

Senate Bill 292

By: Senators Marable of the 52<sup>nd</sup>, Bowen of the 13<sup>th</sup>, Meyer von Bremen of the 12<sup>th</sup>, Jackson of the 50<sup>th</sup> and Hecht of the 34<sup>th</sup>

A BILL TO BE ENTITLED  
AN ACT

1 To amend Code Section 47-2-110 of the Official Code of Georgia Annotated, relating to  
2 retirement age under the Employees' Retirement System of Georgia, application and  
3 eligibility for a retirement allowance, suspension of retirement allowance upon  
4 reemployment, and health benefits, so as to provide that persons who retired with at least ten  
5 years of actual service as an officer of the Uniform Division of the Department of Public  
6 Safety may return to service in certain capacities and continue to receive a full retirement  
7 benefit; to provide conditions for an effective date and automatic repeal; to repeal conflicting  
8 laws; and for other purposes.

9 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

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

11 Code Section 47-2-110 of the Official Code of Georgia Annotated, relating to retirement age  
12 under the Employees' Retirement System of Georgia, application and eligibility for a  
13 retirement allowance, suspension of retirement allowance upon reemployment, and health  
14 benefits, is amended by striking in its entirety subsection (c) and inserting in lieu thereof the  
15 following:

16 ~~"(c)(1) Anything in this chapter to the contrary notwithstanding~~ Except as provided in  
17 this subsection, if a member accepts employment with or renders services to any  
18 employer after his or her retirement, payment of his or her retirement allowance shall be  
19 suspended and no contributions to the retirement system shall be made on account of such  
20 service either by that member or his or her employer, provided that, upon termination of  
21 such service, all rights shall vest in that member as if he or she had continued his or her  
22 option to retire. ~~; provided, further, that payment of his~~

23 (2) The retirement allowance of a retired member who accepts employment with or  
24 renders services to any employer after his or her retirement shall not be suspended if the  
25 employee performs no more than 1,040 hours of service for the employer in any calendar  
26 year; provided, ~~further~~ however, that no such employee so employed shall be eligible for

1 employee health benefits other than those available to the member as a part of his or her  
2 retirement benefits or for any annual leave, any sick leave, or any other employee benefit  
3 available to a state employee in the classified service of the State Merit System of  
4 Personnel Administration established by Chapter 20 of Title 45.

5 (3) The retirement benefits of a retired member who retired with at least ten years of  
6 actual service as an officer or trooper of the Uniform Division of the Department of  
7 Public Safety shall not be suspended if he or she accepts full-time employment with the  
8 Department of Public Safety or the Department of Motor Vehicle Safety as a radio  
9 operator or a driver's license examiner. No such employee so employed shall be eligible  
10 for employee health benefits other than those available to the member as a part of his or  
11 her retirement benefits or for any annual leave, any sick leave, or any other employee  
12 benefit available to a state employee in the classified service of the State Merit System  
13 of Personnel Administration established by Chapter 20 of Title 45. No employer or  
14 employee contributions to this retirement system shall be paid for or on behalf of any  
15 such member."

## 16 SECTION 2.

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

## 22 SECTION 3.

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