

Senate Bill 177

By: Senators Heath of the 31st and Murphy of the 27th

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 provide that appellate court judges who become members of the  
3 Employees' Retirement System of Georgia, persons who become members of the Georgia  
4 Legislative Retirement System, and persons who become members of the Georgia Judicial  
5 Retirement System on or after July 1, 2009, shall not be entitled to certain group term life  
6 insurance benefits; 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 subsection (a) of Code Section 47-2-162, relating to eligibility of  
11 persons who are members of the General Assembly during or after the January 1, 1962, for  
12 survivors benefits, contributions for such coverage, and right to decline coverage, as follows:

13 "(a) Beginning in January, 1962, current and future members of the General Assembly  
14 shall make contributions to the retirement system for the limited purpose of providing  
15 survivors benefits under Code Sections 47-2-128 and 47-2-129, provided that any member  
16 of the General Assembly may reject such coverage, in which case no contributions shall  
17 be made by him or her; provided, further, that ~~in the event of the death of any member of~~  
18 ~~the 1962 General Assembly prior to February 13, 1962, such member shall be deemed to~~  
19 ~~have elected survivors benefits coverage, in which case any benefits payable shall be made~~  
20 ~~to the deceased member's surviving spouse and shall be paid from the sum of all~~  
21 ~~contributions required under this Code section~~ the provisions of this Code section shall not  
22 apply to any person who becomes or again becomes a member of the General Assembly  
23 on or after July 1, 2009."

24 **SECTION 2.**

25 Said title is further amended by revising Code Section 47-2-163, relating to group term life  
 26 insurance for members and former members of the General Assembly and contributions, as  
 27 follows:

28 "47-2-163.

29 Any other provisions of this chapter to the contrary notwithstanding, the board of trustees  
 30 is authorized by rules or regulations to provide for group term life insurance protection for  
 31 members and former members of the General Assembly; provided, however, that the  
 32 provisions of this Code section shall not be applicable to persons who become or again  
 33 become members of the General Assembly on or after July 1, 2009. The board of trustees  
 34 may contract for such coverage with the State Employees' Assurance Department pursuant  
 35 to the provisions of Chapter 19 of this title. The board of trustees shall determine the  
 36 amount of such coverage and the employee contribution that shall be made for such  
 37 coverage by the members of the General Assembly. The board of trustees shall also  
 38 determine the employer contribution necessary for such group term life insurance  
 39 protection for members of the General Assembly. Such employer contribution shall be  
 40 paid from funds appropriated or available to the legislative branch of the state government.  
 41 The employee and employer contributions shall be paid into the survivors benefit fund  
 42 provided for in subsection (c) of Code Section 47-2-128."

43 **SECTION 3.**

44 Said title is further amended by revising subsection (i) of Code Section 47-2-244, relating  
 45 to optional benefits available to appellate court judges, notice of election of benefits,  
 46 eligibility for benefits, disability benefits, and survivors benefits, as follows:

47 "(i) Survivors benefits shall be available to appellate court judges at prevailing contribution  
 48 rates and subject to provisions of law and regulations of the board of trustees; provided,  
 49 however, that no person who becomes or again becomes subject to the provisions of this  
 50 Code section on or after July 1, 2009, shall be entitled to such survivors benefits."

51 **SECTION 4.**

52 Said title is further amended by revising subsection (b) of Code Section 47-23-29, relating  
 53 to group term life insurance benefits for members of the Georgia Judicial Retirement System,  
 54 as follows:

55 "(b) Pursuant to the provisions of this Code section and rules and regulations adopted for  
 56 such purpose, the board of trustees may provide for survivors benefits for members, former  
 57 members, and retired members of the retirement system; provided, however, that the  
 58 provisions of this Code section shall apply only to persons who are active members of this

59 retirement system on or after July 1, 2002; provided, further, that no person who becomes  
60 or again becomes a member of this retirement system on or after July 1, 2009, shall be  
61 entitled to survivors benefits under this Code section."

62 **SECTION 5.**

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