

House Bill 912

By: Representative Burkhalter of the 41st

A BILL TO BE ENTITLED
AN ACT

1 To amend Code Section 47-2-295 of the Official Code of Georgia Annotated, relating to the
2 transfer from county retirement system to the Employees' Retirement System of Georgia of
3 contributions made as juvenile detention facility employee, credit for past service, payment
4 of contributions, and eligibility, so as to provide that a member of the Employees' Retirement
5 System of Georgia who is a former juvenile detention facility employee and who failed to
6 obtain creditable service in such retirement system at the time he or she became a member
7 but who withdrew his or her contributions from a county retirement system may obtain such
8 creditable service; to provide for the repayment of the employee contributions; to provide for
9 the transfer of employer contributions; to provide for the grant of creditable service; to
10 authorize a county to pay money on behalf of such member; to provide conditions for an
11 effective date and automatic repeal; to repeal conflicting laws; and for other purposes.

12 **BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:**

13 **SECTION 1.**

14 Code Section 47-2-295 of the Official Code of Georgia Annotated, relating to the transfer
15 from county retirement system to the Employees' Retirement System of Georgia of
16 contributions made as juvenile detention facility employee, credit for past service, payment
17 of contributions, and eligibility, is amended by inserting at the end thereof the following:

18 "(e)(1) Any member who was eligible to receive creditable service pursuant to subsection
19 (d) of this Code section but who failed to do so at the time he or she became a member
20 of this retirement system may receive creditable service for his or her prior service as an
21 employee of a juvenile detention facility as provided in this subsection.

22 (2) A member desiring to receive creditable service under this subsection shall notify the
23 board of trustees of this retirement system and the board of trustees of the county
24 retirement system in writing not later than December 31, 2002. Within 30 days after
25 receiving such notification, the governing body of the county retirement or pension
26 system shall pay to the board of trustees of this retirement system an amount equal to the

1 employer contributions and, if the employee has not withdrawn his or her contributions
2 from such county retirement system, the employee contributions paid by or on behalf of
3 the member together with interest at the rate of 5 percent per annum. If the employee has
4 withdrawn his or her contributions from the county retirement system, he or she may pay
5 to the board of trustees of this retirement system the amount of employer contributions
6 which he or she withdrew from the county retirement system.

7 (3) Upon receipt of such contributions, the member shall receive credit for past service
8 rendered as an employee of the county juvenile detention facility; but the amount of past
9 service credited to such member shall be adjusted as necessary so that the accrued
10 liability to this retirement system created by such past service shall be fully funded by the
11 amount of the payment received by the board of trustees from the county retirement or
12 pension system.

13 (4) If the payment received by the board of trustees is insufficient to cover all past
14 service rendered as an employee of the county juvenile detention facility on a
15 year-for-year basis, the governing authority of the county which formerly employed such
16 member shall be authorized, but not required, to pay to the board of trustees an amount
17 which, when combined with the payment of employer and employee contributions, shall
18 be sufficient to fund all service rendered as an employee of the juvenile detention facility.
19 In the event a county governing authority elects to pay such additional amount, it shall
20 request, in writing, a certification from the board of trustees of such amount; and, upon
21 such payment, the member shall be given credit for all service rendered as an employee
22 of the county juvenile detention facility."

23 SECTION 2.

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

29 SECTION 3.

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