

Senate Bill 339

By: Senators Stone of the 23rd and Hufstetler of the 52nd

**AS PASSED SENATE**

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 revise, modernize, and correct errors or omissions in said title in  
3 furtherance of the work of the Code Revision Commission; to provide for effect in event of  
4 conflicts; to provide an effective date; to repeal conflicting laws; and for other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

6 **SECTION 1.**

7 Title 47 of the Official Code of Georgia Annotated, relating to retirement and pensions, is  
8 amended in:

9 (1) Code Section 47-2-295.1, relating to employees of the Department of Juvenile Justice,  
10 by revising subsections (a) and (b) as follows:

11 "(a) As used in this Code section, the term:

12 (1) 'Department' means the Department of Juvenile Justice.

13 (2) 'Local retirement system' means a retirement or pension system maintained by a  
14 county which includes as members thereof county probation and intake ~~employees~~  
15 officers who become employees of the department as a result of the county probation and  
16 intake ~~services'~~ services being transferred to the department pursuant to the provisions  
17 of Code Section ~~15-11-24.3, and the 15-11-69.~~ The term includes any such retirement  
18 or pension system created by law or created by ordinance or resolution of the county  
19 under the home rule provisions of the Constitution of Georgia.

20 (3) 'Probation and intake ~~employee officer~~' means a probation and intake ~~employee~~  
21 officer as such term is defined in ~~paragraph (1) of subsection (a) of Code Section~~  
22 ~~15-11-24.3~~ 15-11-2.

23 (b) Any ~~person~~ probation and intake officer becoming an employee of the department at  
24 any time on or after July 1, 1993, as a result of a transfer of county probation and intake  
25 services to the department pursuant to the provisions of Code Section ~~15-11-24.3~~ 15-11-69  
26 shall have the options and rights provided for by this Code section. The options available

27 to any such employee under this Code section must be exercised within 18 months after the  
28 date the applicable county probation and intake services are transferred to the department.  
29 Any such option shall be exercised by such employee notifying, in writing, the Board of  
30 Trustees of the Employees' Retirement System of Georgia, the governing authority of the  
31 applicable county, and, when applicable, the board of trustees or other managing body of  
32 any local retirement system of which the employee is a member. If the employee is a  
33 member of a local retirement system, such membership shall continue pending the exercise  
34 of an option provided by this Code section. The choice made by an employee in selecting  
35 an option provided by this Code section shall be irrevocable and may not at any time  
36 thereafter be rescinded or modified."

37 (2) Code Section 47-17-1, relating to definitions regarding the Peace Officers' Annuity and  
38 Benefit Fund, in division (5)(I)(i), by replacing "delinquent and unruly children" with  
39 "delinquent children or children in need of services" each time it appears and by deleting the  
40 comma after "programs".

41 (3) Code Section 47-23-1, relating to definitions relative to the Georgia Judicial Retirement  
42 System, in paragraph (13), by replacing "15-11-18" with "15-11-50".

43 **SECTION 2.**

44 In the event of an irreconcilable conflict between a provision of this Act and a provision of  
45 another Act enacted at the 2014 regular session of the General Assembly, the provision of  
46 such other Act shall control over this Act to the extent of the conflict.

47 **SECTION 3.**

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

50 **SECTION 4.**

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