

House Bill 1034

By: Representative Weldon of the 3rd

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 increase the percentage of the investment portfolio of the Georgia
3 Firefighters Pension Fund allowed for alternative investments; to repeal a certain provision
4 relating to such fund that historical cost of alternative investments shall include contractually
5 committed, unpaid amounts; to repeal conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Title 47 of the Official Code of Georgia Annotated, relating to retirement and pensions, is
9 amended in Code Section 47-7-127, relating to alternative investments defined and code of
10 ethics, by revising subsection (d) as follows:

11 "(d) Commitments to alternative investments by the fund shall not in the aggregate exceed
12 10 percent of total fund assets at any time, and the invested cost basis of alternative
13 investments shall not in the aggregate exceed 5 percent of total fund assets at any time.
14 ~~Alternative investments by the fund may not in the aggregate exceed 5 percent of fund~~
15 ~~assets at any time.~~ The board shall have the discretion to designate whether any investment
16 that is permitted to be made as an alternative investment pursuant to this Code section and
17 is also permitted to be made as an investment pursuant to Code Section 47-20-83 shall be
18 treated for purposes of the 5 percent limitation and otherwise as an alternative investment
19 made pursuant to this Code section or as an investment made pursuant to Code Section
20 47-20-83. If the fund is not in compliance with the limitations imposed by this subsection,
21 it shall make a good faith effort to come into compliance within two years and in any event
22 as soon as practicable thereafter; provided, however, that during any period of
23 noncompliance the fund shall not increase the percentage of its assets committed to be
24 invested in alternative investments but shall be permitted during such period to continue
25 to make investments as required by the then existing commitments of the fund to
26 alternative investments made before the period of noncompliance."

27

SECTION 2.

28 Said title is further amended in Code Section 47-20-82, relating to investing funds, eligibility,
29 and investment limitation, by revising subsection (c) as follows:

30 "(c) Any investment limitation based upon the amount of the fund's assets shall relate to
31 such assets on the basis of the assets' aggregate historical cost. For purposes of any
32 investment made in alternative investments pursuant to Code Section ~~47-7-127~~ or
33 47-20-87, aggregate historical cost shall include all contractually committed, unpaid
34 amounts."

35

36

SECTION 3.

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