

House Bill 785

By: Representatives Smith of the 169<sup>th</sup>, Cummings of the 27<sup>th</sup>, Smyre of the 136<sup>th</sup>, Hudgens of the 24<sup>th</sup> and McBee of the 88<sup>th</sup>

A BILL TO BE ENTITLED  
AN ACT

1 To amend Part 10 of Article 8 of Chapter 2 of Title 47 of the Official Code of Georgia  
2 Annotated, relating to membership of employees of certain state authorities in the  
3 Employees' Retirement System of Georgia, so as to provide for membership in such  
4 retirement system by employees of the Georgia Rail Passenger Authority; 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:

8 **SECTION 1.**

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

12 "47-2-326.

13 (a) As used in this Code section, the term 'Georgia Rail Passenger Authority' or 'authority'  
14 means that authority created by Article 9 of Chapter 9 of Title 46, the 'Georgia Rail  
15 Passenger Authority Law.'

16 (b) Effective July 1, 2002, or on the date of employment, whichever date is later, each  
17 officer or employee of the authority shall become a member of the retirement system.

18 (c) Any officer or employee of the authority who was already a member of the retirement  
19 system on July 1, 2002, and any member of the retirement system who, without any break  
20 in service, becomes an officer or employee of the authority on or after July 1, 2002, shall  
21 continue in the same membership status without any interruption in membership service  
22 and without the loss of any creditable service.

23 (d) Except as otherwise provided in subsection (c) of this Code section, an officer or  
24 employee of the authority becoming a member of the retirement system pursuant to the  
25 provisions of this Code section shall be subject to the provisions of Code Section 47-2-334.

1 (e) All employer contributions, including employee contributions made by the employer  
2 on behalf of members, which are required by this chapter shall be made for members who  
3 are subject to the provisions of this Code section from funds appropriated to or otherwise  
4 available for the operation of the Georgia Rail Passenger Authority. The authority shall  
5 deduct from the salaries payable to such members the additional employee contributions  
6 required by this chapter."

7 **SECTION 2.**

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

13 **SECTION 3.**

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