

House Bill 706

By: Representatives Taylor of the 173rd, Smith of the 134th, Lumsden of the 12th, and Williams of the 145th

A BILL TO BE ENTITLED
AN ACT

1 To amend Title 47 of the Official Code of Georgia Annotated, relating to retirement and
2 pensions, so as to provide for the assignment of benefits to pay for funeral services of a
3 deceased individual who was a member of the Employees' Retirement System of Georgia,
4 Teachers Retirement System of Georgia, or Public School Employees Retirement System;
5 to provide for definitions; to provide for related matters; to repeal conflicting laws; and for
6 other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 Title 47 of the Official Code of Georgia Annotated, relating to retirement and pensions, is
10 amended in Article 9 of Chapter 2, relating to miscellaneous provisions for the Employees'
11 Retirement System of Georgia, by adding a new Code section to read as follows:

12 "47-2-332.1.

13 (a) As used in this Code section, the terms 'funeral director,' 'funeral establishment,'
14 'funeral services,' and 'funeral services contract' shall have the same meanings as provided
15 in Code Section 43-18-1.

16 (b) The right to a pension, annuity, retirement allowance, or return of contributions; the
17 pension, annuity, or retirement allowance itself; any optional benefit; any other right
18 accrued or accruing to any person under this chapter; and the moneys in the various
19 accounts created by this chapter shall be assignable by a beneficiary to a funeral director
20 or a funeral establishment to pay the cost of funeral services for the deceased individual
21 who granted such right or benefit to such beneficiary.

22 (c) To make the assignment authorized by subsection (b) of this Code section, a
23 beneficiary shall authorize such assignment in writing on a form to be prescribed by the
24 board of trustees and shall attach to such form a notarized copy of the funeral services
25 contract and a copy of the former member's death certificate.

26 (d) The retirement system shall pay any sum assigned in accordance with this Code section
 27 in the method or manner provided for in the funeral services contract but only to the extent
 28 that such sums are owed to the beneficiary who completed the assignment.

29 (e) Upon request by a funeral director, the retirement system shall furnish information
 30 related to the beneficiaries of a deceased individual who was a member, including the
 31 amounts due to each beneficiary."

32 SECTION 2.

33 Said title is further amended in Article 2 of Chapter 3, relating to creation, administration,
 34 and management of assets of the Teachers Retirement System of Georgia, by adding a new
 35 Code section to read as follows:

36 "47-3-28.1

37 (a) As used in this Code section, the terms 'funeral director,' 'funeral establishment,'
 38 'funeral services,' and 'funeral services contract' shall have the same meanings as provided
 39 in Code Section 43-18-1.

40 (b) The right to a pension, annuity, retirement allowance, or return of contributions; the
 41 pension, annuity, or retirement allowance itself; any optional benefit; any other right
 42 accrued or accruing to any person under this chapter; and the moneys in the various
 43 accounts created by this chapter shall be assignable by a beneficiary to a funeral director
 44 or a funeral establishment to pay the cost of funeral services for the deceased individual
 45 who granted such right or benefit to such beneficiary.

46 (c) To make the assignment authorized by subsection (b) of this Code section, a
 47 beneficiary shall authorize such assignment in writing on a form to be prescribed by the
 48 board of trustees and shall attach to such form a notarized copy of the funeral services
 49 contract and a copy of the former member's death certificate.

50 (d) The retirement system shall pay any sum assigned in accordance with this Code section
 51 in the method or manner provided for in the funeral services contract but only to the extent
 52 that such sums are owed to the beneficiary who completed the assignment.

53 (e) Upon request by a funeral director, the retirement system shall furnish information
 54 related to the beneficiaries of a deceased individual who was a member, including the
 55 amounts due to each beneficiary."

56 SECTION 3.

57 Said title is further amended in Article 7 of Chapter 4, relating to miscellaneous provisions
 58 of the Public School Employees Retirement System, by adding a new Code section to read
 59 as follows:

60 "47-4-120.1.

61 (a) As used in this Code section, the terms 'funeral director,' 'funeral establishment,'
62 'funeral services,' and 'funeral services contract' shall have the same meanings as provided
63 in Code Section 43-18-1.

64 (b) The right to a pension, annuity, retirement allowance, or return of contributions; the
65 pension, annuity, or retirement allowance itself; any optional benefit; any other right
66 accrued or accruing to any person under this chapter; and the moneys in the various
67 accounts created by this chapter shall be assignable by a beneficiary to a funeral director
68 or a funeral establishment to pay the cost of funeral services for the deceased individual
69 who granted such right or benefit to such beneficiary.

70 (c) To make the assignment authorized by subsection (b) of this Code section, a
71 beneficiary shall authorize such assignment in writing on a form to be prescribed by the
72 board and shall attach to such form a notarized copy of the funeral services contract and
73 a copy of the former member's death certificate.

74 (d) The retirement system shall pay any sum assigned in accordance with this Code section
75 in the method or manner provided for in the funeral services contract but only to the extent
76 that such sums are owed to the beneficiary who completed the assignment.

77 (e) Upon request by a funeral director, the retirement system shall furnish information
78 related to the beneficiaries of a deceased individual who was a member, including the
79 amounts due to each beneficiary."

80 **SECTION 4.**

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