

House Bill 582 (COMMITTEE SUBSTITUTE)

By: Representatives Mosley of the 178<sup>th</sup> and Cummings of the 16<sup>th</sup>

A BILL TO BE ENTITLED  
AN ACT

1 To amend Code Section 47-2-99 of the Official Code of Georgia Annotated, relating to the  
2 applicability of creditable service in the Employees' Retirement System of Georgia for  
3 persons employed in a temporary full-time position, so as to provide that credit may be  
4 granted for service covered by Chapter 22 of Title 47, the Georgia Defined Contribution  
5 Plan; to provide conditions for an effective date and automatic repeal, to repeal conflicting  
6 laws; and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 Code Section 47-2-99 of the Official Code of Georgia Annotated, relating to the applicability  
10 of creditable service in the Employees' Retirement System of Georgia for persons employed  
11 in a temporary full-time position, is amended by striking in its entirety subsection (a) and  
12 inserting in lieu thereof the following:

13 "(a) Any member of the retirement system, including a member subject to the provisions  
14 of Code Section 47-2-334, who was, at any time prior to becoming a member, employed  
15 by an employer as a temporary full-time employee, may obtain up to 12 months of  
16 creditable service for such service as a temporary full-time employee under the conditions  
17 contained in this Code section; ~~provided, however, that no such credit shall be granted for~~  
18 ~~any period which was covered under Chapter 22 of this title, relating to the Georgia~~  
19 ~~Defined Contribution Plan."~~

20 **SECTION 2.**

21 Said Code section is further amended by striking in its entirety subsection (c) and inserting  
22 in lieu thereof the following:

23 "(c)(1) Any member of the retirement system who was, immediately prior to becoming  
24 a member, employed in a position in which he or she was covered under Chapter 22 of  
25 this title, relating to the Georgia Defined Contribution Plan, may obtain creditable service

1 for his or her total prior service as a participant in such plan under the conditions  
 2 contained in this Code section.

3 (2) One month of creditable service shall be granted for each 160 hours of credited  
 4 service, not to exceed 12 months of creditable service for all service rendered during any  
 5 single calendar year.

6 (3) A member wishing to obtain such creditable service shall pay to the board of trustees  
 7 such amount as determined by the actuary as necessary to grant such benefit without  
 8 creating any actuarial accrued liability as to this retirement system.

9 (4) The board of trustees shall require such proof of service as may be necessary to carry  
 10 out the provisions of this Code section.

11 (5) In order to obtain creditable service under this Code section, a member must make  
 12 application to the board of trustees not later than December 31, 2006, or within six  
 13 months of becoming a member of this retirement system, whichever date is later.

14 ~~(c)~~(d) Application for creditable service authorized by subsection (a) of this Code section  
 15 must be received by the board of trustees not later than ~~June 30, 2004~~ December 31, 2006,  
 16 or 24 months after the member becomes a member of the retirement system, whichever  
 17 date is later."

### 18 SECTION 3.

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

### 24 SECTION 4.

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