

House Bill 663

By: Representatives Efration of the 104th and Fleming of the 121st

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 provide for transfer of membership service; to provide
6 for all other individuals employed by a new court; to modify provisions related to salary; to
7 provide for related matters; to provide conditions for an effective date and automatic repeal;
8 to repeal conflicting laws; and for other purposes.

9 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

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

11 Chapter 23 of Title 47 of the Official Code of Georgia Annotated, relating to the Georgia
12 Judicial Retirement System, is amended by revising Code Section 47-23-49, which is
13 reserved, as follows:

14 "47-23-49.

15 (a) On and after July 1, 2020, each individual employed pursuant to Chapter 5A of Title 15
16 in a full-time position requiring admission to and good standing with the State Bar of
17 Georgia as a condition of employment shall become a member of this retirement system.

18 (b) The Employees' Retirement System of Georgia shall transfer to this retirement system
19 all employer and employee contributions paid by or on behalf of such individual together
20 with regular interest thereon, and such individual shall receive service in this retirement
21 system toward vesting in the full amount of the service he or she rendered as an employee
22 while he or she was a member of the Employees' Retirement System of Georgia and for
23 which credit was allowable in the Employees' Retirement System of Georgia and for
24 service rendered prior to July 1, 2020, due to employment pursuant to Chapter 5A of Title
25 15.

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

29 (d) All other individuals employed by a new court established pursuant to Chapter 5A of
30 Title 15 shall be treated in accordance with the provisions of Code Section 47-2-70.1 for
31 new state agencies."

32 **SECTION 2.**

33 Said chapter is further amended in subsection (a) of Code Section 47-23-100, relating to
34 salary defined, by striking "and" at the end of paragraph (3), replacing the period with "; and"
35 at the end of paragraph (4), and adding a new paragraph to read as follows:

36 "(5) For any person who is a member of the retirement system pursuant to Code
37 Section 47-23-49, his or her average earnable monthly compensation."

38 **SECTION 3.**

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

44 **SECTION 4.**

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