

SENATE SUBSTITUTE TO HB 461:

AS PASSED SENATE

A BILL TO BE ENTITLED
AN ACT

1 To amend Chapter 24 of Title 47, relating to the Georgia Military Pension Fund, so as to
2 clarify provisions relating to the use of prior service as credit in such retirement fund which
3 the member may also use to calculate a benefit under a military pension; to provide that
4 certain ordered active duty shall not constitute a break in service; to repeal conflicting laws;
5 and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Chapter 24 of Title 47, relating to the Georgia Military Pension Fund, is amended by striking
9 in its entirety Code Section 47-24-82, relating to exceptions to the grant of creditable service,
10 and inserting in lieu thereof the following:

11 "47-24-82.

12 (a) Any provision of this article to the contrary notwithstanding, no service which is used
13 to qualify a member for a retirement or pension benefit based on length of service, age, or
14 physical disability from any of the regular components of the United States armed forces;
15 ~~including without limitation service in the active guard status~~, shall be used as creditable
16 service under this pension fund.

17 (b) ~~Except as provided in subsection (a) of this Code section, no~~ No provision in this
18 chapter shall be construed as to affect or preclude any benefits to which a member may be
19 entitled under any federal or private retirement or pension plan or any retirement or pension
20 fund governed by this title."

21 **SECTION 2.**

22 Said chapter is further amended by striking in its entirety paragraph (3) of subsection (a) of
23 Code Section 47-24-100, relating to eligibility for retirement under such retirement fund,
24 effective date, and application, and inserting in lieu thereof the following:

1 "(3) Served at least ten consecutive years as a member of the Georgia National Guard
2 immediately before discharge; provided, however, for purposes of this paragraph,
3 activation of a Georgia National Guard member into any of the regular components of the
4 armed forces shall not constitute a break in service; and"

5 **SECTION 3.**

6 All laws and parts of laws in conflict with this Act are repealed.