

House Bill 937

By: Representative Benton of the 31<sup>st</sup>

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 **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.