

Senate Bill 109

By: Senator Smith of the 52nd

A BILL TO BE ENTITLED  
AN ACT

1 To amend Title 47 of the Official Code of Georgia Annotated, relating to retirement and  
2 pensions, so as to change certain duties and obligations from the Department of  
3 Administrative Services to the Council of Superior Court Judges of Georgia, the Council of  
4 State Court Judges of Georgia, the Prosecuting Attorneys' Council of the State of Georgia,  
5 and the Council of Juvenile Court Judges, as appropriate; to provide for certain reporting; to  
6 provide an effective date; to repeal conflicting laws; and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 Title 47 of the Official Code of Georgia Annotated, relating to retirement and pensions, is  
10 amended by revising Code Section 47-2-260, relating to continuation of membership, rights,  
11 and benefits of judges of superior courts and district attorneys in the Employees' Retirement  
12 System of Georgia, notice of election to continue membership, and contributions, as follows:  
13 "47-2-260.

14 (a) The provisions of this or any other law to the contrary notwithstanding, on and after  
15 April 1, 1969, any person appointed or elected as a judge of the superior court or as a  
16 district attorney who at the time of such appointment or election is a member of the  
17 Employees' Retirement System of Georgia shall be entitled to elect to continue as a  
18 member of the retirement system while holding office as a judge of the superior court or  
19 district attorney. All rights, credits, and funds in the retirement system which are possessed  
20 by any such member at the time of the member's appointment or election shall be continued  
21 in force and the member shall be entitled to all rights and benefits under the retirement  
22 system to which the member was entitled at the time of the member's appointment or  
23 election and to all rights subsequently acquired.

24 (b) Within 30 days after appointment or election as a judge of the superior court or as a  
25 district attorney, any such person who elects to continue as a member of the retirement  
26 system shall notify the director of the Employees' Retirement System of Georgia and the

27 ~~Department of Administrative Services~~ Council of Superior Court Judges of Georgia or the  
 28 Prosecuting Attorneys' Council of the State of Georgia, as appropriate, of that decision.  
 29 Upon making such election and giving the required notice, a member who is subject to the  
 30 provisions of this Code section shall not be required to become a member of or make  
 31 contributions to the Georgia Judicial Retirement System created by Chapter 23 of this title.  
 32 (c) Employee contributions, including contributions for retirement allowances, survivors  
 33 benefits under Code Section 47-2-128, and social security coverage, of members referred  
 34 to in this Code section shall be deducted by the ~~Department of Administrative Services~~  
 35 Council of Superior Court Judges of Georgia or the Prosecuting Attorneys' Council of the  
 36 State of Georgia, as appropriate, from the compensation paid by the state to such members  
 37 and remitted to the retirement system.  
 38 (d) The ~~Department of Administrative Services is~~ Council of Superior Court Judges of  
 39 Georgia and the Prosecuting Attorneys' Council of the State of Georgia are authorized and  
 40 directed to pay from the funds appropriated or otherwise made available for the operation  
 41 of the judicial branch of government of this state the required employer contributions,  
 42 including contributions for retirement allowances, survivors benefits under Code Section  
 43 47-2-128, and social security coverage, and to remit those contributions to the retirement  
 44 system."

45 **SECTION 2.**

46 Said title is further amended by revising subsections (a) and (b) of Code Section 47-2-262,  
 47 relating to membership in the Employees' Retirement System of Georgia of assistant district  
 48 attorneys and employees of the Prosecuting Attorneys' Council, notice of election to become  
 49 a member, and contributions, as follows:

50 "(a) As used in this Code section, the term:

51 (1) 'Assistant district attorneys' means assistant district attorneys who are compensated  
 52 from state funds pursuant to Code Section 15-18-14.

53 (2) 'Employee' means any assistant district attorney and any employee of the Prosecuting  
 54 Attorneys' Council of the State of Georgia.

55 ~~(2)(3)~~ (3) 'Prosecuting Attorneys' Council of the State of Georgia' means the Prosecuting  
 56 Attorneys' Council of the State of Georgia created by Article 2 of Chapter 18 of Title 15.

57 (b) Each assistant district attorney and each employee of the Prosecuting Attorneys'  
 58 Council of the State of Georgia, ~~hereinafter in this Code section collectively referred to as~~  
 59 ~~'employee' or 'employees,'~~ employed on June 30, 1979, may elect to become a member of  
 60 the Employees' Retirement System of Georgia. Any such employee electing to become a  
 61 member of the retirement system shall so notify the board of trustees not later than October  
 62 1, 1979. Any such employee who failed to notify the board of trustees by that date shall

63 not at any time thereafter be eligible for membership in the retirement system. Any person  
 64 who becomes an employee on or after July 1, 1979, shall become a member of the  
 65 Employees' Retirement System of Georgia as a condition of his or her employment, unless  
 66 he or she is eligible for membership in another publicly supported retirement or pension  
 67 system or fund which provides retirement benefits based wholly or partially on  
 68 compensation of such employee paid from state funds. An employee who is eligible for  
 69 membership in any such other publicly supported retirement or pension system or fund may  
 70 elect to become a member of the retirement system in lieu of membership in such other  
 71 publicly supported retirement or pension system or fund by notifying the board of trustees  
 72 of such election within 90 days after becoming employed with the Prosecuting Attorneys'  
 73 Council of the State of Georgia. Any such employee who fails to notify the board of  
 74 trustees within such time shall not at any time thereafter be eligible for membership in the  
 75 retirement system. The state salary paid to employees who become members of the  
 76 retirement system shall be the basis for employee and employer contributions for such  
 77 employees. All employer contributions required by this chapter for such members shall be  
 78 paid from funds appropriated or otherwise made available for ~~the operation of the superior~~  
 79 ~~courts prosecuting attorneys.~~ Prosecuting  
 80 Attorneys' Council of the State of Georgia shall deduct from the state salaries payable to  
 81 such members the employee contributions required by this chapter."

82 **SECTION 3.**

83 Said title is further amended by revising subsection (a) of Code Section 47-2-264, relating  
 84 to membership in the Employees' Retirement System of Georgia of secretaries employed by  
 85 judges of superior courts and district attorneys, creditable service, and contributions, as  
 86 follows:

87 "(a) Each secretary employed by a judge of the superior court or a district attorney under  
 88 Code Section 15-6-25 or 15-18-17 shall be a member of the Employees' Retirement System  
 89 of Georgia with a commencement date of July 1, 1975. Any such secretary who is already  
 90 a member of the retirement system by virtue of service with another employer shall be  
 91 entitled to credit for all service rendered while an employee under the retirement system.  
 92 All contributions required under this chapter made on behalf of such judicial secretaries  
 93 shall be paid from funds appropriated or otherwise available for the operation of the  
 94 superior courts, and all contributions required under this chapter made on behalf of such  
 95 secretaries of district attorneys shall be paid from funds appropriated or otherwise available  
 96 for prosecuting attorneys. All such payments shall be in addition to the regular  
 97 compensation provided by law for such secretaries."

98 **SECTION 4.**

99 Said title is further amended by revising subsection (d) of Code Section 47-2-265, relating  
 100 to membership in the Employees' Retirement System of Georgia of district attorney  
 101 investigators, as follows:

102 "(d) The state salaries paid to district attorney investigators who become members of the  
 103 retirement system pursuant to this Code section shall be the basis for employee and  
 104 employer contributions to the retirement system for such members. All employer  
 105 contributions, including employee contributions made by the employer on behalf of  
 106 members, which are required by this chapter for such members shall be paid from funds  
 107 appropriated or otherwise made available for ~~the operation of the superior courts~~  
 108 prosecuting attorneys. The ~~Department of Administrative Services~~ Prosecuting Attorneys'  
 109 Council of the State of Georgia shall deduct from the state salaries payable to such  
 110 members the additional employee contributions required by this chapter."

111 **SECTION 5.**

112 Said title is further amended by revising subparagraph (f)(1)(B) of Code Section 47-2-266,  
 113 relating to membership in the Employees' Retirement System of Georgia of judicial  
 114 employees and contributions, as follows:

115 "(B) The Council of Superior Court Judges of Georgia, the president of The Council  
 116 of Superior Court Judges of Georgia, or the district administrative judge employing the  
 117 person claiming the creditable service shall pay the employer contributions that would  
 118 have been paid to the retirement system if the person claiming the creditable service  
 119 had been a member during the period of time for which creditable service is claimed  
 120 plus regular interest on such employer contributions compounded annually from the  
 121 time the prior service was rendered to the date of payment. For prior service as a  
 122 judicial employee specified in subparagraph (a)(1)(D) of this Code section, the  
 123 employer contributions plus interest required by this subparagraph shall be paid by the  
 124 ~~commissioner of administrative services~~ Council of Superior Court Judges of Georgia  
 125 from funds appropriated or available for the operation of the superior courts."

126 **SECTION 6.**

127 Said title is further amended by revising Code Section 47-2-267, relating to membership of  
 128 employees of district attorneys in the Employees' Retirement System of Georgia and  
 129 contributions, as follows:

130 "47-2-267.

131 Except as provided in Code Section 47-2-265, each full-time employee of a district  
 132 attorney, which employee is compensated through funds appropriated by the General

133 Assembly, shall be a member of this retirement system as a condition of employment. Any  
 134 such employee who is already a member of this retirement system by virtue of service with  
 135 another employer shall be entitled to credit for all service rendered while an employee  
 136 under the retirement system. All contributions required under this chapter shall be paid  
 137 from funds appropriated or otherwise available for ~~the operation of the superior courts~~  
 138 prosecuting attorneys. ~~The Department of Administrative Services~~ Prosecuting Attorneys'  
 139 Council of the State of Georgia shall deduct from the state salaries paid to such members  
 140 the employee contributions required by this chapter."

141 **SECTION 7.**

142 Said title is further amended by revising subsection (a) of Code Section 47-2-290, relating  
 143 to judges, solicitors, and other employees of state courts subject to a merit system,  
 144 membership in the Employees' Retirement System of Georgia, contributions, and  
 145 exemptions, as follows:

146 "(a) The state courts of this state are declared to be adjuncts of the superior courts, the state  
 147 courts having concurrent jurisdiction in all civil and criminal matters except those  
 148 exclusively vested in the superior courts. All judges, solicitors, and other employees of any  
 149 state court in this state shall be subject to a merit system of personnel administration as  
 150 promulgated by each state court under which all such officers and employees shall perform  
 151 services on the basis of merit, fitness, and efficiency. All such officers and employees are  
 152 authorized to become members of the Employees' Retirement System of Georgia in  
 153 accordance with this chapter. The governing authority of each county of this state shall  
 154 deduct or collect from each member the employee contributions required by this chapter  
 155 and shall remit those contributions to the retirement system on a monthly basis. The  
 156 ~~commissioner of administrative services~~ Council of State Court Judges of Georgia is  
 157 authorized and directed to pay from the funds appropriated for ~~the operation of the superior~~  
 158 ~~courts of this state~~ such purpose the employer contribution required by this chapter for  
 159 judges and employees of the state courts, which contribution shall be paid by the  
 160 ~~commissioner of administrative services~~ Council of State Court Judges of Georgia, upon  
 161 receipt of an invoice from the retirement system. The Prosecuting Attorneys' Council of  
 162 the State of Georgia is authorized and directed to pay from the funds appropriated or  
 163 otherwise available for such purpose the employer contribution required by this chapter for  
 164 solicitors-general of the state courts, which contribution shall be paid by the Prosecuting  
 165 Attorneys' Council of the State of Georgia, upon receipt of an invoice from the retirement  
 166 system."

167 **SECTION 8.**

168 Said title is further amended by revising paragraph (1) of subsection (a) of Code Section  
 169 47-8-67, relating to election of survivors benefits coverage, contributions required for such  
 170 coverage, effect of such coverage on appointment to the office of senior judge, and amount  
 171 of survivors benefits, as follows:

172 "(1) Any judge so electing shall pay an amount equal to 2 percent of his or her state  
 173 salary for each year of prior service as a judge of superior court up to the time of such  
 174 election and shall thereafter contribute, in addition to the 5 percent contribution required  
 175 by this chapter, 2 percent of the salary paid to him or her by the state. Such amount shall  
 176 be deducted from such salary by the ~~commissioner of administrative services~~ Council of  
 177 Superior Court Judges of Georgia and deposited into the retirement fund; and"

178 **SECTION 9.**

179 Said title is further amended by revising subsection (b) of Code Section 47-12-41, relating  
 180 to payments by district attorneys into the District Attorneys Retirement Fund of Georgia, as  
 181 follows:

182 "(b) Each district attorney who is now in office and who is otherwise eligible to participate  
 183 in the benefits provided by this chapter shall make his or her payments to the fund until his  
 184 or her retirement. Any such district attorney who is eligible to participate in the fund but  
 185 who has not made the payments set forth in this Code section may pay such amounts into  
 186 the fund not later than July 1, 1961, with interest at the rate of 5 percent per annum on all  
 187 amounts due since February 17, 1949, to the date of payment to the ~~Fiscal Division of the~~  
 188 ~~Department of Administrative Services~~ Prosecuting Attorneys' Council of the State of  
 189 Georgia."

190 **SECTION 10.**

191 Said title is further amended by revising subsection (a) of Code Section 47-12-43, relating  
 192 to manner of deduction of payments to the fund, penalty for late payments, and payments  
 193 made on behalf of the district attorney, as follows:

194 "(a) The payment into the fund either of 5 percent or 7 1/2 percent, as applicable, of the  
 195 state salary shall be deducted monthly by the ~~Department of Administrative Services~~  
 196 Prosecuting Attorneys' Council of the State of Georgia from the salary of each district  
 197 attorney who is a member of the fund. If any such payments have not been made by  
 198 February 15 of the succeeding year, the sum due shall incur a penalty of 6 percent interest  
 199 per annum computed on the principal amount from February 15 until actually paid.  
 200 Beginning with the payments to be made covering the calendar year 1964, and for each  
 201 calendar year thereafter, if the sum due is not paid by February 15 of the succeeding year,

202 such sum due shall be increased by 10 percent plus 6 percent interest per annum, computed  
203 on the sum due plus the additional 10 percent, from February 15 until the date of actual  
204 payment of the entire amount."

205 **SECTION 11.**

206 Said title is further amended by revising Code Section 47-12-44, relating to transfer of  
207 membership and contributions to the Employees' Retirement System of Georgia and payment  
208 of additional state contribution upon transfer, as follows:

209 "47-12-44.

210 The board of trustees shall transfer to the Employees' Retirement System of Georgia all  
211 contributions made to the fund by a member who transfers to the Employees' Retirement  
212 System of Georgia; and the ~~commissioner of administrative services~~ Prosecuting Attorneys'  
213 Council of the State of Georgia is authorized and directed to pay from the funds  
214 appropriated for the operating expenses of the superior courts of this state an additional  
215 amount equal to the 5 percent contribution of such member plus an additional 20 percent  
216 of the contribution, so that the state contribution shall be in accordance with the Employees'  
217 Retirement System of Georgia."

218 **SECTION 12.**

219 Said title is further amended by revising subsection (e) of Code Section 47-18-40, relating  
220 to agreement between state and federal government for state employees, like agreements  
221 between federal government and interstate instrumentalities, and division of retirement  
222 system, as follows:

223 "(e) The position of any member of the division or part of the Superior Court Judges  
224 Retirement Fund of Georgia who does not desire coverage may be transferred to the  
225 separate retirement fund composed of positions of members who do desire coverage upon  
226 such terms and conditions and at such time as permitted by federal law. In the event of  
227 such transfer, the employee contributions of such member required for social security  
228 coverage shall be deducted by the ~~commissioner of administrative services~~ Council of  
229 Superior Court Judges of Georgia and remitted to the state agency, together with the  
230 required employer contributions. The ~~commissioner of administrative services~~ Council of  
231 Superior Court Judges of Georgia is authorized and directed to pay, from funds  
232 appropriated or otherwise available for the operation of the superior courts, the required  
233 employer contributions on any such transferred member."

234 **SECTION 13.**

235 Said title is further amended by revising Code Section 47-18-43, relating to referendum on  
236 the question of coverage of positions covered by Chapter 12 of such title, as follows:

237 "47-18-43.

238 Anything in this chapter to the contrary notwithstanding, the Governor is empowered to  
239 authorize a referendum in accordance with the requirements of Section 218(d)(3) of the  
240 Social Security Act on the question of whether services in positions covered by the District  
241 Attorneys Retirement Fund of Georgia, Chapter 12 of this title, shall be excluded from or  
242 included under an agreement under this chapter with an effective date of July 1, 1956. If  
243 the referendum results in an affirmative vote, employee contributions required for social  
244 security coverage shall be deducted by the ~~commissioner of administrative services~~  
245 Prosecuting Attorneys' Council of the State of Georgia from the compensation or other  
246 funds due the employee and shall be remitted to the state agency, together with the required  
247 employer contributions. Such employee deductions shall be based on an affidavit from  
248 each individual as to the total wages received by him or her each calendar quarter as district  
249 attorney. Such affidavit shall be forwarded to the ~~commissioner of administrative services~~  
250 Prosecuting Attorneys' Council of the State of Georgia before the fifth day of the month  
251 following the end of each calendar quarter. If any district attorney fails to submit the  
252 required affidavit to the ~~commissioner of administrative services~~ Prosecuting Attorneys'  
253 Council of the State of Georgia within the required time, any and all funds due such  
254 individual shall be withheld by the ~~commissioner of administrative services~~ Prosecuting  
255 Attorneys' Council of the State of Georgia until an appropriate affidavit has been received.  
256 The ~~commissioner of administrative services~~ Prosecuting Attorneys' Council of the State  
257 of Georgia is authorized and directed to pay the required employer contribution from the  
258 funds appropriated for the ~~operation of the superior courts of the state~~ prosecuting  
259 attorneys."

260 **SECTION 14.**

261 Said title is further amended by revising Code Section 47-18-44, relating to referendum on  
262 the question of coverage of positions covered by Chapter 8 of such title, as follows:

263 "47-18-44.

264 The Governor is empowered to authorize a referendum in accordance with the  
265 requirements of Section 218(d)(3) of the Social Security Act; on the question of whether  
266 services in positions covered by the Superior Court Judges Retirement Fund of Georgia,  
267 Chapter 8 of this title, shall be excluded from or included under an agreement under this  
268 chapter with an effective date of July 1, 1956. If the referendum results in an affirmative  
269 vote, employee contributions required for social security coverage shall be deducted by the

270 ~~commissioner of administrative services~~ Council of Superior Court Judges of Georgia and  
 271 remitted to the state agency, together with the required employer contributions. The  
 272 ~~commissioner of administrative services~~ Council of Superior Court Judges of Georgia is  
 273 authorized and directed to pay the required employer contribution from the funds  
 274 appropriated for the operation of the superior courts of the state."

275 **SECTION 15.**

276 Said title is further amended by revising Code Section 47-23-25, relating to payment of  
 277 administrative expenses, as follows:

278 "47-23-25.

279 In order to pay the administrative expenses of the fund and upon the receipt of a request  
 280 from the board on or after July 1, 1998, and each year thereafter, the ~~Department of~~  
 281 ~~Administrative Services~~ is Council of Superior Court Judges of Georgia, the Council of  
 282 State Court Judges of Georgia, the Council of Juvenile Court Judges, and the Prosecuting  
 283 Attorneys' Council of the State of Georgia are authorized and directed to pay into the fund,  
 284 from funds appropriated ~~or otherwise available for the operation of the superior courts of~~  
 285 ~~this state~~ such purpose, an amount sufficient to pay the administrative expenses of the fund  
 286 as certified by the board to the ~~Department of Administrative Services~~ Council of Superior  
 287 Court Judges of Georgia, the Council of State Court Judges of Georgia, the Council of  
 288 Juvenile Court Judges, and the Prosecuting Attorneys' Council of the State of Georgia."

289 **SECTION 16.**

290 Said title is further amended by revising Code Section 47-23-47, relating to transfer of  
 291 members' contributions, as follows:

292 "47-23-47.

293 The board of trustees shall transfer to the Employees' Retirement System of Georgia all  
 294 contributions made to the fund by a member who transfers to the Employees' Retirement  
 295 System of Georgia; and the ~~commissioner of administrative services~~ is Council of Superior  
 296 Court Judges of Georgia, the Council of State Court Judges of Georgia, the Council of  
 297 Juvenile Court Judges, and the Prosecuting Attorneys' Council of the State of Georgia, as  
 298 appropriate, are authorized and directed to pay from the funds appropriated for ~~the~~  
 299 ~~operating expenses of the superior courts of this state~~ such purposes an additional amount  
 300 equal to the 5 percent contribution of such member plus an additional 20 percent of the  
 301 contribution, so that the state contribution shall be in accordance with the Employees'  
 302 Retirement System of Georgia."

303

**SECTION 17.**

304 Said title is further amended by revising subsection (a) of Code Section 47-23-80, relating  
 305 to contributions by superior court judges and district attorneys and employer contributions,  
 306 as follows:

307 "(a) The provisions of this Code section shall be applicable to judges of the superior courts  
 308 and district attorneys. The amount of employee contributions to the fund by superior court  
 309 judges shall be 7 1/2 percent of the earnable monthly compensation from state funds  
 310 provided by law for judges of the superior courts. The amount of employee contributions  
 311 to the fund by district attorneys shall be 7 1/2 percent of the earnable monthly  
 312 compensation from state funds provided by law for district attorneys. ~~The Department of~~  
 313 ~~Administrative Services is~~ Council of Superior Court Judges of Georgia and the  
 314 Prosecuting Attorneys' Council of the State of Georgia, as appropriate, are authorized to  
 315 deduct 7 1/2 percent monthly from the earnable monthly compensation of each judge of the  
 316 superior courts and each district attorney who is a member of the retirement system to  
 317 cover the employee contributions to the fund. ~~The Department of Administrative Services~~  
 318 ~~is~~ Council of Superior Court Judges of Georgia and the Prosecuting Attorneys' Council of  
 319 the State of Georgia, as appropriate, are also authorized to make an additional deduction  
 320 from such earnable monthly compensation to cover any required employee tax for social  
 321 security coverage. ~~The Department of Administrative Services is~~ Council of Superior  
 322 Court Judges of Georgia and the Prosecuting Attorneys' Council of the State of Georgia,  
 323 as appropriate, are authorized and directed to pay, from the funds appropriated ~~or otherwise~~  
 324 ~~available for the operation of the superior courts of the state~~ such purpose, any required  
 325 employer contribution for social security coverage on such judges and district attorneys.  
 326 From funds appropriated or otherwise available for ~~the operation of superior courts~~ such  
 327 purpose, ~~the Department of Administrative Services is~~ Council of Superior Court Judges  
 328 of Georgia and the Prosecuting Attorneys' Council of the State of Georgia, as appropriate,  
 329 are authorized and directed to pay into the fund the employer contributions, including  
 330 contributions to fund any creditable service authorized by this chapter, which, together with  
 331 employee contributions and the earnings of the fund, shall be an amount sufficient to fund  
 332 the service and disability retirement benefits and the spouses' benefits under this chapter."

333

**SECTION 18.**

334 Said title is further amended by revising paragraph (2) of subsection (b) of Code Section  
 335 47-23-81, relating to contributions by judges and solicitors-general of state courts, employer  
 336 contributions, and reports required, as follows:

337 "(2) The Council of State Court Judges of Georgia and the Prosecuting Attorneys'  
 338 Council of the State of Georgia ~~From funds appropriated or otherwise available for~~

339 ~~the operation of superior courts, the Department of Administrative Services is authorized~~  
 340 and directed to pay into the fund provided for by this chapter monthly employer  
 341 contributions, including contributions to fund any creditable service authorized by this  
 342 chapter. Such amounts are to be determined by the board and, together with employee  
 343 contributions and the earnings of the fund, shall be an amount sufficient to fund the  
 344 service and disability retirement benefits under this chapter. ~~The Department of~~  
 345 ~~Administrative Services is~~ Council of State Court Judges of Georgia and the Prosecuting  
 346 Attorneys' Council of the State of Georgia are authorized and directed to pay from the  
 347 funds appropriated or otherwise available for ~~the operation of the superior courts of the~~  
 348 ~~state~~ such purpose any required employer contribution for social security coverage on  
 349 such members."

350

### SECTION 19.

351 Said title is further amended by revising subsection (c) of Code Section 47-23-81, relating  
 352 to contributions by state court judges and solicitors-general of state courts, employer  
 353 contributions, and reports required, as follows:

354 "(c)(1) It shall be the duty of each employing unit affected by this chapter to designate  
 355 a responsible person to submit the reports and forward the employee contributions set  
 356 forth in this Code section. It shall be the duty of the person so designated to comply with  
 357 this Code section. If the required reports and employee contributions are not forwarded  
 358 to the board or if duplicate copies of the reports are not directed to the Office of Treasury  
 359 and Fiscal Services, in accordance with this Code section, as appropriate, the Office of  
 360 Treasury and Fiscal Services is authorized to withhold any state payments payable to the  
 361 governmental unit failing to forward such reports and employee contributions until such  
 362 time as such reports and contributions have been received.

363 (2) It shall be the duty of the clerk of each state court to notify the Council of State Court  
 364 Judges of Georgia, the Prosecuting Attorneys' Council of the State of Georgia, and the  
 365 board of directors of this retirement system of the election or appointment of a new state  
 366 court judge or solicitor-general or the vacating of any such office. Such notification shall  
 367 be made within two weeks of such election, appointment, or vacancy.

368 (3) Each employing unit affected by this chapter shall provide the Council of State Court  
 369 Judges of Georgia, the Prosecuting Attorneys' Council of the State of Georgia, and the  
 370 board of directors of this retirement system with a list of all employees of the employing  
 371 unit who are current members of this retirement system. Such report shall be made each  
 372 calendar month."

373 **SECTION 20.**

374 Said title is further amended by revising paragraph (2) of subsection (b) of Code Section  
375 47-23-82, relating to contributions by juvenile court judges, employer contributions, and  
376 reports required, as follows:

377 "(2) The Council of Juvenile Court Judges ~~From funds appropriated or otherwise~~  
378 ~~available for the operation of superior courts, the Department of Administrative Services~~  
379 is authorized and directed to pay into the fund provided for by this chapter monthly  
380 employer contributions, including contributions to fund any creditable service authorized  
381 by this chapter. Such amounts are to be determined by the board and, together with  
382 employee contributions and the earnings of the fund, shall be an amount sufficient to fund  
383 the service and disability retirement benefits under this chapter."

384 **SECTION 21.**

385 This Act shall become effective on July 1, 2010.

386 **SECTION 22.**

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