

House Bill 266 (AS PASSED HOUSE AND SENATE)

By: Representatives Cummings of the 19<sup>th</sup>, Black of the 144<sup>th</sup>, Williams of the 61<sup>st</sup>, Post 2,  
and McBee of the 74<sup>th</sup>

A BILL TO BE ENTITLED  
AN ACT

1 To amend Code Section 47-4-101 of the Official Code of Georgia Annotated, relating to  
2 retirement benefits paid upon normal, early, or delayed retirement under the Public School  
3 Employees Retirement Fund, so as to provide that, under certain conditions, the board of  
4 trustees of such retirement fund may increase the retirement benefit; to clarify the effect of  
5 specific appropriations in amounts less than that required to fund fully the maximum level  
6 of benefits; to repeal conflicting laws; and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 Code Section 47-4-101 of the Official Code of Georgia Annotated, relating to retirement  
10 benefits paid upon normal, early, or delayed retirement under the Public School Employees  
11 Retirement Fund, is amended by striking in its entirety subsection (b) and inserting in lieu  
12 thereof the following:

13 "(b)(1) Upon retirement on the normal retirement date, a member shall receive a monthly  
14 retirement benefit, payment of which shall commence on the effective date of retirement  
15 and which shall be payable on the first day of each month thereafter during the member's  
16 lifetime. The amount of each monthly retirement payment shall be \$15.00 multiplied by  
17 the number of the member's years of creditable service. The retirement benefit provided  
18 under this subsection shall be payable to those members who have already retired under  
19 this chapter as well as those members who retire in the future. If the General Assembly  
20 at any time appropriates ~~some but not all of the funds necessary to fund the retirement~~  
21 ~~benefits provided for in this subsection;~~ funds expressly intended to fund the benefits  
22 provided in this subsection and such amount so appropriated is not sufficient to fund the  
23 maximum amount allowable, then the retirement benefit otherwise payable under this  
24 subsection shall be reduced pro rata by the board in accordance with the funds actually  
25 appropriated by the General Assembly for such purpose, but in no event shall the

1 retirement benefit be less than \$12.00 multiplied by the member's years of creditable  
2 service.

3 (2) Subject to the terms and limitations of this subsection, the board of trustees is  
4 authorized to adopt from time to time a method or methods of providing for increases in  
5 the retirement allowance paid up to the maximum benefit provided in paragraph (1) of  
6 this subsection. Such method shall be based upon:

7 (A) The recommendation of the actuary of the board of trustees;

8 (B) The maintenance of the actuarial soundness of the fund in accordance with the  
9 standards provided in Code Section 47-20-10 or such higher standards as may be  
10 adopted by the board; and

11 (C) Such other factors as the board deems relevant."

12 **SECTION 2.**

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