

House Bill 253

By: Representatives Forster of the 3<sup>rd</sup>, Watson of the 91<sup>st</sup>, Bryant of the 160<sup>th</sup>, Murphy of the 23<sup>rd</sup>, Sims of the 169<sup>th</sup>, and others

A BILL TO BE ENTITLED  
AN ACT

1 To amend Article 1 of Chapter 1 of Title 47 of the Official Code of Georgia Annotated,  
2 relating to general provisions relative to retirement and pensions, so as to provide that a  
3 member of any public retirement system created by general law may obtain up to five years  
4 of creditable service for prior military service; to provide for the payment of employee  
5 contributions with interest; to provide for related matters; to provide conditions for an  
6 effective 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 Article 1 of Chapter 1 of Title 47 of the Official Code of Georgia Annotated, relating to  
10 general provisions relative to retirement and pensions, is amended by inserting at the end  
11 thereof the following:

12 "47-1-16.

13 (a) Anything in this title to the contrary notwithstanding, any member of a public  
14 retirement system created by this title who was on active duty in the armed forces of the  
15 United States during any period and who was discharged under honorable conditions may  
16 receive creditable service for such period of active duty up to a maximum of five years,  
17 provided that such member shall pay the regular employee contribution of 5 percent of the  
18 compensation first paid to such member as an employee after returning from military  
19 service plus 4 1/2 percent interest on such employee contributions, compounded annually  
20 to date of payment; provided, further, that no service in the armed forces shall be deemed  
21 as creditable under any provisions of this chapter if such service has or will be used in the  
22 determination of any member's eligibility for retirement benefits or allowances from any  
23 other state or federal retirement program, excluding social security and those retirement  
24 programs covered under Public Law 810, 80th Congress, as amended. Notwithstanding any  
25 other time limitation provided in this title for obtaining creditable service for military  
26 service, a qualified member may obtain creditable service pursuant to the provisions of this

1 subsection by making application therefor prior to December 31, 2006, or within six  
2 months of the date he or she became a member of this retirement system, whichever date  
3 is later.

4 (b) Any person who on June 30, 2006, was a member of a public retirement system which  
5 provided for creditable service for prior military service shall have the option of obtaining  
6 such creditable service pursuant to the provisions of such retirement system then in effect  
7 or under the provisions of this Code section. Any person who becomes a member of a  
8 public retirement system on or after July 1, 2006, may obtain creditable service only under  
9 the provisions of this Code section."

10

**SECTION 2.**

11 This Act shall become effective on July 1, 2006, only if it is determined to have been  
12 concurrently funded as provided in Chapter 20 of Title 47 of the Official Code of Georgia  
13 Annotated, the "Public Retirement Systems Standards Law"; otherwise, this Act shall not  
14 become effective and shall be automatically repealed in its entirety on July 1, 2006, as  
15 required by subsection (a) of Code Section 47-20-50.

16

**SECTION 3.**

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