

House Bill 873

By: Representatives McBee of the 74th and Cummings of the 19th

A BILL TO BE ENTITLED
AN ACT

1 To amend Code Section 47-3-89 of the Official Code of Georgia Annotated, relating to credit
2 in the Teachers Retirement System of Georgia for service rendered in governmentally
3 supported or operated schools other than the public schools in Georgia and payments
4 required to obtain credit for such service, so as to provide that such credit may be obtained
5 for service used to compute certain federal benefits; to provide conditions for an effective
6 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 Code Section 47-3-89 of the Official Code of Georgia Annotated, relating to credit in the
10 Teachers Retirement System of Georgia for service rendered in governmentally supported
11 or operated schools other than the public schools in Georgia and payments required to obtain
12 credit for such service, is amended by striking in its entirety subsection (a) and inserting in
13 lieu thereof the following:

14 "(a) Any member of the retirement system shall be entitled to receive up to ten years of
15 creditable service for teaching service in school systems of other states in the United States,
16 state supported independent school systems of the United States, schools operated by the
17 Bureau of Indian Affairs of the United States Department of the Interior, public school
18 systems of the Virgin Islands, Puerto Rico, Guam, and the District of Columbia, or
19 American dependents' schools, provided that the member has first established five years
20 of membership service credit in the public schools of Georgia or the University System of
21 Georgia; provided, further, that such service credit shall be allowed on the basis of one year
22 of credit for such service for each additional year of membership service in the public
23 schools of Georgia or the University System of Georgia. A teacher desiring to establish
24 credit for such service must pay employee and employer contributions which would have
25 been paid to the retirement system on a salary comparable to his or her salary for such
26 service, plus the applicable rate of interest, in accordance with regulations adopted by the

1 board of trustees. Such contributions must be paid prior to retirement under this retirement
2 system. For such service rendered prior to January 1, 1945, the rate of employee
3 contributions shall be 5 percent and the rate of employer contributions shall be 6.83
4 percent. The rate of interest on such contributions shall be the applicable regular interest.
5 No member who receives or who is entitled to receive a pension or annuity from any other
6 state, county, or municipality, or federal retirement program excluding social security, shall
7 receive creditable service for such service; provided, however, that a member who received
8 compensation separately from both a state government and the federal government for the
9 same period of service at a state postsecondary institution may, if otherwise eligible,
10 receive the credit provided for in this subsection even if he or she is or will be entitled to
11 a federal retirement benefit based solely on his or her federal compensation for such
12 service. The board of trustees shall promulgate rules and regulations to carry out this Code
13 section."

14 **SECTION 2.**

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

20 **SECTION 3.**

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