

House Bill 871

By: Representative Mosley of the 178<sup>th</sup>

A BILL TO BE ENTITLED  
AN ACT

1 To amend Article 4 of Chapter 23 of Title 47 of the Official Code of Georgia Annotated,  
2 relating to service creditable under the Georgia Judicial Retirement System, so as to provide  
3 for creditable service for certain prior military service; to provide for the payment of  
4 contributions; to provide conditions for an effective date and automatic repeal; to repeal  
5 conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Article 4 of Chapter 23 of Title 47 of the Official Code of Georgia Annotated, relating to  
9 service creditable under the Georgia Judicial Retirement System, is amended by inserting at  
10 the end thereof the following:

11 "47-23-65.

12 Any member who was on active duty in the armed forces of the United States during any  
13 period during which a military draft was in effect, and any member who served an  
14 uninterrupted period of active duty which began during any such period, may receive  
15 military service credit for such period of active duty up to a maximum of two years. In  
16 order to receive such creditable service, the member must make application as provided by  
17 the board and the regular employee contribution for such service as if the member had been  
18 a member of this retirement system at the time such service was performed. Such  
19 contributions may include, at the member's option, the additional contributions for  
20 spouse's coverage required by Code Section 47-23-105, and if so included such service  
21 shall be included as years of contribution under such section. Such contribution shall be  
22 based upon the employee's salary at the time he or she entered military service or the  
23 compensation first paid to such member as a public employee after such service was  
24 rendered, plus 4 1/2 percent interest on such employee contributions, compounded annually  
25 to date of payment; provided, however, that no service in the armed forces shall be deemed  
26 as creditable under any provisions of this chapter if such service has or will be used in the

1 determination of any member's eligibility for retirement benefits or allowances from any  
2 other state or federal retirement program, excluding social security and those retirement  
3 programs covered under Public Law 810, 80th Congress, as amended. A qualified member  
4 may obtain creditable service pursuant to the provisions of this Code section by making  
5 application therefor prior to December 31, 2006."

6 **SECTION 2.**

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

12 **SECTION 3.**

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