

Senate Bill 189

By: Senator Hamrick of the 30th

A BILL TO BE ENTITLED  
AN ACT

1 To amend Chapter 17 of Title 47 of the Official Code of Georgia Annotated, relating to the  
2 Peace Officers' Annuity and Benefit Fund, so as to provide that certain persons employed  
3 as county jail officers shall be eligible for membership in such fund; to provide for creditable  
4 service for prior service as a county jail officer; to provide for the payment of employer  
5 contributions with interest thereon; to provide for related matters; to provide conditions for  
6 an effective date 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 Chapter 17 of Title 47 of the Official Code of Georgia Annotated, relating to the Peace  
10 Officers' Annuity and Benefit Fund, is amended by striking the symbol and word "; and" at  
11 the end of subparagraph (J) of paragraph (5) of Code Section 47-17-1, relating to definitions;  
12 by striking the symbol "." at the end of subparagraph (K) of such paragraph and inserting in  
13 lieu thereof the symbol and word "; and"; and by inserting at the end of such paragraph the  
14 following:

15 "(L) Persons employed as county jail officers who are certified peace officers as provided  
16 in Chapter 8 of Title 35, the 'Georgia Peace Officer Standards and Training Act.'"

17 **SECTION 2.**

18 Said chapter is further amended by striking in its entirety subsection (a) of Code Section  
19 47-17-70, relating to prior service credit in such fund, and inserting in lieu thereof the  
20 following:

21 "(a) No peace officer who first makes application for membership in the fund on or after  
22 May 1, 1968, shall be given credit for any prior service, and such peace officer shall  
23 receive credit only from the date he or she becomes a member of the fund; provided,  
24 however, a member may claim a maximum of five years for service as a peace officer prior  
25 to such member's joining the fund if such member complies with subsection (c) of Code

1 Section 47-17-44 and remains an active member of the fund for a period of time at least  
2 equal to the number of years claimed for prior service; provided, further, that any member  
3 defined in ~~subparagraph~~ subparagraphs (J) and (L) of paragraph (5) of Code Section  
4 47-17-1 may claim service as a peace officer prior to such member's joining the fund  
5 without regard to such five-year limitation if such member complies with subsection (c)  
6 of Code Section 47-17-44."

7 **SECTION 3.**

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 4.**

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

1 DEPARTMENT OF AUDITS AND ACCOUNTS  
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5 State Auditor  
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7 January 21, 2011

8 The Honorable Bill Hamrick  
9 State Senator  
10 Legislative Office Building, Room 324-B  
11 Atlanta, Georgia 30334

12 SUBJECT: State Auditor's Certification  
13 Senate Bill 189 (LC 21 7231)

14 Dear Senator Hamrick:

15 This bill would amend provisions relating to membership in the Peace Officers' Annuity  
16 and Benefit Fund. If this bill is enacted, persons who are employed as county jail officers  
17 and are certified peace officers would be added to the list of those eligible for  
18 membership in the Peace Officers' Annuity and Benefit Fund. This bill would authorize  
19 such persons to obtain creditable service for prior service as a peace officer, provided the  
20 appropriate member contributions are paid to the board of trustees, along with interest.

21 This is to certify that this is a fiscal retirement bill as defined in the Public Retirement  
22 Systems Standards Law.

23 Respectfully,

24 /s/ Russell W. Hinton

25 State Auditor