



## DEPARTMENT OF AUDITS AND ACCOUNTS

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April 2, 2007

The Honorable Bill Heath  
State Senator  
State Capitol, Room 109  
Atlanta, Georgia 30334

SUBJECT: State Auditor's Certification  
Senate Bill (LC 21 9451)

Dear Senator Heath:

This bill would amend provisions relating to membership in the Employees' Retirement System. Under the provisions of this bill, all persons who first become an employee on or after July 1, 2008 and all persons who again become an employee on or after July 1, 2008 who do not have a vested right to reinstatement in the Employees' Retirement System would not be eligible to participate in the Employees' Retirement System. Instead, such persons would be required to have an account in the deferred compensation plan offered by the State for public employees. Such persons would be given the option of selecting either the Section 401(k) plan or the Section 457(j) plan. This bill would require the employer for each participant to contribute an amount not to exceed 9 percent of the employee's salary into the employee's account. The employee would have a vested right to the employer contributions immediately upon deposit. This bill specifies that the Board of Trustees for the Employees' Retirement System will administer the provisions of this legislation, and authorizes the Board to establish all necessary rules and regulations.

This is to certify that this is a fiscal retirement bill as defined in the Public Retirement Systems Standards Law.

Respectfully,

/s/ Russell W. Hinton  
State Auditor

