

Senate Bill 62

By: Senators Ragan of the 11th, Fort of the 39th, Ladd of the 41st, Tate of the 38th, Gingrey of the 37th and Brush of the 24th

AS PASSED

A BILL TO BE ENTITLED
AN ACT

1 To amend Title 47 of the Official Code of Georgia Annotated, relating to retirement and
2 pensions, so as to change a certain definition; to provide for creditable service for terms of
3 military service begun when the military draft was in effect; to provide for the payment of
4 an employee contribution with interest; to provide a time period for making application; to
5 provide conditions for an effective date and automatic repeal; to repeal conflicting laws; and
6 for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 Title 47 of the Official Code of Georgia Annotated, relating to retirement and pensions, is
10 amended by striking in its entirety subsection (a) of Code Section 47-1-14, relating to the
11 exemption of retirement system records from public inspection, and inserting in lieu thereof
12 the following:

13 "(a) As used in this Code section, the term 'retirement system' means any public retirement
14 system created by this title. Such term also means any association of like political
15 subdivisions the purpose of which is the pooling of funds for retirement or pension
16 purposes."

17 **SECTION 2.**

18 Said title is further amended by striking in its entirety subsection (j) of Code Section 47-2-96,
19 relating to prior service credit in the Employees' Retirement System of Georgia and related
20 matters, and inserting in lieu thereof the following:

21 "(j) Anything in this chapter to the contrary notwithstanding, any member who was on
22 active duty in the armed forces of the United States during any period during which a
23 military draft was in effect, and any member who served an uninterrupted period of active
24 duty which began during any such period, may receive military service credit for such
25 period of active duty up to a maximum of two years, provided that such member shall pay

1 the regular employee contribution of 5 percent of the compensation last paid to such
2 member as an employee before entering military service or 5 percent of the compensation
3 first paid to such member as an employee after returning from military service plus 4 1/2
4 percent interest on such employee contributions, compounded annually to date of payment;
5 provided, further, that no service in the armed forces shall be deemed as creditable under
6 any provisions of this chapter if such service has or will be used in the determination of any
7 member's eligibility for retirement benefits or allowances from any other state or federal
8 retirement program, excluding social security and those retirement programs covered under
9 Public Law 810, 80th Congress, as amended. Notwithstanding any other time limitation
10 provided in this chapter for obtaining creditable service for military service, a qualified
11 member may obtain creditable service pursuant to the provisions of this subsection by
12 making application therefor prior to December 31, ~~2001~~ 2003."

13 **SECTION 3.**

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

19 **SECTION 4.**

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