

Senate Bill 293

By: Senators Black of the 8th, Hill of the 4th, Hufstetler of the 52nd, Rhett of the 33rd and Anderson of the 43rd

A BILL TO BE ENTITLED
AN ACT

1 To amend Article 7 of Chapter 3 of Title 47 of the Official Code of Georgia Annotated,
2 relating to retirement allowances, disability benefits, and spouses' benefits, so as to repeal
3 existing provisions related to the employment of beneficiaries of the Teachers Retirement
4 System of Georgia; to require certain public employers to make employer and employee
5 contributions to such retirement system on behalf of certain employed beneficiaries; to
6 provide for related matters; to provide conditions for an effective date and automatic repeal;
7 to repeal conflicting laws; and for other purposes.

8 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

9 **SECTION 1.**

10 Article 7 of Chapter 3 of Title 47 of the Official Code of Georgia Annotated, relating to
11 retirement allowances, disability benefits, and spouses' benefits, is amended by repealing
12 Code Section 47-3-127, relating to effect of restoration to service on retirement allowances
13 and creditable service after restoration to service, and enacting a new Code Section 47-3-127
14 to read as follows:

15 "47-3-127.

16 (a) Notwithstanding any provision of this chapter to the contrary, an employer that directly
17 or indirectly employs a beneficiary shall pay to the retirement system the employer and
18 employee contributions required by this chapter for members.

19 (b) Any beneficiary described in subsection (a) of this Code section shall continue to
20 receive his or her retirement allowance while so employed; provided, however, that he or
21 she shall not receive creditable service as a result of such employment and shall be
22 considered by the retirement system to be solely a beneficiary.

23 (c)(1) It shall be the duty of each beneficiary to notify an employer of his or her status
24 as a beneficiary prior to accepting employment with such employer.

25 (2) Within 30 days of an employer's employment of a beneficiary, such employer shall
26 notify the board of trustees of such beneficiary's name, salary, number of hours, whether

27 the beneficiary is employed as a teacher, and such other information as the board of
28 trustees may prescribe.
29 (d) If an employer that is obligated to make contributions to the retirement system pursuant
30 to subsection (a) of this Code section does not make such contributions, such amount shall
31 be deducted from any funds payable to the employer by the state, including without
32 limitation the Department of Education and the board of regents, and paid to the retirement
33 system."

34 **SECTION 2.**

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

40 **SECTION 3.**

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