

House Bill 838

By: Representatives Hill of the 147th, Keen of the 146th, Mills of the 67th, Post 2, Smith of the 129th, Post 2, Mosley of the 129th, Post 1, and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Code Section 47-2-266 of the Official Code of Georgia Annotated, relating to
2 certain judicial employees' membership in the Employees' Retirement System of Georgia
3 and contributions, so as to provide that a person who is a member of such retirement system
4 because of employment as a court administrator may obtain up to four years of creditable
5 service for prior service as a full-time law clerk for a judicial circuit; to provide for
6 contributions; to provide conditions for an effective date and automatic repeal; to repeal
7 conflicting laws; and for other purposes.

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

9 **SECTION 1.**

10 Code Section 47-2-266 of the Official Code of Georgia Annotated, relating to certain judicial
11 employees' membership in the Employees' Retirement System of Georgia and contributions,
12 is amended by inserting at the end thereof the following:

13 "(g) Any member who is a member of this retirement system by operation of subparagraph
14 (a)(1)(D) of this Code section may receive up to four years of creditable service under this
15 chapter for past service as a full-time law assistant for a judicial circuit employed pursuant
16 to the provisions of Code Section 15-6-28 upon payment to the board of trustees an amount
17 determined by the actuary as necessary to grant such benefit without creating any accrued
18 actuarial liability as to this retirement system. The basis for employee contributions to
19 obtain creditable service under this Code section shall be the state salary paid to the
20 member claiming such past service at the time the service was rendered. Such payment
21 must be made not later than July 1, 2005, or within six months of first or again becoming
22 a member, whichever is later."

23 **SECTION 2.**

24 This Act shall become effective on July 1, 2004, 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

1 Annotated, the "Public Retirement Systems Standards Law"; otherwise, this Act shall not
2 become effective and shall be automatically repealed in its entirety on July 1, 2004, as
3 required by subsection (a) of Code Section 47-20-50.

4 **SECTION 3.**

5 All laws and parts of laws in conflict with this Act are repealed.