

House Bill 434

By: Representatives Beasley-Teague of the 65<sup>th</sup>, Mangham of the 94<sup>th</sup>, Brooks of the 63<sup>rd</sup>, and  
Murphy of the 120<sup>th</sup>

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 any person eligible to obtain creditable service for  
4 prior service as a temporary full-time employee may obtain additional creditable service as  
5 a temporary full-time or part-time employee; to provide a method for determining an  
6 apportionment of creditable service for days worked; to provide for application and payment  
7 of contributions; to provide for related matters; to provide conditions for an effective date  
8 and automatic repeal; to repeal conflicting laws; and for other purposes.

9 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

10 style="text-align:center">**SECTION 1.**

11 Article 5 of Chapter 2 of Title 47 of the Official Code of Georgia Annotated, relating to  
12 service creditable toward retirement benefits under the Employees' Retirement System of  
13 Georgia, is amended by inserting at the end thereof a new Code section to read as follows:  
14 "47-2-101.

15 (a) Any member of the retirement system eligible to obtain creditable service for prior  
16 service as a temporary full-time employee pursuant to the provisions of Code Section  
17 47-2-99 may obtain up to 12 additional months of creditable service for prior service as a  
18 temporary full-time or part-time employee under the conditions contained in this Code  
19 section; provided, however, that no such credit shall be granted for any period which was  
20 covered under Chapter 22 of this title, relating to the Georgia Defined Contribution Plan.  
21 No creditable service may be obtained pursuant to this Code section for any period of  
22 service for which creditable service has been or may be obtained in any other state or local  
23 public retirement system.

24 (b) For purposes of this Code section, one month of creditable service shall be granted for  
25 each calendar month in which the employee worked not less than 20 days. Any two or  
26 more calendar months in which the employee worked less than 20 days may be combined

1 to aggregate the number of days worked, and one month of creditable service shall be  
2 granted for any such combination of months containing 20 days or more.

3 (c) Any person desiring to obtain the creditable service authorized by subsection (a) of  
4 this Code section shall make application in such manner as the board of trustees deems  
5 proper; tender to the board of trustees such proof of the prior employment as the board  
6 shall deem necessary; and pay to the board of trustees the employer and employee  
7 contributions as would have been paid if the member had been a member at the time of  
8 performing such prior service, together with regular interest thereon compounded annually  
9 to the date of payment.

10 (d) Application for creditable service authorized by subsection (a) of this Code section  
11 must be received by the board of trustees not later than December 31, 2006."

12 **SECTION 2.**

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

18 **SECTION 3.**

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