

House Bill 468

By: Representatives Coleman of the 80<sup>th</sup>, Cummings of the 27<sup>th</sup>, McBee of the 88<sup>th</sup>, Smith of the 102<sup>nd</sup>, Purcell of the 147<sup>th</sup> and others

A BILL TO BE ENTITLED  
AN ACT

1 To amend Chapter 3 of Title 47 of the Official Code of Georgia Annotated, relating to the  
2 Teachers Retirement System of Georgia, so as to provide for a service retirement upon the  
3 attainment of 29 years of creditable service; to provide conditions for an effective date and  
4 automatic repeal; to repeal conflicting laws; and for other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

6 style="text-align:center">**SECTION 1.**

7 Chapter 3 of Title 47 of the Official Code of Georgia Annotated, relating to the Teachers  
8 Retirement System of Georgia, is amended by striking in its entirety subsection (b) of Code  
9 Section 47-3-102, relating to early retirement after 30 years' service and related matters, and  
10 inserting in lieu thereof the following:

11 "(b) Notwithstanding the provisions of subsection (a) of Code Section 47-3-101, a member  
12 employed pursuant to a contract for each school year who will attain ~~30~~ 29 years of  
13 creditable service by not later than the thirty-first day of December of the ensuing school  
14 year shall be eligible to retire effective on the first day of September nearest to the opening  
15 date of the ensuing school year on the basis of 30 years of creditable service, subject to the  
16 following conditions and requirements:

17 (1) The member must apply for early retirement pursuant to the authority of this Code  
18 section to the board of trustees, with a copy of such application being sent to the  
19 member's employer, by not later than the first day of May immediately preceding the  
20 opening date of the ensuing school year; and

21 (2) The member must pay to the board of trustees an amount determined by the board  
22 of trustees to be sufficient to cover the full actuarial cost of granting early retirement as  
23 provided in this Code section."

**SECTION 2.**

Said chapter is further amended by striking in its entirety subsection (b) of Code Section 47-3-120, relating to allowance on service retirement under the Teachers Retirement System of Georgia and related matters, and inserting in lieu thereof the following:

"(b) In the case of any member who has less than ~~30~~ 29 years of creditable service and if such member has not reached the age of 60 years upon retirement, the service allowance set forth in subsection (a) of this Code section shall be reduced by the lesser of one-twelfth of 7 percent for each month by which his or her age at the time of retirement is below 60 years or by 7 percent for each year or fraction of a year by which the member has less than ~~30~~ 29 years of creditable service at the time of retirement. This reduction shall not apply in calculating the service allowance for disability retirement or death. Any member who retired with ~~30~~ 29 or more years of creditable service and whose retirement benefits were reduced because such member retired at an age below the normal retirement age in effect at the time such member retired shall be entitled to an adjusted retirement benefit based upon a calculation made without the application of the age reduction factor. Any member retiring with less than ~~30~~ 29 years of creditable service or who has not obtained the age of 60 at the time of retirement shall not become eligible for postretirement benefit adjustments as provided in Code Section 47-3-126 until such time as the member reaches the age of 60 or would have obtained ~~30~~ 29 years of creditable service, whichever occurs earlier."

**SECTION 3.**

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

**SECTION 4.**

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