



DEPARTMENT OF AUDITS AND ACCOUNTS

270 Washington Street, S.W., Suite 1-156
Atlanta, Georgia 30334-8400

Russell W. Hinton
State Auditor
(404) 656-2174

February 11, 2008

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

SUBJECT: State Auditor's Certification
Senate Bill (LC 21 9637)

Dear Senator Heath:

This bill would amend several provisions relating to the collection of membership dues and fines and fees relating to the Superior Court Clerks' Retirement Fund. If this legislation is enacted, members would be assessed a late charge if membership dues remain unpaid 60 days from the date such payment is due. Additionally, members would not receive creditable service for any month in which dues are in arrears on the last day of the calendar year in which such payments were due.

This bill would also specify that the authority responsible for collecting payments due to the Superior Court Clerks' Retirement Fund must remit payments to the Fund on a monthly basis, or at such other times as the Board may provide. Such payments will be due on the first day of the month, but shall be considered timely if received by the fifteenth day of the month following the month in which the payments were collected. These payments would be considered delinquent if they are not remitted to the Fund within 60 days of the date on which such remittal is due, and penalties would be imposed.

Finally, this bill would authorize the Board to establish a rule or regulation authorizing certain surviving spouses to receive benefits in the event the member dies prior to retirement, provided the member satisfied all requirements for retirement except for attaining 55 years

of age. If such rule or regulation is established, the surviving spouse would receive a monthly sum during his or her lifetime that is not greater than 50 percent of the amount such member would have received had he or she retired at 55 years of age. The actual percent will be set by the Board of Trustees.

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

Respectfully,

/s/ Russell W. Hinton
State Auditor

RWH/cs