

House Bill 479

By: Representative Mumford of the 95<sup>th</sup>

A BILL TO BE ENTITLED  
AN ACT

1 To amend Part 7 of Article 8 of Chapter 2 of Title 47 of the Official Code of Georgia  
2 Annotated, relating to the membership of superior court judges, district attorneys, assistant  
3 district attorneys, and employees of the Prosecuting Attorneys' Council in the Employees'  
4 Retirement System of Georgia, so as to provide that an assistant district attorney or public  
5 defender who is a member of the Employees' Retirement System of Georgia may obtain  
6 creditable service for certain prior service in a county-paid position; to provide for the  
7 payment of employer and employee contributions and interest; to provide conditions and  
8 limitations; to provide for an effective date and automatic repeal; to repeal conflicting laws;  
9 and for other purposes.

10 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

11 **SECTION 1.**

12 Part 7 of Article 8 of Chapter 2 of Title 47 of the Official Code of Georgia Annotated,  
13 relating to the membership of superior court judges, district attorneys, assistant district  
14 attorneys, and employees of the Prosecuting Attorneys' Council in the Employees'  
15 Retirement System of Georgia, is amended by inserting at the end thereof the following:

16 "47-2-268.

17 Any member who is subject to Code Section 47-2-262 or Code Section 47-2-323 may  
18 receive creditable service for past service as a county paid assistant district attorney or  
19 public defender upon payment to the board of trustees of the employer and employee  
20 contributions which he or she would have paid had he or she been a member of the  
21 retirement system at the time such past service was rendered plus regular interest thereon.

22 The basis for contributions to obtain creditable service under this Code section shall be the  
23 state salary paid to the member claiming such past service at the time the service was  
24 rendered. Such payment must be made not later than December 31, 2006, or within six  
25 months of first or again becoming a member, whichever is later. No creditable service shall  
26 be allowed under this Code section for any period of employment for which creditable

1 service is allowed under any other provision of this chapter or for which creditable service  
2 is received under any provision of any other retirement or pension system of this state or  
3 of any political subdivision of this state."

4 **SECTION 2.**

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

10 **SECTION 3.**

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