

House Bill 319 (AS PASSED HOUSE AND SENATE)

By: Representatives Williams of the 148th, Hogan of the 179th, Gilliard of the 162nd, Belton of the 112th, Gravley of the 67th, and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Article 6 of Chapter 7 of Title 47 of the Official Code of Georgia Annotated,
2 relating to retirement, retirement allowances, disability benefits, and death benefits relative
3 to the Georgia Firefighters' Pension Fund, so as to provide that a member's benefits payable
4 after death shall be paid to his or her estate when such member failed to designate a
5 beneficiary or his or her designated beneficiaries are deceased; to provide for related matters;
6 to repeal conflicting laws; and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 Article 6 of Chapter 7 of Title 47 of the Official Code of Georgia Annotated, relating to
10 retirement, retirement allowances, disability benefits, and death benefits relative to the
11 Georgia Firefighters' Pension Fund, is amended by revising Code Section 47-7-103, relating
12 to benefits payable to a named beneficiary upon death of members prior to the
13 commencement of benefits or payment of benefits equal to members' dues, as follows:

14 "47-7-103.

15 (a) In the event of the death of an active member who has not commenced receiving any
16 benefits under this chapter, up to five selected beneficiaries of such deceased member shall
17 be entitled to be paid the amount of \$5,000.00 split equally among the selected
18 beneficiaries, upon any selected beneficiary making proper application to the executive
19 director of the fund. Such application shall be accompanied by a certified copy of the death
20 certificate of the deceased member and such other information as may be required by the
21 board.

22 (b) In the event of the death of a retired member of the fund who has not elected survivor
23 benefits under Option A or B as provided for in subsection (d) of Code Section 47-7-100
24 and who has commenced receiving benefits under this chapter, but who has not received
25 total benefits in an amount equal to \$5,000.00, up to five beneficiaries selected by the
26 member shall be entitled to receive an equally apportioned amount from the difference

27 between \$5,000.00 and the amount of benefits received by such deceased member, upon
28 making application as provided for in subsection (a) of this Code section.

29 (c) In the event of the death of an active member or a retired member who failed to
30 designate a beneficiary, or if all named beneficiaries have predeceased such member, any
31 benefits otherwise payable under subsections (a) or (b) of this Code section shall be
32 payable to such member's estate."

33 **SECTION 2.**

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