

House Bill 196

By: Representative Benton of the 31<sup>st</sup>

A BILL TO BE ENTITLED  
AN ACT

1 To amend Article 1 of Chapter 1 of Title 47 of the Official Code of Georgia Annotated,  
2 relating to general provisions relative to retirement and pensions, so as to require each public  
3 retirement system trustee to complete appropriate education applicable to his or her fiduciary  
4 duties and obligations under the public retirement system; to provide for definitions; to  
5 provide for removal of trustees who fail to obtain such education; to provide for related  
6 matters; to repeal conflicting laws; and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 Article 1 of Chapter 1 of Title 47 of the Official Code of Georgia Annotated, relating to  
10 general provisions relative to retirement and pensions, is amended by adding a new Code  
11 section to read as follows:

12 "47-1-17.

13 (a) As used in this Code section, the term:

14 (1) 'Public retirement system' means any retirement or pension system now or hereafter  
15 created by or pursuant to the authority of Georgia law or the Constitution of Georgia  
16 which has public employees as members of the retirement or pension system; provided,  
17 however, that such term shall not include:

18 (A) The Georgia Municipal Employees Benefit System or any association of like  
19 political subdivisions which contracts with its members for the pooling of assets;

20 (B) The Employees' Retirement System of Georgia; or

21 (C) The Teachers Retirement System of Georgia.

22 (2) 'Public retirement system trustee' means a member of a board of trustees or other  
23 administrative body or agency charged with the duty of administering a public retirement  
24 system.

25 (b)(1) Each public retirement system trustee shall complete appropriate education  
 26 applicable to his or her fiduciary duties and obligations under the public retirement  
 27 system.

28 (2) Each public retirement system trustee first appointed or elected on or after July 1,  
 29 2019, shall complete a minimum of eight hours of education designated to orient new  
 30 public retirement system trustees in the areas described in this Code section within one  
 31 year of becoming a new public retirement system trustee. If such a trustee fails to  
 32 complete such requirement within 14 months, he or she shall be removed from his or her  
 33 position as a trustee.

34 (3) Each public retirement system trustee who was appointed or elected prior to  
 35 July 1, 2019, or who has served one or more years as a public retirement system trustee  
 36 shall complete a minimum of 12 hours of continuing education every two years in the  
 37 areas described in this Code section. If such a trustee fails to complete such requirement  
 38 within 26 months, he or she shall be removed from his or her position as such trustee.

39 (c) Applicable education shall include education and training in the following areas:

40 (1) Laws applicable to public retirement systems, which may include federal and state  
 41 laws applicable to specific public retirement systems, laws applicable to public retirement  
 42 system trustees, the applicable common law duties of trustees listed in Title 53, and laws  
 43 related to open meetings and open records;

44 (2) Roles, duties, and responsibilities of public retirement system trustees;

45 (3) Ethics and conflicts of interest;

46 (4) Governance, administration, and funding of public retirement systems;

47 (5) Investments; investment management, portfolios, and strategies; and measurements  
 48 of performance; and

49 (6) Audit and actuarial principles and methods related to public retirement systems.

50 (d) Applicable education may include:

51 (1) Seminars, conferences, or schools sponsored by educational institutions or  
 52 professional organizations;

53 (2) Online continuing education coursework;

54 (3) Continuing education received at any public retirement system meeting; or

55 (4) Any other continuing education approved by the public retirement system.

56 (e) Each public retirement system shall maintain a record of its public retirement system  
 57 trustee education."

58 **SECTION 2.**

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