

Senate Bill 109

By: Senator Smith of the 52nd

AS PASSED

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

50 "(b) Each assistant district attorney and each employee of the Prosecuting Attorneys'
 51 Council of the State of Georgia, hereinafter in this Code section collectively referred to as
 52 'employee' or 'employees,' employed on June 30, 1979, may elect to become a member of
 53 the Employees' Retirement System of Georgia. Any such employee electing to become a
 54 member of the retirement system shall so notify the board of trustees not later than October
 55 1, 1979. Any such employee who failed to notify the board of trustees by that date shall
 56 not at any time thereafter be eligible for membership in the retirement system. Any person
 57 who becomes an employee on or after July 1, 1979, shall become a member of the
 58 Employees' Retirement System of Georgia as a condition of his or her employment, unless
 59 he or she is eligible for membership in another publicly supported retirement or pension
 60 system or fund which provides retirement benefits based wholly or partially on
 61 compensation of such employee paid from state funds. An employee who is eligible for
 62 membership in any such other publicly supported retirement or pension system or fund may

63 elect to become a member of the retirement system in lieu of membership in such other
 64 publicly supported retirement or pension system or fund by notifying the board of trustees
 65 of such election within 90 days after becoming employed with the Prosecuting Attorneys'
 66 Council of the State of Georgia. Any such employee who fails to notify the board of
 67 trustees within such time shall not at any time thereafter be eligible for membership in the
 68 retirement system. The state salary paid to employees who become members of the
 69 retirement system shall be the basis for employee and employer contributions for such
 70 employees. All employer contributions required by this chapter for such members shall be
 71 paid from funds appropriated or otherwise ~~made~~ available for the operation of the superior
 72 ~~courts~~. The ~~commissioner of administrative services~~ Prosecuting Attorneys' Council of the
 73 State of Georgia shall deduct from the state salaries payable to such members the employee
 74 contributions required by this chapter."

75 **SECTION 3.**

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

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

91 **SECTION 4.**

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

95 "(d) The state salaries paid to district attorney investigators who become members of the
 96 retirement system pursuant to this Code section shall be the basis for employee and
 97 employer contributions to the retirement system for such members. All employer

98 contributions, including employee contributions made by the employer on behalf of
 99 members, which are required by this chapter for such members shall be paid from funds
 100 appropriated or otherwise ~~made available for the operation of the superior courts.~~ The
 101 ~~Department of Administrative Services~~ Prosecuting Attorneys' Council of the State of
 102 Georgia shall deduct from the state salaries payable to such members the additional
 103 employee contributions required by this chapter."

104 **SECTION 5.**

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

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

119 **SECTION 6.**

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

123 "47-2-267.

124 Except as provided in Code Section 47-2-265, each full-time employee of a district
 125 attorney, which employee is compensated through funds appropriated by the General
 126 Assembly, shall be a member of this retirement system as a condition of employment. Any
 127 such employee who is already a member of this retirement system by virtue of service with
 128 another employer shall be entitled to credit for all service rendered while an employee
 129 under the retirement system. All contributions required under this chapter shall be paid
 130 from funds appropriated or otherwise available ~~for the operation of the superior courts.~~
 131 The ~~Department of Administrative Services~~ Prosecuting Attorneys' Council of the State of

132 Georgia shall deduct from the state salaries paid to such members the employee
 133 contributions required by this chapter."

134 **SECTION 7.**

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

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

159 **SECTION 8.**

160 Said title is further amended by revising paragraph (1) of subsection (a) of Code Section
 161 47-8-67, relating to election of survivors benefits coverage, contributions required for such
 162 coverage, effect of such coverage on appointment to the office of senior judge, and amount
 163 of survivors benefits, as follows:

164 "(1) Any judge so electing shall pay an amount equal to 2 percent of his or her state
 165 salary for each year of prior service as a judge of superior court up to the time of such
 166 election and shall thereafter contribute, in addition to the 5 percent contribution required

167 by this chapter, 2 percent of the salary paid to him or her by the state. Such amount shall
 168 be deducted from such salary by the ~~commissioner of administrative services~~ Council of
 169 Superior Court Judges of Georgia and deposited into the retirement fund; and"

170 **SECTION 9.**

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

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

182 **SECTION 10.**

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

186 "(a) The payment into the fund either of 5 percent or 7 1/2 percent, as applicable, of the
 187 state salary shall be deducted monthly by the ~~Department of Administrative Services~~
 188 Prosecuting Attorneys' Council of the State of Georgia from the salary of each district
 189 attorney who is a member of the fund. If any such payments have not been made by
 190 February 15 of the succeeding year, the sum due shall incur a penalty of 6 percent interest
 191 per annum computed on the principal amount from February 15 until actually paid.
 192 Beginning with the payments to be made covering the calendar year 1964, and for each
 193 calendar year thereafter, if the sum due is not paid by February 15 of the succeeding year,
 194 such sum due shall be increased by 10 percent plus 6 percent interest per annum, computed
 195 on the sum due plus the additional 10 percent, from February 15 until the date of actual
 196 payment of the entire amount."

197 **SECTION 11.**

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

201 "47-12-44.
 202 The board of trustees shall transfer to the Employees' Retirement System of Georgia all
 203 contributions made to the fund by a member who transfers to the Employees' Retirement
 204 System of Georgia; and the ~~commissioner of administrative services~~ Prosecuting Attorneys'
 205 Council of the State of Georgia is authorized and directed to pay from the funds
 206 appropriated for the operating expenses of the superior courts of this state or otherwise
 207 available an additional amount equal to the 5 percent contribution of such member plus an
 208 additional 20 percent of the contribution, so that the state contribution shall be in
 209 accordance with the Employees' Retirement System of Georgia."

210 SECTION 12.

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

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

226 SECTION 13.

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

229 "47-18-43.
 230 Anything in this chapter to the contrary notwithstanding, the Governor is empowered to
 231 authorize a referendum in accordance with the requirements of Section 218(d)(3) of the
 232 Social Security Act on the question of whether services in positions covered by the District
 233 Attorneys Retirement Fund of Georgia, Chapter 12 of this title, shall be excluded from or
 234 included under an agreement under this chapter with an effective date of July 1, 1956. If
 235 the referendum results in an affirmative vote, employee contributions required for social

236 security coverage shall be deducted by the ~~commissioner of administrative services~~
 237 Prosecuting Attorneys' Council of the State of Georgia from the compensation or other
 238 funds due the employee and shall be remitted to the state agency, together with the required
 239 employer contributions. Such employee deductions shall be based on an affidavit from
 240 each individual as to the total wages received by him or her each calendar quarter as district
 241 attorney. Such affidavit shall be forwarded to the ~~commissioner of administrative services~~
 242 Prosecuting Attorneys' Council of the State of Georgia before the fifth day of the month
 243 following the end of each calendar quarter. If any district attorney fails to submit the
 244 required affidavit to the ~~commissioner of administrative services~~ Prosecuting Attorneys'
 245 Council of the State of Georgia within the required time, any and all funds due such
 246 individual shall be withheld by the ~~commissioner of administrative services~~ Prosecuting
 247 Attorneys' Council of the State of Georgia until an appropriate affidavit has been received.
 248 The ~~commissioner of administrative services~~ Prosecuting Attorneys' Council of the State
 249 of Georgia is authorized and directed to pay the required employer contribution from the
 250 funds appropriated or otherwise available ~~for the operation of the superior courts of the~~
 251 ~~state."~~

252 **SECTION 14.**

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

255 "47-18-44.

256 The Governor is empowered to authorize a referendum in accordance with the
 257 requirements of Section 218(d)(3) of the Social Security Act; on the question of whether
 258 services in positions covered by the Superior Court Judges Retirement Fund of Georgia,
 259 Chapter 8 of this title, shall be excluded from or included under an agreement under this
 260 chapter with an effective date of July 1, 1956. If the referendum results in an affirmative
 261 vote, employee contributions required for social security coverage shall be deducted by the
 262 ~~commissioner of administrative services~~ Council of Superior Court Judges of Georgia and
 263 remitted to the state agency, together with the required employer contributions. The
 264 ~~commissioner of administrative services~~ Council of Superior Court Judges of Georgia is
 265 authorized and directed to pay the required employer contribution from the funds
 266 appropriated for the operation of the superior courts of the state."

267 **SECTION 15.**

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

270 "47-23-25.

271 In order to pay the administrative expenses of the fund and upon the receipt of a request
 272 from the board on or after July 1, 1998, and each year thereafter, the ~~Department of~~
 273 ~~Administrative Services~~ Council of Superior Court Judges of Georgia, the Council of
 274 State Court Judges of Georgia, the Council of Juvenile Court Judges, and the Prosecuting
 275 Attorneys' Council of the State of Georgia are authorized and directed to pay into the fund,
 276 from funds appropriated or otherwise available ~~for the operation of the superior courts of~~
 277 ~~this state~~, an amount sufficient to pay the administrative expenses of the fund as certified
 278 by the board to the ~~Department of Administrative Services~~ Council of Superior Court
 279 Judges of Georgia, the Council of State Court Judges of Georgia, the Council of Juvenile
 280 Court Judges, and the Prosecuting Attorneys' Council of the State of Georgia."

281 **SECTION 16.**

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

284 "47-23-47.

285 The board of trustees shall transfer to the Employees' Retirement System of Georgia all
 286 contributions made to the fund by a member who transfers to the Employees' Retirement
 287 System of Georgia; and the ~~commissioner of administrative services~~ Council of Superior
 288 Court Judges of Georgia, the Council of State Court Judges of Georgia, the Council of
 289 Juvenile Court Judges, and the Prosecuting Attorneys' Council of the State of Georgia, as
 290 appropriate, are authorized and directed to pay from the funds appropriated ~~for the~~
 291 ~~operating expenses of the superior courts of this state~~ or otherwise available an additional
 292 amount equal to the 5 percent contribution of such member plus an additional 20 percent
 293 of the contribution, so that the state contribution shall be in accordance with the Employees'
 294 Retirement System of Georgia."

295 **SECTION 17.**

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

299 "(a) The provisions of this Code section shall be applicable to judges of the superior courts
 300 and district attorneys. The amount of employee contributions to the fund by superior court
 301 judges shall be 7 1/2 percent of the earnable monthly compensation from state funds
 302 provided by law for judges of the superior courts. The amount of employee contributions
 303 to the fund by district attorneys shall be 7 1/2 percent of the earnable monthly
 304 compensation from state funds provided by law for district attorneys. The ~~Department of~~

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

325 **SECTION 18.**

326 Said title is further amended by revising paragraph (2) of subsection (b) of Code Section
 327 47-23-81, relating to contributions by judges and solicitors-general of state courts, employer
 328 contributions, and reports required, as follows:

329 "(2) The Council of State Court Judges of Georgia and the Prosecuting Attorneys'
 330 Council of the State of Georgia are ~~From funds appropriated or otherwise available for~~
 331 ~~the operation of superior courts, the Department of Administrative Services is~~ authorized
 332 and directed to pay into the fund provided for by this chapter monthly employer
 333 contributions, including contributions to fund any creditable service authorized by this
 334 chapter. Such amounts are to be determined by the board and, together with employee
 335 contributions and the earnings of the fund, shall be an amount sufficient to fund the
 336 service and disability retirement benefits under this chapter. ~~The Department of~~
 337 ~~Administrative Services is~~ Council of State Court Judges of Georgia and the Prosecuting
 338 Attorneys' Council of the State of Georgia are authorized and directed to pay from the
 339 funds appropriated or otherwise available ~~for the operation of the superior courts of the~~
 340 ~~state~~ any required employer contribution for social security coverage on such members."

341 **SECTION 19.**

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

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

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

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

364 **SECTION 20.**

365 Said title is further amended by revising paragraph (2) of subsection (b) of Code Section
 366 47-23-82, relating to contributions by juvenile court judges, employer contributions, and
 367 reports required, as follows:

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

375 **SECTION 21.**

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

377 **SECTION 22.**

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