

House Bill 936

By: Representatives Cummings of the 27<sup>th</sup> and McBee of the 88<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 ages under the Employees' Retirement System of Georgia, application and  
3 eligibility for a retirement allowance, suspension of retirement allowance upon  
4 reemployment, health benefits, so as to provide that a member with at least five years of  
5 membership service shall be vested for a benefit; to provide conditions for an effective date  
6 and automatic repeal; to repeal conflicting laws; and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

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

14 "(a) Upon written application to the board of trustees, any member in service who has  
15 reached 60 years of age or who has 30 years of creditable service may retire on a service  
16 retirement allowance, provided that he or she has at least five years of creditable service;  
17 provided, further, that if he or she became a member after July 1, 1968, he or she has either  
18 at least ten years of creditable service or five years of membership service as an employee.  
19 The effective date of retirement shall be the first of the month in which the application is  
20 received by the board of trustees, provided that no retirement application will be effective  
21 earlier than the first of the month following the final month of the applicant's employment.  
22 Applications for retirement will not be accepted more than 90 days in advance of the  
23 effective date of retirement. Separation from service pending approval of the retirement  
24 application shall not affect eligibility for a retirement allowance. The provisions of this  
25 subsection regarding the effective date of retirement shall apply to all persons making  
26 application for retirement on or after March 15, 1979, and to all persons who have made

1 application prior to March 15, 1979, but to whom payments from the retirement system  
2 have not commenced as of that date."

3 **SECTION 2.**

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

9 **SECTION 3.**

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