

House Bill 690 (COMMITTEE SUBSTITUTE)

By: Representative Carter of the 175th

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 **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, any district attorney investigator who is compensated from state funds
19 pursuant to Code Section 15-18-14.1, and any alcohol and tobacco officer or agent of the
20 Department of Revenue.

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

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

43 **SECTION 2.**

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47 become effective and shall be automatically repealed in its entirety on July 1, 2016, as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

49 **SECTION 3.**

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