

House Bill 348

By: Representatives Brooks of the 63<sup>rd</sup> and Cummings of the 16<sup>th</sup>

A BILL TO BE ENTITLED  
AN ACT

1 To amend Chapter 17 of Title 47 of the Official Code of Georgia Annotated, relating to the  
2 Peace Officers' Annuity and Benefit Fund, so as to change the composition of the board of  
3 commissioners of such fund; to provide for creditable service for certain prior service; to  
4 provide for an employee's contribution; to provide for application and conditions; to provide  
5 for funding; to provide conditions for an effective date and automatic repeal; to repeal  
6 conflicting laws; and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 Chapter 17 of Title 47 of the Official Code of Georgia Annotated, relating to the Peace  
10 Officers' Annuity and Benefit Fund, is amended by striking in its entirety subsection (a) of  
11 Code Section 47-17-20, relating to membership of the board, manner of appointment, filling  
12 of vacancies, reimbursement of expenses, election of officers, and quorum, and inserting in  
13 lieu thereof the following:

14 "(a) In order to carry out this chapter and to perform the duties fixed in it, there is created  
15 the Board of Commissioners of the Peace Officers' Annuity and Benefit Fund. The board  
16 shall be composed of ~~six~~ eight members, as follows:

- 17 (1) The Governor or the Governor's designee;
- 18 (2) An appointee of the Governor who is not the Attorney General;
- 19 (3) The Commissioner of Insurance or the Commissioner's designee;
- 20 (4) A peace officer actively employed by an agency of the state or a retired peace officer  
21 who was employed by an agency of the state upon retirement;
- 22 (5) A peace officer actively employed by a county or a retired peace officer who was  
23 employed by a county upon retirement; ~~and~~
- 24 (6) A peace officer actively employed by a municipality or a retired peace officer who  
25 was employed by a municipality upon retirement;
- 26 (7) An appointee of the Lieutenant Governor; and

1 (8) An appointee of the Speaker of the House of Representatives."

2 **SECTION 2.**

3 Said chapter is further amended by inserting immediately following Code Section 47-17-70  
4 the following:

5 "47-17-71.

6 Any active member of the fund on July 1, 2006, and any person who becomes an active  
7 member after such date, may obtain creditable service for prior service as a peace officer  
8 rendered prior to January 1, 1976. A member wishing to establish such creditable service  
9 shall pay an employee's contribution in an amount equal to \$10.00 for each month of such  
10 service sought. In order to obtain such creditable service, the member must make written  
11 application to the board of trustees no later than December 31, 2006, and provide the board  
12 of trustees with such proof of prior service as the board of trustees deems necessary. A  
13 member shall be entitled to obtain the creditable service provided by this Code section  
14 without regard to the amount of membership service he or she has accrued."

15 **SECTION 3.**

16 The General Assembly shall appropriate funds necessary to fund concurrently the provisions  
17 of this Act.

18 **SECTION 4.**

19 This Act shall become effective on July 1, 2006, only if it is determined to have been  
20 concurrently funded as provided in Section 2 of this Act and in Chapter 20 of Title 47 of the  
21 Official Code of Georgia Annotated, the "Public Retirement Systems Standards Law";  
22 otherwise, this Act shall not become effective and shall be automatically repealed in its  
23 entirety on July 1, 2006, as required by subsection (a) of Code Section 47-20-50.

24 **SECTION 5.**

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