

House Bill 190

By: Representatives Benton of the 31st and Meadows of the 5th

A BILL TO BE ENTITLED
AN ACT

1 To amend Chapter 2 of Title 47 of the Official Code of Georgia Annotated, relating to the
2 Employees' Retirement System of Georgia, so as to clarify provisions relative to a death
3 benefit for certain members of such retirement system; to provide for the authority to
4 increase liability contribution rates for certain members; to repeal conflicting laws; and for
5 other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Chapter 2 of Title 47 of the Official Code of Georgia Annotated, relating to the Employees'
9 Retirement System of Georgia, is amended in subsection (c) of Code Section 47-2-123,
10 relating to allowance payable upon death, disability, or involuntary separation from
11 employment, restrictions on separation for disability, and restrictions on entitlement to
12 involuntary separation benefits, by adding a new paragraph to read as follows:

13 "(3) In lieu of a death benefit as provided in paragraph (1) of this subsection, a member
14 who first or again becomes a member of the retirement system on or after July 1, 2007,
15 and who has at least ten years of creditable service and is at least 60 years of age or who
16 is less than 60 years of age and has at least 15 years of creditable service shall upon death
17 receive the equivalent of a service retirement allowance calculated upon the number of
18 years of creditable service attained on the date of death and based upon his or her highest
19 average monthly compensation during a period of 24 consecutive calendar months while
20 a member of the retirement system."

21 **SECTION 2.**

22 Said chapter is further amended by revising Code Section 47-2-222, relating to power to
23 increase liability contribution rates for Department of Public Safety, Department of Natural
24 Resources, and Department of Revenue and transfer of employees, as follows:

25 "47-2-222.

26 Any other provisions of law to the contrary notwithstanding, the board of trustees may
 27 increase the normal and accrued liability employer contribution rates of the Department of
 28 Public Safety, the Department of Natural Resources, ~~and the Department of Revenue, the~~
 29 Georgia Bureau of Investigation, the Department of Corrections, the State Board of
 30 Pardons and Paroles, and any other agency or authority to an amount set by the board of
 31 trustees as actuarially sufficient to fund the employer's cost of the benefits provided in this
 32 chapter for groups of employees of such departments. In the event any group of employees
 33 of any of such departments is transferred to the administration of any other department or
 34 agency, that department or agency shall continue to pay the normal and accrued liability
 35 contributions on behalf of such employees at the rate set by the board of trustees."

36 **SECTION 3.**

37 Said chapter is further amended by revising subsection (a) of Code Section 47-2-356, relating
 38 to death allowances and benefits, as follows:

39 "(a) ~~Any~~ For purposes of calculating a survivor's benefit, any member who has at least 15
 40 years of creditable service and who dies in service before becoming eligible for a service
 41 retirement shall be deemed to be eligible to retire forthwith without regard to age and to
 42 receive the equivalent of a service retirement allowance calculated upon the number of
 43 years of creditable service attained to the date of retirement and based upon his or her
 44 highest average monthly compensation during a period of 24 consecutive calendar months
 45 while a member of the retirement system. Any member who dies in service after becoming
 46 eligible for a service retirement shall be deemed to be eligible to retire forthwith to receive
 47 a service retirement allowance."

48 **SECTION 4.**

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