

House Bill 664

By: Representatives Fleming of the 121<sup>st</sup>, Powell of the 171<sup>st</sup>, Trammell of the 132<sup>nd</sup>, Kelley of the 16<sup>th</sup>, Efstoration of the 104<sup>th</sup>, and others

A BILL TO BE ENTITLED  
AN ACT

1 To amend Chapter 23 of Title 47 of the Official Code of Georgia Annotated, relating to the  
2 Georgia Judicial Retirement System, so as to require membership in the system for certain  
3 persons employed in certain full-time positions requiring admission to the State Bar of  
4 Georgia as a condition of employment; to provide for an election for such current employees;  
5 to provide for transfer of funds; to require payment of actuarial costs; to provide for transfer  
6 of membership service; to provide for related matters; to provide conditions for an effective  
7 date and automatic repeal; to repeal conflicting laws; and for other purposes.

8 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

9 style="text-align:center">**SECTION 1.**

10 Chapter 23 of Title 47 of the Official Code of Georgia Annotated, relating to the Georgia  
11 Judicial Retirement System, is amended by adding a new Code section to read as follows:

12 "47-23-43.1.

13 (a) On and after July 1, 2020, each individual employed pursuant to Code Section 28-4-3  
14 in a full-time position requiring admission to and good standing with the State Bar of  
15 Georgia as a condition of employment shall become a member of this retirement system  
16 except for individuals so employed as of June 30, 2020, who shall each remain a member  
17 of the Employees' Retirement System of Georgia unless such an individual elects to  
18 become a member of this retirement system by notifying the board of such election and  
19 making the actuarially determined payment required by this subsection on or before  
20 June 30, 2021. Upon such election and payment, such individual shall become a member  
21 of this retirement system and the Employees' Retirement System of Georgia shall transfer  
22 to this retirement system all employer and employee contributions paid by or on behalf of  
23 such individual together with regular interest thereon, and such individual shall receive  
24 service in this retirement system toward vesting in the full amount of the service he or she  
25 rendered as an employee while he or she was a member of the Employees' Retirement  
26 System of Georgia and for which credit was allowable in the Employees' Retirement

27 System of Georgia, provided that such individual pays to the retirement system the  
28 remaining amount necessary to pay for the full actuarial cost to the retirement system  
29 associated with his or her transfer of service.

30 (b) An individual who becomes a member of this retirement system pursuant to this Code  
31 section shall be subject to all provisions of this chapter applicable to solicitors-general of  
32 the state courts, except as otherwise specifically provided by this chapter.

33 (c) This Code section shall not apply to or affect any retired member or individual who  
34 was already a member of this retirement system as of June 30, 2020, and was employed  
35 pursuant to Code Section 28-4-3 in a full-time position requiring admission to and good  
36 standing with the State Bar of Georgia as a condition of employment."

37 **SECTION 2.**

38 This Act shall become effective on July 1, 2020, only if it is determined to have been  
39 concurrently funded as provided in Chapter 20 of Title 47 of the Official Code of Georgia  
40 Annotated, the "Public Retirement Systems Standards Law"; otherwise, this Act shall not  
41 become effective and shall be automatically repealed in its entirety on July 1, 2020, as  
42 required by subsection (a) of Code Section 47-20-50.

43 **SECTION 3.**

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