

House Bill 366

By: Representatives Strickland of the 111th, Fleming of the 121st, Kelley of the 16th, Trammell of the 132nd, and Reeves of the 34th

A BILL TO BE ENTITLED
AN ACT

1 To amend Article 6 of Chapter 23 of Title 47 of the Official Code of Georgia Annotated,
2 relating to salary, retirement, death, and disability benefits of the Georgia Judicial Retirement
3 System, so as to revise the definition of salary for the purpose of determining benefit
4 amounts payable to solicitors-general and state court and juvenile court judges; to provide
5 conditions for an effective date and automatic repeal; to repeal conflicting laws; and for other
6 purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 Article 6 of Chapter 23 of Title 47 of the Official Code of Georgia Annotated, relating to
10 salary, retirement, death, and disability benefits of the Georgia Judicial Retirement System,
11 is amended by revising Code Section 47-23-100, relating to salary defined, as follows:

12 "47-23-100.

13 (a) As used in this article, the term 'salary' means:

14 (1) For superior court judges, the earnable monthly compensation from state funds
15 provided by law for judges of the superior courts on the date the member begins receiving
16 a retirement benefit;

17 (2) For district attorneys, the earnable monthly compensation from state funds provided
18 by law for district attorneys on the date the member begins receiving a retirement benefit;

19 (3) For judges and solicitors-general of state courts, the ~~average~~ earnable monthly
20 compensation ~~received as such judge or solicitor-general~~ from state funds provided by
21 law for judges and solicitors-general of state courts on the date the member begins
22 receiving a retirement benefit; provided, however, that for members who become
23 members after July 1, 1998, such amount shall not exceed the salary from state funds
24 provided by law for superior court judges; and

25 (4) For juvenile court judges, the ~~average~~ earnable monthly compensation ~~received as~~
26 ~~such juvenile judge~~ from state funds provided by law for juvenile court judges on the date

27 the member begins receiving a retirement benefit; provided, however, that for members
28 who become members after July 1, 1998, such amount shall not exceed the salary from
29 state funds provided by law for superior court judges.

30 (b) The monthly employee contributions made by the employer on behalf of the member
31 under Code Sections 47-23-80, 47-23-81, and 47-23-82 shall be used in the computation
32 of the member's salary for the computation of the member's retirement benefits.

33 (c) Notwithstanding any provision of this chapter to the contrary, a member's salary shall
34 be subject to limitations set forth in Code Section 47-1-13."

35 **SECTION 2.**

36 This Act shall become effective on July 1, 2018, only if it is determined to have been
37 concurrently funded as provided in Chapter 20 of Title 47 of the Official Code of Georgia
38 Annotated, the "Public Retirement Systems Standards Law"; otherwise, this Act shall not
39 become effective and shall be automatically repealed in its entirety on July 1, 2018, as
40 required by subsection (a) of Code Section 47-20-50.

41 **SECTION 3.**

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