

The House Committee on Retirement offers the following substitute to HB 38:

A BILL TO BE ENTITLED  
AN ACT

1 To amend Code Section 47-2-298 of the Official Code of Georgia Annotated, relating to  
2 membership in the Employees' Retirement System of Georgia by employees of county  
3 departments of family and children services, so as to provide for creditable service for certain  
4 service; to provide for application and the payment of employee contributions; to provide  
5 conditions for an effective date and automatic repeal; to repeal conflicting laws; and for other  
6 purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

**SECTION 1.**

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9 Code Section 47-2-298 of the Official Code of Georgia Annotated, relating to membership  
10 in the Employees' Retirement System of Georgia by employees of county departments of  
11 family and children services, is amended by inserting at the end thereof the following:

12 "(f)(1) Any member subject to the provisions of this Code section may obtain creditable  
13 service for prior service as an employee of a private hospital which provided family and  
14 children services pursuant to a contract with a county and who, without a break in  
15 service, became an employee of the county department of family and children services;  
16 provided, however, that no such credit shall be granted for any prior service which has  
17 been used or may be used in the determination of the member's eligibility for retirement  
18 benefits or allowances in any other public or private retirement system.

19 (2) In order to obtain creditable service as provided by this subsection, the member shall  
20 make application to the board of trustees in such form as the board deems proper,  
21 accompanied by such evidence of prior employment as the board deems necessary and  
22 payment of such amount as determined by the actuary as necessary to grant such benefit  
23 without creating any accrued actuarial liability as to this retirement system.

24 (3) Applications for the creditable service provided by this subsection must be made not  
25 later than December 31, 2002."

**SECTION 2.**

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2 This Act shall become effective on July 1, 2002, only if it is determined to have been  
3 concurrently funded as provided in Chapter 20 of Title 47 of the Official Code of Georgia  
4 Annotated, the "Public Retirement Systems Standards Law"; otherwise, this Act shall not  
5 become effective and shall be automatically repealed in its entirety on July 1, 2002, as  
6 required by subsection (a) of Code Section 47-20-50.

**SECTION 3.**

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