

Senate Bill 326

By: Senators Heath of the 31st, Schaefer of the 50th and Murphy of the 27th

A BILL TO BE ENTITLED
AN ACT

1 To amend Code Section 47-2-244 of the Official Code of Georgia Annotated, relating to
2 optional benefits available to appellate court judges, notice of election of benefits, eligibility
3 for benefits, disability benefits, and survivors benefits, so as to provide for benefits for
4 appellate court judges who are appointed or elected on or after July 1, 2008; to provide for
5 an option for sitting judges; to provide conditions for an effective date and automatic repeal;
6 to repeal conflicting laws; and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 Code Section 47-2-244 of the Official Code of Georgia Annotated, relating to optional
10 benefits available to appellate court judges, notice of election of benefits, eligibility for
11 benefits, disability benefits, and survivors benefits, is amended by revising subsection (f) as
12 follows:

13 "(f) After ten years of service as an appellate court judge, such judge shall be entitled to
14 receive during life a retirement benefit payable monthly equivalent to 75 percent of the
15 salary of an appellate court judge then serving in the office from which such judge retired;
16 provided, however, that an appellate court judge subject to the provisions of subsection (n)
17 of this Code section shall receive a benefit as provided in such subsection."

18 **SECTION 2.**

19 Said Code section is further amended by adding a new subsection to read as follows:

20 "(n)(1) Any person who first becomes an appellate court judge on or after July 1, 2008,
21 or who again becomes a member on or after such date and does not have a vested right
22 to be reinitiated in this retirement system shall be subject to the provisions of this
23 subsection; provided, however, that except as specifically provided in this subsection, the
24 provisions of this Code section shall be applicable to such persons. Any member who is

1 serving as an appellate court judge on June 30, 2008, may elect to become subject to this
2 subsection by notifying the board of trustees in writing not later than October 30, 2008.
3 (2) After ten years of service as an appellate court judge, such judge shall be entitled to
4 receive during life a retirement benefit payable monthly equivalent to 66.66 percent, plus
5 1 percent for each year of creditable service over ten years, of the member's salary;
6 provided, however, that no member shall receive more than 20 years of creditable
7 service."

8 **SECTION 3.**

9 This Act shall become effective on July 1, 2008, only if it is determined to have been
10 concurrently funded as provided in Chapter 20 of Title 47 of the Official Code of Georgia
11 Annotated, the "Public Retirement Systems Standards Law"; otherwise, this Act shall not
12 become effective and shall be automatically repealed in its entirety on July 1, 2008, as
13 required by subsection (a) of Code Section 47-20-50.

14 **SECTION 4.**

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