

Senate Bill 259

By: Senator Unterman of the 45th

A BILL TO BE ENTITLED  
AN ACT

1 To amend Article 7 of Chapter 3 of Title 47 of the Official Code of Georgia Annotated,  
2 relating to retirement allowances, disability benefits, and spouses' benefits under the  
3 Teachers Retirement System of Georgia, so as to provide that the University System of  
4 Georgia may employ a retired member of such retirement system as a full-time instructor at  
5 a nursing school; to provide that a retired member of such retirement system may return to  
6 full-time employment as a teacher at a nursing school and retain his or her retirement  
7 benefits; to provide for conditions; to provide conditions for an effective date and automatic  
8 repeal; to repeal conflicting laws; and for other purposes.

9 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

10 style="text-align:center">**SECTION 1.**

11 Article 7 of Chapter 3 of Title 47 of the Official Code of Georgia Annotated, relating to  
12 retirement allowances, disability benefits, and spouses' benefits under the Teachers  
13 Retirement System of Georgia, is amended by adding a new Code section to read as follows:

14 "47-3-127.2.

15 (a) As used in this Code section, the term 'full-time instructor' means a registered nurse  
16 employed by the University System of Georgia who has as his or her sole responsibility the  
17 academic instruction of students in a school of nursing.

18 (b)(1) The University System of Georgia may employ a retired member of this retirement  
19 system who has been retired at least 12 months as a full-time instructor, and such person  
20 shall be subject to the provisions of subsection (c) of this Code section.

21 (2) The salary paid to any retired member employed as a full-time instructor under this  
22 Code section shall be determined pursuant to an agreement between the retired member  
23 and the employing unit. No such retired member shall receive any further creditable  
24 service as a result of such employment and shall in all ways be considered by this  
25 retirement system solely as a beneficiary.

26 (3) The University System of Georgia shall pay all employer and employee contributions  
27 to this retirement system as otherwise provided in this chapter; provided, however, that  
28 no such retired member shall receive any further creditable service as a result of such  
29 employment and shall in all ways be considered by this retirement system solely as a  
30 beneficiary.

31 (c) Any other provision of this article to the contrary notwithstanding, a retired member  
32 of this retirement system who has been retired for at least 12 months may return to service  
33 as a full-time instructor and his or her benefits under this article shall not be affected. Any  
34 such retired member so employed shall not be considered an active member of this  
35 retirement system and shall not accrue any additional benefits or further creditable service  
36 as a result of such employment and shall in all ways be considered by this retirement  
37 system solely as a beneficiary. The provisions of this subsection shall not become a part  
38 of the employment contract and shall be subject to future legislation.

39 (d) The provisions of this Code section shall be automatically repealed on June 30, 2016."

40 **SECTION 2.**

41 This Act shall become effective on July 1, 2010, only if it is determined to have been  
42 concurrently funded as provided in Chapter 20 of Title 47 of the Official Code of Georgia  
43 Annotated, the "Public Retirement Systems Standards Law"; otherwise, this Act shall not  
44 become effective and shall be automatically repealed in its entirety on July 1, 2010, as  
45 required by subsection (a) of Code Section 47-20-50.

46 **SECTION 3.**

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