

House Bill 476

By: Representative Maxwell of the 17th

A BILL TO BE ENTITLED
AN ACT

1 To amend Code Section 47-17-80 of the Official Code of Georgia Annotated, relating to
2 retirement benefits options under the Peace Officers' Annuity and Benefit Fund, payment to
3 surviving spouse, requirements, effect of reemployment, effect of changes in retirement
4 benefits, and payment on the death of a member, so as to provide that certain provisions
5 relating to continued employment or reemployment shall not apply to certain members; to
6 repeal conflicting laws; and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 Code Section 47-17-80 of the Official Code of Georgia Annotated, relating to retirement
10 benefits options under the Peace Officers' Annuity and Benefit Fund, payment to surviving
11 spouse, requirements, effect of reemployment, effect of changes in retirement benefits, and
12 payment on the death of a member, is amended by revising subsection (g) as follows:

13 "(g)(1) Except as provided in paragraphs (2) and (3) of this subsection, any member who
14 again becomes employed as a peace officer after having been placed on retirement under
15 this Code section shall immediately notify the secretary-treasurer of such reemployment.
16 Retirement benefits being paid to such member shall be terminated as of the date of such
17 reemployment and shall remain terminated for the duration of such reemployment.
18 During such period of reemployment, said member shall pay regular monthly dues into
19 this fund. Upon meeting the requirements provided by law, such member shall be
20 entitled to all benefits provided for in Code Sections 47-17-81 and 47-17-82; but such
21 member shall not be entitled to any increase in retirement benefits by virtue of service
22 during the period of reemployment unless such reemployment is for a term of three years
23 or more, in which instance such member may again apply for retirement as if he or she
24 had not previously been retired; and he or she shall be entitled to such benefits as may be
25 provided by law at that time, if he or she so chooses.

26 (2) The provisions of paragraph (1) of this subsection shall not apply to a retired member
27 employed in any capacity for 1,040 hours or less in any calendar year.

28 (3) The provisions of paragraph (1) of this subsection shall not apply to a member
29 otherwise qualified for a normal service retirement under this chapter with at least 30
30 years of creditable service and who has attained the age of 55. Any such member may
31 continue or reenter employment as a peace officer and shall for all purposes be
32 considered a retired member of this fund; provided, however, that the provisions of this
33 paragraph shall not apply to any person who first or again becomes a member on or after
34 July 1, 2009."

35 **SECTION 2.**

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