2) The retirement allowance of a retired member who accepts employment with or
23 renders services to any employer after his or her retirement shall not be suspended if the
24 employee performs no more than 1,040 hours of service for the employer in any calendar
25 year; provided, ~~further~~ however, that no such employee so employed shall be eligible for
26 employee health benefits other than those available to the member as a part of his or her

1 retirement benefits or for any annual leave, any sick leave, or any other employee benefit
 2 available to a state employee in the classified service of the State Merit System of
 3 Personnel Administration established by Chapter 20 of Title 45.

4 (3) The retirement benefits of a retired member who retired on a normal service
 5 retirement with at least ten years of actual service as an officer or trooper of the Uniform
 6 Division of the Department of Public Safety shall not be suspended if he or she accepts
 7 full-time or part-time employment with the Department of Public Safety or the
 8 Department of Motor Vehicle Safety as a radio operator or a driver's license examiner;
 9 provided, however, that this paragraph shall cease to apply on or after July 1, 2007. No
 10 such employee so employed shall be eligible for employee health benefits other than
 11 those available to the member as a part of his or her retirement benefits or for any annual
 12 leave, any sick leave, or any other employee benefit available to a state employee in the
 13 classified service of the State Merit System of Personnel Administration established by
 14 Chapter 20 of Title 45. No employer or employee contributions to this retirement system
 15 shall be paid for or on behalf of any such member. The salary paid to any such person
 16 shall be commensurate with the position for which he or she is employed with credit for
 17 no more than five years of prior experience."

18 SECTION 2.

19 Said chapter is further amended by striking in its entirety subsection (c) of Code Section
 20 47-2-334, relating to service retirement allowance, calculation, employee membership
 21 contributions, employer contributions, optional membership, conditions, and construction of
 22 provision, and inserting in lieu thereof the following:

23 "(c) From and after July 1, 1990, every member subject to this Code section shall
 24 contribute employee membership contributions in ~~the~~ an amount of not less than 1
 25 percent nor greater than 1 1/2 percent of earnable compensation, which shall be deducted
 26 by each employer from the earnable compensation of each member for each and every
 27 payroll period and paid monthly to the board of trustees; provided, however, that any
 28 reduction in such percentage shall be based upon the recommendation of the actuary of
 29 the board of trustees, the maintenance of the actuarial soundness of the fund in
 30 accordance with the standards provided in Code Section 47-20-10 or such higher
 31 standards as may be adopted by the board, and such other factors as the board deems
 32 relevant. Of the 1 1/2 percent percentage deducted from the earnable compensation of
 33 members, 1 1/4 percent shall be credited to the individual accounts of the members in the
 34 annuity savings fund and the remaining one-fourth of 1 percent shall be credited to the
 35 group term life insurance fund in lieu of any other deduction therefor and the remaining
 36 portion shall be credited to the individual accounts of the members in the annuity savings

