

Senate Bill 305

By: Senators Squires of the 5th, Smith of the 25th and Butler of the 55th

A BILL TO BE ENTITLED
AN ACT

1 To amend Code Section 47-2-99 of the Official Code of Georgia Annotated, relating to
2 obtaining service and application for creditable service, so as to provide for current
3 applicability of Code Section 47-2-99 to a member of the Employees Retirement System of
4 Georgia such that such member may obtain creditable service for prior service as a temporary
5 full-time employee; to provide for restrictions; to provide for related matters; to provide
6 conditions for an effective date and automatic repeal; to repeal conflicting laws; and for other
7 purposes.

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

9 **SECTION 1.**

10 Code Section 47-2-99 of the Official Code of Georgia Annotated, relating to obtaining
11 service and application for creditable service, is amended by striking subsection (c) and
12 inserting in lieu thereof a new subsection (c) to read as follows:

13 "(c) Application for creditable service authorized by subsection (a) of this Code section
14 must be received by the board of trustees not later than June 30, ~~2004~~ 2005, or 24 months
15 after the member becomes a member of the retirement system, whichever date is later."

16 **SECTION 2.**

17 This Act shall become effective on July 1, 2004, only if it is determined to have been
18 concurrently funded as provided in Chapter 20 of Title 47 of the Official Code of Georgia
19 Annotated, the "Public Retirement Systems Standards Law"; otherwise, this Act shall not
20 become effective and shall be automatically repealed in its entirety on July 1, 2004, as
21 required by subsection (a) of Code Section 47-20-50.

22 **SECTION 3.**

23 All laws and parts of laws in conflict with this Act are repealed.

1 DEPARTMENT OF AUDITS AND ACCOUNTS
2 254 Washington Street, S.W., Suite 214
3 Atlanta, Georgia 30334-8400

4 Russell W. Hinton
5 State Auditor
6 (404) 656-2174

7 January 22, 2011

8 The Honorable Mary Squires
9 State Senator
10 Legislative Office Building, Room 314-B
11 Atlanta, Georgia 30334

12 SUBJECT: State Auditor's Certification
13 Senate Bill 305 (LC 28 1020)

14 Dear Senator Squires:

15 This bill would amend provisions relating to creditable service for members of the
16 Employees' Retirement System. Specifically, this bill would extend the deadline for
17 members to purchase creditable service for prior service as a temporary full-time
18 employee. Under the current law, members were required to apply for such creditable
19 service by June 30, 2001 or within 24 months after becoming a member of the
20 Employees' Retirement System, whichever is later. This bill would extend this deadline
21 to June 30, 2005. Members may only obtain a maximum of 12 months of creditable
22 service, and no credit will be granted for any period of time in which the member was
23 covered under the Georgia Defined Contribution Plan.

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

26 Respectfully,
27 /s/ Russell W. Hinton
28 State Auditor