

House Bill 379

By: Representatives Coleman of the 97<sup>th</sup> and Bridges of the 10<sup>th</sup>

A BILL TO BE ENTITLED  
AN ACT

1 To amend Article 5 of Chapter 2 of Title 47 of the Official Code of Georgia Annotated,  
2 relating to service creditable toward retirement under the Employees' Retirement System of  
3 Georgia, so as to provide that a member who, immediately prior to becoming a member, was  
4 employed in a position covered under Chapter 22 of this title, relating to the Georgia Defined  
5 Contribution Plan, may obtain creditable service under such retirement system; to provide  
6 for application and the payment of the full actuarial cost of such credit; to provide for related  
7 matters; to provide conditions for an effective date and automatic repeal; to repeal conflicting  
8 laws; and for other purposes.

9 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

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

11 Article 5 of Chapter 2 of Title 47 of the Official Code of Georgia Annotated, relating to  
12 service creditable toward retirement under the Employees' Retirement System of Georgia,  
13 is amended by adding a new Code section to read as follows:

14 "47-2-101.

15 (a) Any member of the retirement system who was, immediately prior to becoming a  
16 member, employed in a position in which he or she was covered under Chapter 22 of this  
17 title, relating to the Georgia Defined Contribution Plan, may obtain creditable service for  
18 his or her total prior service as a participant in such plan under the conditions contained in  
19 this Code section. One month of creditable service shall be granted for each 160 hours of  
20 credited service, not to exceed 12 months of creditable service for all service rendered  
21 during any single calendar year.

22 (b) A member wishing to obtain creditable service as provided in subsection (a) of this  
23 Code section shall make application to the board of trustees and shall pay to the board of  
24 trustees such amount as determined by the actuary as necessary to grant such benefit  
25 without creating any actuarial accrued liability as to this retirement system. The board of

1 trustees shall require such proof of service as may be necessary to carry out the provisions  
2 of this Code section.

3 (c) In order to obtain creditable service under this Code section, a member must make  
4 application to the board of trustees not later than December 31, 2008, or within six months  
5 of becoming a member of this retirement system, whichever date is later."

6 **SECTION 2.**

7 This Act shall become effective on July 1, 2008, 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, 2008, 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.