

House Bill 382

By: Representatives Black of the 144th, Williams of the 61st, Post 2, McBee of the 74th,
Broome of the 141st, Post 2, Hines of the 35th, and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Code Section 47-2-292 of the Official Code of Georgia Annotated, relating to
2 membership in the Employees' Retirement System of Georgia by tax commissioners and
3 receivers and their employees, contributions, and credit for prior service, so as to change the
4 time during which such employees may exercise the option for such membership; to provide
5 for creditable service for certain prior service; to provide for the payment of employer and
6 employee contributions; to provide conditions for an effective date and automatic repeal; to
7 repeal conflicting laws; and for other purposes.

8 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

9 **SECTION 1.**

10 Code Section 47-2-292 of the Official Code of Georgia Annotated, relating to membership
11 in the Employees' Retirement System of Georgia by tax commissioners and receivers and
12 their employees, contributions, and credit for prior service, is amended by inserting at the end
13 thereof the following:

14 "(i) Any person who is an employee of a tax commissioner, tax collector, or tax receiver
15 on July 1, 2004, and who was eligible pursuant to the provisions of subsection (g) of this
16 Code section to elect membership in this retirement system but who failed to do so shall
17 have the option, which must be exercised on or before December 31, 2004, of becoming
18 a member of the retirement system under the provisions of Code Section 47-2-334. Such
19 employees electing membership in the retirement system may obtain creditable service
20 under the retirement system for actual previous service as an employee of a tax
21 commissioner, tax collector, or tax receiver by paying to the board of trustees the regular
22 employer and employee contributions for each year or portion thereof claimed as previous
23 service, with the computation of such contributions being based on the compensation of the
24 employee at the time the service was rendered. In addition to such employer and employee
25 contributions, the employee claiming such previous service shall pay interest at the rate of
26 6 percent per annum on the amount of such contributions compounded annually from the

1 time the previous service was rendered until payment is made to the board of trustees. The
2 payment required for such previous service shall be made to the board of trustees at the
3 time application is made for membership in the retirement system. Except for the right to
4 obtain creditable service for previous service as provided in this subsection, any person
5 employed on June 30, 1983, who elects membership in the retirement system shall be under
6 the provisions of Code Section 47-2-334."

7 **SECTION 2.**

8 This Act shall become effective on July 1, 2004, 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, 2004, 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.