

House Bill 813

By: Representatives Smyre of the 136th and Cummings of the 27th

A BILL TO BE ENTITLED
AN ACT

1 To amend Code Section 45-18-32 of the Official Code of Georgia Annotated, relating to
2 administration of deferred compensation plans, so as to authorize employees of county and
3 independent school systems to participate in the state deferred compensation plans; to repeal
4 conflicting laws; and for other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

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

7 Code Section 45-18-32 of the Official Code of Georgia Annotated, relating to administration
8 of deferred compensation plans, is amended by striking the Code section in its entirety and
9 inserting in lieu thereof a new Code Section 45-18-32 to read as follows:

10 "45-18-32.

11 The State Personnel Board shall administer any deferred compensation plan provided for
12 the employees of the state. Employees of the county boards of health receiving financial
13 assistance from the Department of Human Resources may, with the approval of the State
14 Personnel Board and the approval of such organizations, participate in the state plan.
15 Employees of county and independent school systems may, with the approval of the State
16 Personnel Board and the approval of such systems, participate in the state plan. The State
17 Personnel Board shall investigate and approve a deferred compensation plan which gives
18 the employees of the state income tax benefits in connection with plans authorized by the
19 United States Internal Revenue Code, so that compensation deferred under such plan shall
20 not be included for purposes of computation of any federal income tax withheld on behalf
21 of any such employee or payable by such employee before any deferred payment date. All
22 contributions to the deferred compensation plan shall also be exempt from state
23 withholding tax as long as such contributions are not includable in gross income for federal
24 income tax purposes. The governing body of a city, county, or other political subdivision
25 may appoint an administrator for all deferred compensation plans, whose duties shall
26 include the administration of the plan and the investigation and approval of the plan or

1 plans. All such plans shall provide tax deferral benefits for the respective employees in a
2 manner similar to that of the plan for state employees."

3 **SECTION 2.**

4 All laws and parts of laws in conflict with this Act are repealed.