

House Bill 38 (FLOOR SUBSTITUTE)

By: Representative Royal of the 164th

A BILL TO BE ENTITLED
AN ACT

1 To amend Part 9 of Article 8 of Chapter 2 of Title 47 of the Official Code of Georgia Annotated,
2 relating to the membership of certain court and other county employees in the Employees´
3 Retirement System of Georgia, so as to provide that certain employees of community service boards
4 may obtain creditable service for certain prior service as employees of private hospitals; to provide
5 for application and the payment of employee and employer contributions; to provide conditions for
6 an effective date and automatic repeal; to repeal conflicting laws; and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 Part 9 of Article 8 of Chapter 2 of Title 47 of the Official Code of Georgia Annotated, relating to
10 the membership of certain court and other county employees in the Employees´ Retirement System
11 of Georgia, is amended by inserting at the end thereof the following:

12 "47-2-299.

13 (a) Any member who is an employee of a community service board created by Code Section
14 37-2-6 may obtain creditable service for prior service as an employee of a private nonprofit
15 hospital which was deemed to be the community health center through a contractual master
16 agreement with the Department of Human Resources and which was authorized to bill medicaid
17 for outpatient clinic option services under the state community mental health program prior to
18 December 31, 1991, and who, without a break in service, became an employee of the community
19 service board in the same position he or she held with the private hospital. Such credit shall be
20 granted regardless of whether any prior service has been used or may be used in the determination
21 of the member´s eligibility for retirement benefits or allowances in a private retirement system.

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

27 (c) Application for the creditable service provided by this Code section must be made not later
28 than December 31, 2002."

