

House Bill 624

By: Representatives Battles of the 15<sup>th</sup>, Powell of the 171<sup>st</sup>, Maxwell of the 17<sup>th</sup>, Burns of the 159<sup>th</sup>, Meadows of the 5<sup>th</sup>, and others

A BILL TO BE ENTITLED  
AN ACT

1 To amend Chapter 6 of Title 47 of the Official Code of Georgia Annotated, relating to the  
2 Georgia Legislative Retirement System, so as to define certain terms; to change certain  
3 provisions relating to employee contributions to the retirement system, payment of employee  
4 contributions on behalf of the member, and additional contributions; to change certain  
5 provisions relating to prior service credit for military service; to change certain provisions  
6 relating to eligibility and application for a retirement allowance, early retirement, amount of  
7 retirement allowance, compliance with federal tax laws, and increases in retirement  
8 allowance; to provide for related matters; to provide conditions for an effective date and  
9 automatic repeal; to repeal conflicting laws; and for other purposes.

10 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

11 **SECTION 1.**

12 Chapter 6 of Title 47 of the Official Code of Georgia Annotated, relating to the Georgia  
13 Legislative Retirement System, is amended in Code Section 47-6-1, relating to definitions,  
14 by adding new paragraphs to read as follows:

15 "(1.1) 'Average monthly salary' means the average of the monthly salary of a member  
16 during the 24 consecutive months of membership service producing the highest such  
17 average."

18 "(7.1) 'Monthly salary' means the full rate of the total combined regular monthly salary,  
19 not including any per diems, allowances, or expense reimbursements, payable to a  
20 member pursuant to provisions of Code Section 45-7-4 that are applicable to such  
21 member plus any additional regular monthly salary payable to the member pursuant to  
22 resolution adopted by the House of Representatives or the Senate."

23

**SECTION 2.**

24 Said chapter is further amended in Code Section 47-6-60, relating to employee contributions  
 25 to the retirement system, payment of employee contributions on behalf of the member, and  
 26 additional contributions, by revising subsections (a) and (f) as follows:

27 "(a) Each member shall contribute ~~7 1/2~~ 8 1/2 percent of his or her monthly salary. Such  
 28 contributions shall be made through payroll deductions by the legislative fiscal officer."

29 "~~(f) In addition to the employee contributions required by subsections (a) and (d) of this~~  
 30 ~~Code section, effective July 1, 1986, each member shall contribute 1 percent of the~~  
 31 ~~member's monthly salary to the system. Such members shall have such additional amount~~  
 32 ~~of employee contributions required by this subsection deducted by the legislative fiscal~~  
 33 ~~officer from their monthly salary along with the other deduction from such salary made by~~  
 34 ~~said legislative fiscal officer pursuant to subsections (a) and (d) of this Code section.~~  
 35 Reserved."

36

**SECTION 3.**

37 Said chapter is further amended in Code Section 47-6-70.1, relating to prior service credit  
 38 for military service, by revising paragraph (6) as follows:

39 "(6) The member must pay to the board of trustees the regular employee contribution of  
 40 ~~7 1/2 percent of compensation provided by subsection (a) of Code Section 47-6-60~~ based  
 41 on the ~~compensation~~ monthly salary received by members of the General Assembly  
 42 ~~during legislative sessions~~ at the time the military service was rendered plus interest on  
 43 such employee contributions at the rate of 7 percent per annum compounded annually  
 44 from the time the military service was rendered until the date of payment."

45

**SECTION 4.**

46 Said chapter is further amended in Code Section 47-6-80, relating to eligibility and  
 47 application for a retirement allowance, early retirement, amount of retirement allowance,  
 48 compliance with federal tax laws, and increases in retirement allowance, by revising  
 49 subsections (a) and (d) as follows:

50 "(a) Upon the written application to the board, any member of the system who (1) has  
 51 attained age 65 and has completed eight or more years of creditable service or (2) has  
 52 attained age 62 and has completed eight or more years of membership service shall be  
 53 retired by the board on a retirement allowance and shall thereupon become a beneficiary  
 54 of the system, provided that he or she is no longer in the service of the state, whether as a  
 55 member of the General Assembly or otherwise. ~~In lieu of eight years of service, a member~~  
 56 ~~may substitute four terms of office in the General Assembly."~~

57 "(d) Upon such retirement under subsection (a) of this Code section, the retired member  
 58 shall receive a monthly service retirement allowance which shall be equal to ~~\$28.00~~ \$40.00  
 59 multiplied by the number of years of the member's creditable service."

60 **SECTION 5.**

61 Said chapter is further amended in Code Section 47-6-80, relating to eligibility and  
 62 application for a retirement allowance, early retirement, amount of retirement allowance,  
 63 compliance with federal tax laws, and increases in retirement allowance, by redesignating  
 64 existing subsection (d.1) as subsection (d.2) and adding a new subsection (d.1) as follows:

65 "(d.1)(1) For any person who first became a contributing member after July 1, 2018,  
 66 upon retirement under subsection (a) of this Code section such member shall receive a  
 67 monthly service retirement allowance equal to 40 percent of the member's average  
 68 monthly salary, in lieu of the monthly service retirement allowance provided by  
 69 subsection (d) of this Code section.

70 (2) For any person who was a contributing member on July 1, 2018, such member may  
 71 make an irrevocable election to receive a monthly service retirement allowance upon  
 72 retirement under subsection (a) of this Code section calculated the same as under  
 73 paragraph (1) of this subsection, in lieu of the monthly service retirement allowance  
 74 provided by subsection (d) of this Code section; provided, however, that if a member who  
 75 has made such an election does not remain a contributing member until at least December  
 76 31, 2018, then his or her monthly service retirement allowance upon retirement shall be  
 77 as provided by subsection (d) of this Code section. Such election shall be made by the  
 78 member by so notifying the board in writing not later than July 31, 2018."

79 **SECTION 6.**

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

85 **SECTION 7.**

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