

House Bill 765 (AS PASSED HOUSE AND SENATE)

By: Representative James of the 140th

A BILL TO BE ENTITLED
AN ACT

1 To amend Article 5 of Chapter 3 of Title 47 of the Official Code of Georgia Annotated, relating to
2 service creditable toward retirement benefits under the Teachers Retirement System of Georgia, so
3 as to provide that any member of the Teachers Retirement System of Georgia may obtain creditable
4 service for prior service with certain programs relating to early childhood development and for
5 service as a teacher in certain private schools; to provide conditions relative to obtaining such
6 creditable service; to provide conditions for an effective date and automatic repeal; to repeal
7 conflicting laws; and for other purposes.

8 **BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:**

9 **SECTION 1.**

10 Article 5 of Chapter 3 of Title 47 of the Official Code of Georgia Annotated, relating to service
11 creditable toward retirement benefits under the Teachers Retirement System of Georgia, is amended
12 by inserting at the end thereof the following:

13 "47-3-93.

14 (a) Any member may, subject to the requirements of subsection (b) of this Code section, obtain
15 creditable service under the retirement system for any period between January 1, 1977, and
16 December 31, 1980, during which the member was employed by a nonprofit corporation under
17 contract with a state agency in a program wholly or partially funded by a state or federal grant and
18 which had as its purpose facilitating early childhood development and during which period the
19 member held a four-year degree from an accredited college or university.

20 (b) A member who desires to establish creditable service under this Code section must:

21 (1) Submit to the board not later than July 1, 2003, satisfactory evidence of the period of
22 absence from employment which qualifies for creditable service under this Code section; and

23 (2) Pay to the board of trustees such amount as determined by the actuary as necessary
24 to grant such benefit without creating any accrued actuarial liability as to this retirement
25 system.

26 47-3-94.

27 A member who has completed at least five consecutive years of membership service in the
28 public schools of Georgia or the University System of Georgia immediately prior to

1 applying may obtain up to ten years of creditable service for service as a teacher in a
2 private elementary or secondary school or any private college or university located in the
3 state accredited by the Southern Association of Colleges and Schools, the Georgia
4 Accrediting Association, or a nationally recognized accrediting agency by the State Board
5 of Education. Such service credit shall be allowed on the basis of one year of credit for
6 such service for each additional year of membership service in the public schools of
7 Georgia or the University System of Georgia. A member wishing to obtain such creditable
8 service shall provide documentation and pay to the board of trustees such amount as
9 determined by the actuary as necessary to grant such benefit without creating any accrued
10 actuarial liability as to this retirement system."

11 **SECTION 2.**

12 This Act shall become effective on July 1, 2002, only if it is determined to have been concurrently
13 funded as provided in Chapter 20 of Title 47 of the Official Code of Georgia Annotated, the "Public
14 Retirement Systems Standards Law"; otherwise, this Act shall not become effective and shall be
15 automatically repealed in its entirety on July 1, 2002, as required by subsection (a) of Code Section
16 47-20-50.

17 **SECTION 3.**

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