

House Bill 937

By: Representative Benton of the 31st

A BILL TO BE ENTITLED
AN ACT

1 To amend Chapter 7 of Title 47 of the Official Code of Georgia Annotated, relating to the
2 Georgia Firefighters' Pension Fund, so as to define certain terms; to provide for the return
3 of member contribution when a member not in good standing dies; to provide an effective
4 date; to repeal conflicting laws; and for other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

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

7 Chapter 7 of Title 47 of the Official Code of Georgia Annotated, relating to the Georgia
8 Firefighters' Pension Fund, is amended in Code Section 47-7-1, relating to definitions, by
9 revising paragraph (2) as follows:

10 "(2) 'Fire department' means a full-time fire department or volunteer fire department or
11 a combination full-time and volunteer fire department which satisfies the following
12 criteria:

13 (A) The fire department ~~is certified~~ has been issued a certificate of compliance by the
14 ~~superintendent executive director~~ of the Georgia Firefighter Standards and Training
15 Council as provided in ~~Article 1 of Chapter 4 of Title 25~~ Code Section 25-3-22; and

16 (B) The public fire suppression facilities of the fire department are ratable not less
17 favorably than a class nine rating under standards set forth in the Fire Suppression
18 Rating Schedule, Section I, Public Fire Suppression, Edition 6-80, Copyright 1980,
19 published by the Insurance Services Office, a rating organization licensed by the
20 Commissioner of Insurance, which schedule is maintained on file with the
21 Commissioner of Insurance as required by general law and which has not been
22 disapproved by the Commissioner, or less than a rating which the board by regulation
23 determines is substantially equivalent under rating standards published by a rating
24 organization licensed by the Commissioner of Insurance performing similar rating
25 functions which standards are maintained on file with the Commissioner of Insurance
26 and which have not been disapproved by the Commissioner.

27 The board may require annual certification by the chief of a fire department of the
28 satisfaction of such requirements as a condition to the eligibility of firefighters and
29 volunteer firefighters to become members of the fund to obtain creditable service with
30 the fund."

31 **SECTION 2.**

32 Said chapter is further amended in said Code section by redesignating paragraph (5.1) as
33 (5.2) and by adding a new paragraph to read as follows:

34 "(5.1) 'Good standing' means a member of the fund is current with all dues payments to
35 the fund and his or her membership has not been removed pursuant to Code Section
36 47-7-60."

37 **SECTION 3.**

38 Said chapter is further amended by revising Code Section 47-7-105, relating to refund of
39 contributions upon withdrawal from the fund, as follows:

40 "47-7-105.

41 (a) Upon proper application and approval of the board, any member who withdraws from
42 the fund shall be paid all the moneys such individual contributed to the fund, less 5 percent.
43 Any refunds granted under this Code section or any other provision of this chapter shall be
44 without interest.

45 (b) In the event of the death of a member of the fund who is not vested or not in good
46 standing, in lieu of any other benefit payable under this chapter, the dues paid by or on
47 behalf of such member, less 5 percent, shall be paid to the member's named beneficiary or
48 to the member's estate upon application to the executive director of the fund. Such
49 application shall be accompanied by a certified copy of the death certificate of the deceased
50 member and such other information as the board deems appropriate."

51 **SECTION 4.**

52 This Act shall become effective upon its approval by the Governor or upon its becoming law
53 without such approval.

54 **SECTION 5.**

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