

House Bill 690

By: Representative Carter of the 175<sup>th</sup>

A BILL TO BE ENTITLED  
AN ACT

1 To amend Part 5 of Article 8 of Chapter 2 of Title 47 of the Official Code of Georgia  
2 Annotated, relating to membership of certain law enforcement officers in the Employees'  
3 Retirement System of Georgia, so as to provide that certain law enforcement officers may  
4 obtain creditable service in such retirement system under certain conditions; to define a  
5 certain term; to provide for the payment of the full actuarial value of obtaining such  
6 creditable service; to provide for application; to provide for related matters; to provide  
7 conditions for an effective date and automatic repeal; to repeal conflicting laws; and for other  
8 purposes.

9 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

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

11 Part 5 of Article 8 of Chapter 2 of Title 47 of the Official Code of Georgia Annotated,  
12 relating to membership of certain law enforcement officers in the Employees' Retirement  
13 System of Georgia, is amended by adding a new Code section to read as follows:

14 "47-2-226.

15 (a) As used in this Code section, the term 'law enforcement officer' means any member in  
16 service of the Uniform Division of the Department of Public Safety, any conservation  
17 ranger of the Department of Natural Resources, any officer or agent of the Georgia Bureau  
18 of Investigation, and any alcohol and tobacco officer or agent of the Department of  
19 Revenue.

20 (b) Any law enforcement officer who, prior to becoming a member of this retirement  
21 system, was employed by a local government as a full-time employee, in a position in  
22 which he or she was vested with authority to enforce the criminal or traffic laws and with  
23 the power of arrest and whose duties include the preservation of public order, the protection  
24 of life and property, or the prevention, detection, or investigation of crime, shall be eligible  
25 to obtain creditable service under this Code section if:

- 26 (1) The member was not eligible for a defined benefit or defined contribution retirement  
 27 or pension plan while employed by the local governing authority other than membership  
 28 in the Peace Officers' Annuity and Benefit Fund; and  
 29 (2) The member has been a member of this retirement fund for at least ten years.  
 30 (c) Any member eligible as provided in subsection (b) of this Code section may obtain up  
 31 to an additional five years of creditable service, not to exceed the actual number of years  
 32 of service described in subsection (b) of this Code section. In order to obtain such  
 33 additional creditable service, the member shall:  
 34 (1) Make application to the board of trustees in such manner and provide such  
 35 documentation as the board deems appropriate. Such application and payment must be  
 36 made in conjunction with and simultaneously with the member's application for  
 37 creditable service; and  
 38 (2) Pay to the board of trustees an amount determined by the board of trustees to be  
 39 sufficient to cover the full actuarial cost of granting the creditable service as provided in  
 40 this Code section.  
 41 (d) Upon receipt of an application for additional creditable service, the board of trustees  
 42 shall certify to the applicant the amount of the payment required by paragraph (2) of  
 43 subsection (c) of this Code section."

44 **SECTION 2.**

45 This Act shall become effective on July 1, 2016, only if it is determined to have been  
 46 concurrently funded as provided in Chapter 20 of Title 47 of the Official Code of Georgia  
 47 Annotated, the "Public Retirement Systems Standards Law"; otherwise, this Act shall not  
 48 become effective and shall be automatically repealed in its entirety on July 1, 2016, as  
 49 required by subsection (a) of Code Section 47-20-50.

50 **SECTION 3.**

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