

House Bill 270 (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 47-11-70 of the Official Code of Georgia Annotated, relating to  
2 eligibility and application for retirement benefits and early retirement under the Judges of the  
3 Probate Courts Retirement Fund, so as to provide that if a member submits his or her  
4 application for retirement more than 90 days following the date he or she leaves service,  
5 benefits shall begin on the first day of the month after such application was submitted; to  
6 provide for an exception; to repeal conflicting laws; and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 Code Section 47-11-70 of the Official Code of Georgia Annotated, relating to eligibility and  
10 application for retirement benefits and early retirement under the Judges of the Probate  
11 Courts Retirement Fund, is amended by striking in its entirety paragraph (5) of subsection  
12 (a) and inserting in lieu thereof the following:

13 "(5) Filed with the board his or her application for such retirement, on a form to be  
14 furnished by the board, within a period of 90 days, ~~or as soon thereafter as possible,~~ after  
15 reaching the age of 60 years or after termination of his or her official capacity as a judge  
16 of a probate court or as an employee of the board, whichever may occur last in point of  
17 time. If the application is filed after such time, the retirement benefits shall become  
18 effective on the first day of the month following the date the application is filed unless  
19 the failure to file an application was due to a physical or mental disability, in which event  
20 the benefits will be paid as if the application had been filed within such 90 day period;  
21 and".

22 **SECTION 2.**

23 All laws and parts of laws in conflict with this Act are repealed.