

House Bill 706

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

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.