

House Bill 492

By: Representatives Cummings of the 16th and Bridges of the 10th

A BILL TO BE ENTITLED
AN ACT

1 To amend Article 3 of Chapter 23 of Title 47 of the Official Code of Georgia Annotated,
2 relating to membership in the Georgia Judicial Retirement System, so as to change the dates
3 of election for participation; to repeal conflicting laws; and for other purposes.

4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

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

6 Article 3 of Chapter 23 of Title 47 of the Official Code of Georgia Annotated, relating to
7 membership in the Georgia Judicial Retirement System, is amended by striking in its entirety
8 Code Section 47-23-43, relating to election for participation, and inserting in lieu thereof the
9 following:

10 "47-23-43.

11 Any person subject to the provisions of Code Section 47-2-334 who is employed pursuant
12 to Code Section 28-4-3 or 45-15-31 in a full-time position requiring admission to the State
13 Bar of Georgia as a condition of employment may make an irrevocable election to become
14 a member by so notifying the board of trustees not later than December 31, 1998, or within
15 90 days after becoming so employed, whichever date is later; provided, however, that no
16 such election shall be made after October 1, 2005. Any such person shall be credited with
17 service in this retirement system only for actual service in such position. The Employees'
18 Retirement System of Georgia shall transfer to this retirement system all employer and
19 employee contributions paid by or on behalf of any such member with regular interest
20 thereon. The member is authorized, but not required, to pay to the board of trustees such
21 additional amount as the member desires, each payment to be made within 12 months of
22 electing to become a member of this retirement system. Such member shall receive only
23 such creditable service, not to exceed the actual years of service, as that amount will
24 warrant without creating any accrued liability to this retirement system calculated as if the
25 member had either elected or rejected spouse's survivors benefits at the member's option.
26 Any such member who was vested in the Employees' Retirement System of Georgia at the

1 time of making such election shall be vested in this retirement system but if applicable shall
2 receive a retirement benefit reduced as provided in Code Section 47-23-102. Such persons
3 shall be subject to all provisions of this chapter applicable to solicitors-general of the state
4 courts."

5 **SECTION 2.**

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