

House Bill 976

By: Representative Oliver of the 56th, Post 2

A BILL TO BE ENTITLED
AN ACT

1 To amend Article 3 of Chapter 23 of Title 47 of the Official Code of Georgia Annotated,
2 relating to membership in the Georgia Judicial Retirement System, so as to define a certain
3 term; to provide that certain administrative law judges shall be eligible for membership in
4 such retirement system; to provide for an election of membership; to provide for a transfer
5 of contributions to such retirement system from the Employees' Retirement System of
6 Georgia; to provide for an award of creditable service on an actuarial basis; to provide for
7 an effective date and automatic repeal; to repeal conflicting laws; and for other matters.

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

9 **SECTION 1.**

10 Article 3 of Chapter 23 of Title 47 of the Official Code of Georgia Annotated, relating to
11 membership in the Georgia Judicial Retirement System, is amended by inserting at the end
12 thereof the following:

13 "47-23-50.

14 (a) As used in this Code section, the term 'administrative law judge' means any full-time
15 administrative law judge appointed pursuant to Article 2 of Chapter 9 of Title 34 or Article
16 2 of Chapter 13 of Title 50 and who is employed in a full-time position requiring admission
17 to the State Bar of Georgia as a condition of employment.

18 (b) Any administrative law judge may make an irrevocable election to become a member
19 by so notifying the board of trustees not later than December 31, 2004, or within 90 days
20 after becoming so employed, whichever date is later.

21 (c) Any such person who on July 1, 2004, had prior service as an administrative law judge
22 shall be entitled to creditable service in this retirement system only for actual service in
23 such position. Upon the member's request, the Employees' Retirement System of Georgia
24 shall transfer to this retirement system all employer and employee contributions paid by
25 or on behalf of any such member with regular interest thereon. The member is authorized,
26 but not required, to pay to the board of trustees such additional amount as the member

1 desires, each payment to be made within 12 months of electing to become a member of this
2 retirement system. Such member shall receive only such creditable service, not to exceed
3 the actual years of service, as that amount will warrant without creating any accrued
4 liability to this retirement system."

5 **SECTION 2.**

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

11 **SECTION 3.**

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