

House Bill 1207

By: Representatives Ramsey of the 72nd, Cole of the 125th, Lindsey of the 54th, Pruett of the 144th, and Levitas of the 82nd, and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Code Section 47-1-20 of the Official Code of Georgia Annotated, relating to
2 definitions relative to restrictions and prohibitions on membership in public retirement or
3 pension systems, so as to provide that unlawful acts relating to state mandatory uniform
4 assessments shall be included in the definition of "public employment related crime" relating
5 to retirement benefits; to provide for related matters; to provide a contingent effective date;
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 47-1-20 of the Official Code of Georgia Annotated, relating to definitions
10 relative to restrictions and prohibitions on membership in public retirement or pension
11 systems, is amended by revising paragraph (6) as follows:

12 "(6) 'Public employment related crime' means any one or more of the following crimes:

13 (A) Theft as provided in any one or more of Code Sections 16-8-2 through 16-8-9
14 when the theft is by an officer or employee of a government in breach of duties as such
15 officer or employee and conviction for such crime is punishable under paragraph (3)
16 of subsection (a) of Code Section 16-8-12;

17 (B) Any felony provided for in Article 1 of Chapter 10 of Title 16, relating to abuse of
18 governmental office;

19 (C) Making false statements or concealing facts in matters within the jurisdiction of the
20 state or a political subdivision as provided in Code Section 16-10-20;

21 (D) Conspiracy to defraud the state or a political subdivision as provided in Code
22 Section 16-10-21;

23 (E) Stealing, altering, or concealing public records as provided in Code Section
24 45-11-1;

25 (F) Selling offices or dividing fees as provided in Code Section 45-11-2; and

26 (G) Unlawful acts relating to state mandatory uniform assessments as provided in Code
27 Section 20-2-281.1; provided, however, that this subparagraph shall only apply to
28 persons who first or again become members of a public retirement system on or after
29 July 1, 2010; and
30 ~~(G)~~(H) Any felony conviction for any of the crimes specified in subparagraphs (A)
31 through (E) of this paragraph under the laws of any other state or the United States;
32 provided, however, that the provisions of this subparagraph shall apply to persons who
33 first or again become members of a public retirement system on or after July 1, 2008."

34 **SECTION 2.**

35 This Act shall become effective upon the approval of this Act by the Governor only if
36 another Act enacted at the 2010 general session of the General Assembly becomes law
37 specifically providing for unlawful acts relating to state mandatory uniform assessments.
38 Otherwise, this Act shall stand repealed in its entirety.

39 **SECTION 3.**

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