

House Bill 492 (AS PASSED HOUSE AND SENATE)

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 repeal a certain
3 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 this Code ~~Section 47-2-334~~ who is employed
12 pursuant to ~~Code Section 28-4-3 or 45-15-31~~ in a full-time position requiring admission
13 to the State Bar of Georgia as a condition of employment may make an irrevocable election
14 to become a member by so notifying the board of trustees not later than December 31,
15 1998, or within 90 days after becoming so employed, whichever date is later. Any such
16 person shall be credited with service in this retirement system only for actual service in
17 such position. The Employees' Retirement System of Georgia shall transfer to this
18 retirement system all employer and employee contributions paid by or on behalf of any
19 such member with regular interest thereon. The member is authorized, but not required, to
20 pay to the board of trustees such additional amount as the member desires, each payment
21 to be made within 12 months of electing to become a member of this retirement system.
22 Such member shall receive only such creditable service, not to exceed the actual years of
23 service, as that amount will warrant without creating any accrued liability to this retirement
24 system calculated as if the member had either elected or rejected spouse's survivors
25 benefits at the member's option. Any such member who was vested in the Employees'
26 Retirement System of Georgia at the time of making such election shall be vested in this

1 ~~retirement system but if applicable shall receive a retirement benefit reduced as provided~~
2 ~~in Code Section 47-23-102~~ section on June 30, 2005, shall retain all rights and obligations
3 as exist on that day. Such persons shall be subject to all provisions of this chapter
4 applicable to solicitors-general of the state courts."

5 **SECTION 2.**

6 All laws and parts of laws in conflict with this Act are repealed.