



Department of Audits and Accounts

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March 27, 2012

The Honorable Howard Maxwell
State Representative
State Capitol, Room 402
Atlanta, Georgia 30334

**SUBJECT: State Auditor's Certification
Amendment to Senate Bill 286
(AM 21 3836)**

Dear Representative Maxwell:

As amended, this bill would revise provisions relating to membership of certain county revenue employees in the Employees' Retirement System. Specifically, this bill would affect persons who first or again become a tax commissioner, tax collector, tax receiver, or employee of such officer on or after July 1, 2012. If this legislation is enacted, such persons would no longer be automatically eligible to participate in the Employees' Retirement System. Such persons would only be eligible to participate in the System if their respective governing authority adopts a resolution authorizing such participation. If such resolution is adopted, the employees would then be members of the System provided the employee pays the necessary employee contributions and the governing authority pays all required employer contributions. In the event a governing authority subsequently revokes the resolution, the rights and benefits of any person who became a member of the System would not be affected, and the governing authority would be obligated to continue paying the required employer contributions of such persons.

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Additionally, this amendment would revise provisions relating to retirement and pensions under the Employees' Retirement System and the Teachers Retirement System. Specifically, this amendment would provide a method of calculating accrued benefits for persons who are subject to the Georgia State Employees Pension and Savings Plan and transfer from one of the retirement systems to the other. This amendment also provides for the transfer of accrued benefits to cover the costs associated with the person who transfers between such systems.

This is to certify that the changes made in this amendment are nonfiscal amendments as defined in the Public Retirement Systems Standards Law. Therefore, the actuarial investigation prepared for Senate Bill 286 (LC 21 1003) would apply to this bill. A copy of the actuarial investigation and State Auditor's Summary for Senate Bill 286 (LC 21 1003) is attached.

Respectfully,

/s/ Russell W. Hinton
State Auditor

RWH/cs