

House Bill 373

By: Representatives Bridges of the 10<sup>th</sup>, Day of the 163<sup>rd</sup>, Collins of the 27<sup>th</sup>, Coleman of the 97<sup>th</sup>, and Talton of the 145<sup>th</sup>

A BILL TO BE ENTITLED  
AN ACT

1 To amend Code Section 47-2-223 of the Official Code of Georgia Annotated, relating to  
2 retirement benefits in the Employees' Retirement System of Georgia for those in service in  
3 the Uniform Division of the Department of Public Safety, so as to provide that such persons  
4 may return to full-time employment and retain their retirement benefits; to provide conditions  
5 for an effective date and automatic repeal; to repeal conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Code Section 47-2-223 of the Official Code of Georgia Annotated, relating to retirement  
9 benefits under the Employees' Retirement System of Georgia for those in service in the  
10 Uniform Division of the Department of Public Safety, is amended by adding a new  
11 subsection to read as follows:

12 "(c)(1) Any other provision of this chapter to the contrary notwithstanding, any member  
13 in service in the Uniform Division of the Department of Public Safety may return to  
14 service in the division not earlier than 30 days following his or her retirement, and such  
15 retired member's benefits under this chapter shall not be affected. Any such retired  
16 member so employed shall not be considered an active member of this retirement system,  
17 shall not accrue any additional benefits or further creditable service as a result of such  
18 employment, and shall in all ways be considered by this retirement system solely as a  
19 beneficiary. The provisions of this subsection shall not become a part of the employment  
20 contract and shall be subject to future legislation.

21 (2) The Department of Pubic Safety shall have the sole discretion to permit any person  
22 to return to work pursuant to this subsection."

23 **SECTION 2.**

24 This Act shall become effective on July 1, 2008, only if it is determined to have been  
25 concurrently funded as provided in Chapter 20 of Title 47 of the Official Code of Georgia

1 Annotated, the "Public Retirement Systems Standards Law"; otherwise, this Act shall not  
2 become effective and shall be automatically repealed in its entirety on July 1, 2008, as  
3 required by subsection (a) of Code Section 47-20-50.

4 **SECTION 3.**

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