

House Bill 336

By: Representative Mumford of the 95th

A BILL TO BE ENTITLED
AN ACT

1 To amend Article 5 of Chapter 2 of Title 47 of the Official Code of Georgia Annotated,
2 relating to service creditable toward retirement benefits under the Employees' Retirement
3 System of Georgia, so as to provide that a member of such retirement system may obtain
4 creditable service for prior service as an active member of the Georgia Judicial Retirement
5 System or a predecessor retirement system; to provide for notice and the transfer or payment
6 of funds; to provide conditions for an effective date and automatic repeal; to repeal
7 conflicting laws; and for other purposes.

8 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

9 **SECTION 1.**

10 Article 5 of Chapter 2 of Title 47 of the Official Code of Georgia Annotated, relating to
11 service creditable toward retirement benefits under the Employees' Retirement System of
12 Georgia, is amended by inserting at the end thereof the following:

13 "47-2-101.

14 (a)(1) Any member of this retirement system who was previously an active member of
15 the Georgia Judicial Retirement System or a predecessor retirement system, as such term
16 is defined in Code Section 47-23-1, may elect to have all contributions made by or on
17 behalf of such member transferred from such retirement system to this retirement system.
18 Any such member shall notify the board of trustees of this retirement system and of the
19 Georgia Judicial Retirement System not later than December 31, 2006, or within 90 days
20 after first becoming a member of this retirement system, whichever date is later.

21 (2) If the member subject to this subsection has not withdrawn his or her employee
22 contributions from the Georgia Judicial Retirement System or predecessor retirement
23 system, then upon receipt of the notice provided for in paragraph (1) of this subsection,
24 the Board of Trustees of the Georgia Judicial Retirement System shall transfer to the
25 board of trustees of this retirement system all employer and employee contributions paid
26 by or on behalf of the employee, together with regular interest thereon.

1 (3) If the member subject to this subsection has withdrawn his or her employee
2 contributions from the Georgia Judicial Retirement System or predecessor retirement
3 system, then at the time of giving the notice provided for in paragraph (1) of this
4 subsection, the member shall pay to the board of trustees of this retirement system the
5 total of such contributions, together with regular interest thereon. Upon receipt of such
6 notice and payment of such amount, the Board of Trustees of the Georgia Judicial
7 Retirement System shall transfer to the board of trustees of this retirement system all
8 employer contributions paid on behalf of the employee, together with regular interest
9 thereon.

10 (b) Upon receipt of the funds provided for in paragraphs (2) and (3) of subsection (a) of
11 this Code section, the board of trustees of this retirement system shall credit the member
12 with the actual years of prior service as an active member of the Georgia Judicial
13 Retirement System or a predecessor retirement system

14 (c) No creditable service may be obtained pursuant to the provisions of this Code section
15 for any period for which creditable service has been or may be obtained in any other state
16 or local public retirement system."

17 SECTION 2.

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

23 SECTION 3.

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