

ADOPTED

Senator Black of the 8th offered the following amendment to the House substitute to Senate Bill 117 by striking lines 1-322 and inserting in lieu thereof the following:

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 prohibit the passage of any law, rule, or regulation that allows for
3 creditable service in a retirement system that does not require an individual to pay the full
4 actuarial cost of obtaining such creditable service; to revise certain existing laws that do not
5 have such a requirement; to restrict the amendment of certain existing laws; to provide for
6 optional payment plans for creditable service; to exclude any local retirement system that is
7 not legislatively controlled and the Georgia Municipal Employees Benefit System from such
8 requirements and restrictions; to provide for related matters; to repeal conflicting laws; and
9 for other purposes.

10 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

11 Title 47 of the Official Code of Georgia Annotated, relating to retirement and pensions, is
12 amended by revising Code Section 47-2-280, relating to credit for previous service as an
13 employee of the Peace Officers' Annuity and Benefit Fund and contributions, as follows:

14 "47-2-280.

15 (a) Anything in this chapter to the contrary notwithstanding, ~~any member with an~~
16 individual who first became a member prior to July 1, 2020, who has prior service credits
17 ~~who previously was employed from his or her prior employment~~ by the Peace Officers'
18 Annuity and Benefit Fund shall be eligible to receive credit for such service with the Peace
19 Officers' Annuity and Benefit Fund by paying the regular employer and employee's
20 contribution, including regular interest that would have accumulated on those contributions
21 during such period of employment if such payment is made prior to July 1, 2025,
22 otherwise, he or she shall be required to pay the full actuarial cost associated with obtaining
23 such service. In the computation of such contributions and interest, the compensation of
24 such member shall be deemed to have been the same as the compensation such member
25 received on the date of first becoming a member.
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27 (b) An individual who first or again becomes a member on or after July 1, 2020, who has
 28 credit for prior service for his or her employment by the Peace Officers' Annuity and
 29 Benefit Fund shall be eligible to receive credit for such service by paying the full actuarial
 30 cost associated with obtaining such creditable service."

31 **SECTION 2.**

32 Said title is further amended by revising subsections (e.1) and (f) of Code Section 47-3-60,
 33 relating to eligibility, termination, leaves of absence, service credit for postgraduate study,
 34 and transfer of service credit, as follows:

35 "(e.1)(1) For an individual who first became a member prior to July 1, 2020, and did not
 36 withdraw his or her accumulated contributions on or after July 1, 2020:

37 (A) A member who has not withdrawn the member's his or her contributions to the
 38 retirement system and who has a break in service of more than four years but not more
 39 than five years may be reinstated to membership if the member prior to July 1, 2025,
 40 he or she pays a sum equal to 12 1/2 percent of the member's his or her salary for the
 41 last year of service prior to the break in service; or on or after July 1, 2025, he or she
 42 pays the full actuarial cost associated with his or her reinstatement to membership; or

43 (B) A member who has not withdrawn the member's his or her contributions to the
 44 retirement system and who has a break in service of more than five years but not more
 45 than six years may be reinstated to membership if the member prior to July 1, 2025, he
 46 or she pays a sum equal to 25 percent of the member's salary for the last year of service
 47 prior to the break in service or on or after July 1, 2025, he or she pays the full actuarial
 48 cost associated with his or her reinstatement to membership.

49 (2) A member who has not withdrawn the member's his or her contributions to the
 50 retirement system may be reinstated to membership without paying the reinstatement fees
 51 after the member he or she renders at least one year of membership service subsequent
 52 to the break in service.

53 (3) All interest credits shall cease after any such break in service but shall begin again
 54 on the date of payment of the sum required for reinstatement to membership or on the
 55 first day of July immediately following the completion of one year of membership service
 56 following the break in service.

57 (4) The board of trustees may approve the continued membership of:

58 (A) A a member while in the armed forces of the United States or other emergency
 59 wartime service of the United States; or

60 (B) A a member whose membership would be terminated because of illness which
 61 prevents the member him or her from rendering the service otherwise required by this
 62 Code section.

63 (5) The board of trustees may also grant an additional year of leave to a teacher who first
 64 became a member prior to July 1, 2020, and did not withdraw his or her accumulated
 65 contributions on or after July 1, 2020, for each child born to or adopted by such teacher
 66 while on authorized leave.

67 (f)(1) In the event a member who first became a member prior to July 1, 2020, and did
 68 not withdraw his or her accumulated contributions on or after July 1, 2020, desires to
 69 pursue a program of full-time study which will require that he or she render less than one
 70 year of service in a period of five consecutive years and which would otherwise result in
 71 termination of his or her membership, the board of trustees may approve a leave of
 72 absence for study purposes in addition to the normal four-year break in service which the
 73 member could otherwise take, so that the combined break in service does not exceed six
 74 years. Such study leave shall be continuous. In no event shall such a member's account
 75 remain in an active status for longer than six consecutive years for such purpose.

76 (2) A member who undertakes full-time graduate study designed to advance or improve
 77 his or her training or abilities as a teacher is entitled to receive creditable service for a
 78 period of graduate study under the following conditions:

79 (A) The member must have been a full-time teacher in the public schools of this state
 80 or in the University System of Georgia under the board of regents immediately prior to
 81 the period of graduate study. Any such period of graduate study interrupted solely for
 82 a period of active duty military service begun during a period in which the military draft
 83 is in effect shall be deemed not to have been interrupted for purposes of this
 84 subparagraph;

85 (B) The member must submit a transcript or similar document to the retirement system
 86 as verification of the graduate study pursued;

87 (C) The member must return to full-time employment as a teacher in the public schools
 88 of this state or in the University System of Georgia under the board of regents for a
 89 minimum of five years following such period of graduate study; and

90 (D)(i) For an individual who first became a member prior to July 1, 2020, and did not
 91 withdraw his or her accumulated contributions on or after July 1, 2020, the ~~The~~
 92 member must pay, if prior to July 1, 2025, the appropriate member contributions plus
 93 applicable accrued interest in accordance with regulations adopted by the board of
 94 trustees on the basis of the salary ~~the member~~ he or she was receiving for full-time
 95 employment as a teacher immediately prior to the period of graduate study; ~~and (E)~~
 96 ~~Either~~ either the member's present employer or the member must pay the appropriate
 97 employer contributions and applicable accrued interest thereon if the source of funds
 98 from which the member was paid immediately prior to his or her period of graduate

99 study was other than state funds or, if on or after July 1, 2025, the member shall pay
 100 the full actuarial cost associated with obtaining such creditable service; or
 101 (ii) For an individual who first becomes a member on or after July 1, 2020, the
 102 member must pay to the retirement system an amount equal to the full actuarial cost
 103 of obtaining such creditable service.

104 (3) The foregoing provisions of this subsection shall apply to periods of graduate study
 105 heretofore and hereafter granted, but nothing contained in this subsection shall be
 106 construed to rescind any creditable service granted prior to July 1, 1981, pursuant to this
 107 subsection or its predecessors."

108 SECTION 3.

109 Said title is further amended by revising subsection (b) of Code Section 47-3-63, relating to
 110 membership of full-time public school support personnel, employee and employer
 111 contributions, and creditable service, as follows:

112 "(b) Members ~~(1)~~ who were previously eligible for membership in the Public School
 113 Employees Retirement System and whose duties were or have been changed in such a
 114 manner so as to have made them eligible for membership in the Teachers Retirement
 115 System of Georgia and ~~(2)~~ any personnel specified in subsection (a) of this Code section
 116 who elect to become members of the Teachers Retirement System of Georgia shall be
 117 permitted to establish credit for service rendered in a public school system prior to the date
 118 such employees become or became members of the Teachers Retirement System of
 119 Georgia, provided that such service would be or would have been normally allowable as
 120 creditable service under the Public School Employees Retirement System; provided,
 121 further, that:

122 (1) If prior to July 1, 2025, such members must pay the employee contributions on the
 123 salary earned by such members during the years of service sought to be so established,
 124 plus applicable accrued regular interest compounded annually to the dates of payment at
 125 the rates adopted by the board of trustees. ~~Such, and such~~ members or the local boards
 126 of education by which the members are employed at the time the service is established
 127 shall pay the employer contributions on the earnable compensation of such members that
 128 would have been paid to the Teachers Retirement System of Georgia, plus applicable
 129 accrued regular interest compounded annually to the dates of payment at the rates
 130 adopted by the board of trustees;

131 (2) On or after July 1, 2025, the member must pay the full actuarial cost associated with
 132 obtaining such creditable service; or

133 (3) Individuals who first become members on or after July 1, 2020, shall pay the full
 134 actuarial cost associated with obtaining such creditable service."

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SECTION 4.

Said title is further amended by revising subsections (a) and (d) of Code Section 47-3-83, relating to service credit for active duty service in the armed forces of the United States and limitations on credit for such service if used to obtain other state or federal retirement benefits, as follows:

"(a) Any person who was on active duty in the armed forces of the United States during World War I, World War II, the Korean War, or any period of national emergency may receive up to five years of service credit for such military service under the following conditions:

(1) Prior service credit shall be awarded at no cost to the member for any period of military service prior to January 1, 1945; and

(2) Membership service credit shall be awarded for any period of active military service performed after January 1, 1945, upon payment by the member of the regular employee contribution of:

(A) Five percent on the earnable compensation last paid to him or her as a teacher before entering military service or if he or she was not a teacher prior to entering military service 5 percent on the earnable compensation first paid to ~~him~~ such member as a teacher after returning from military service, whichever the case may be, plus applicable accrued regular interest on such employee contributions, compounded annually to date of payment, for any period of active military service between January 1, 1945, and July 1, 1961; ~~and~~

(B) Six percent on the earnable compensation last paid to him or her as a teacher before entering military service or if he or she was not a teacher prior to entering military service 6 percent on the earnable compensation first paid to ~~him~~ such member as a teacher after returning from military service, whichever the case may be, plus applicable accrued regular interest on such employee contributions, compounded annually to date of payment, for any period of active military service subsequent to July 1, 1961; and

(C) An amount equal to the full actuarial cost of obtaining such creditable service for an individual who first becomes a member on or after July 1, 2020; provided, however, that the provisions of Code Section 47-1-62 shall control for returning veterans covered by such Code section."

"(d) In addition to creditable service authorized by subsections (a) and (b) of this Code section, but subject to the limitations of subsection (c) of this Code section, a member who was on active duty in the armed forces of the United States during any period when a military draft was in effect and who was honorably discharged from military service may receive credit for such military service under the following conditions:

- 172 (1) The total amount of creditable service for military service which may be received
 173 under all provisions of this Code section may not exceed five years;
- 174 (2)(A) For an individual who became a member prior to July 1, 2020, and did not
 175 withdraw his or her accumulated contributions on or after July 1, 2020, the ~~The~~ member
 176 shall pay to the board of trustees, if prior to July 1, 2025, the regular employee and
 177 employer contributions which would have been paid during the period for which
 178 creditable service is claimed based on the compensation of the member upon first
 179 becoming a teacher after the completion of the military service plus applicable accrued
 180 regular interest on such employee and employer contributions compounded annually
 181 to date of payment, or if on or after July 1, 2025, the full actuarial cost associated with
 182 obtaining such creditable service; or
- 183 (B) For any individual who first becomes a member on or after July 1, 2020, or
 184 withdraws his or her accumulated contributions on or after July 1, 2020, the member
 185 shall pay the full actuarial cost associated with obtaining such creditable service; and
- 186 (3) No creditable service for military service may be obtained pursuant to the authority
 187 of this subsection if creditable service for the same military service has been or may be
 188 obtained under subsection (a) or (b) of this Code section."

189 **SECTION 5.**

190 Said title is further amended by revising Code Section 47-3-84, relating to credit for service
 191 rendered by members who have breaks in membership and payments required to obtain such
 192 credit, as follows:

193 "47-3-84.

- 194 (a) Any provision of this chapter to the contrary notwithstanding, any teacher who became
 195 a member prior to July 1, 2020, and did not withdraw his or her accumulated contributions
 196 on or after July 1, 2020, shall be entitled to have all teaching service included in computing
 197 creditable service, notwithstanding breaks in membership of more than four years, provided
 198 that such teacher pays into the retirement system an amount equal to the minimum required
 199 for continuous members, plus regular interest that would have accrued on such
 200 contributions during periods of nonmembership. No member shall receive credit for
 201 teaching service if contributions were not made during the teaching service or have not
 202 later been contributed with interest that would have accrued on such contributions,
 203 provided that after three years' membership service a member may reestablish previous
 204 credits by paying into the retirement system, prior to retirement, contributions equal to:
- 205 (1) If prior to July 1, 2025, 10 percent of such compensation as he received during those
 206 years and for which he desires to establish previous credit, plus regular interest that
 207 would have accrued on such contributions; or

208 (2) If on or after July 1, 2025, the full actuarial cost associated with obtaining such
 209 creditable service.
 210 (b) Any teacher who first becomes a member on or after July 1, 2020, and who withdraws
 211 his or her accumulated contributions shall be eligible to purchase creditable service for his
 212 or her prior teaching service provided that he or she renders at least one year of
 213 membership service and pays into the retirement system an amount equal to the full
 214 actuarial cost associated with obtaining creditable service for such prior teaching service."

215 **SECTION 6.**

216 Said title is further amended by repealing Code Section 47-3-84.1, relating to certain former
 217 members of the system who have not withdrawn contributions.

218 **SECTION 7.**

219 Said title is further amended by repealing and reserving Code Section 47-3-86, relating to
 220 issuance of a prior service certificate, evidentiary effect of such certificate, and credit for
 221 prior service rendered by members who previously elected nonmembership.

222 **SECTION 8.**

223 Said title is further amended by repealing Code Section 47-3-87.1, relating to credit for
 224 service rendered in independent school system prior to, but not later than, June 30, 1979.

225 **SECTION 9.**

226 Said title is further amended by revising Code Section 47-3-88, relating to credit for service
 227 rendered to a local school system by persons who became members on or after April 1, 1966,
 228 and payments required in order to obtain such credit, as follows:

229 "47-3-88.

230 Any other provision of this or any other law to the contrary notwithstanding, in order for
 231 a teacher who becomes a member of the retirement system on or after April 1, 1966, to
 232 receive full creditable service for service rendered while a member of a local school system
 233 and before he or she became a member of the retirement system either such teacher, or the
 234 local board of education for which such service was rendered, or the local board of
 235 education by which the member is currently employed must pay, if prior to July 1, 2025,
 236 the employee and employer contributions, plus regular interest, or if on or after July 1,
 237 2025, the full actuarial cost associated with obtaining such creditable service. The board
 238 of trustees shall determine the amount to be paid, provided that in no case, if prior to July
 239 1, 2025, shall a member pay more than the total member and employer contributions and
 240 regular interest in effect at the time such service was rendered; provided, however, that an

241 individual who first becomes a member on or after July 1, 2020, or who withdraws his or
 242 her accumulated contributions on or after July 1, 2020, shall in all cases be required to pay
 243 the amount necessary to cover the full actuarial cost associated with obtaining such
 244 creditable service."

245 **SECTION 10.**

246 Said title is further amended by revising subsection (c) of Code Section 47-3-91, relating to
 247 credit for service for visiting scholars, as follows:

248 "(c) Any creditable service obtained pursuant to the authority of this Code section shall be
 249 subject to the following conditions and requirements:

250 (1) No more than two years of creditable service may be obtained under this Code
 251 section;

252 (2) No member who receives or who is or will become entitled to receive any annuity
 253 or pension or retirement benefit from any other source, except social security, shall be
 254 eligible to obtain creditable service under this Code section;

255 (3) No creditable service obtained under this Code section shall be applied to obtain
 256 creditable service under Code Section 47-3-89, and no person shall be entitled to obtain
 257 more than a total of ten years of creditable service pursuant to this Code section and Code
 258 Section 47-3-89; and

259 (4)(A) For an individual who first became a member prior to July 1, 2020, the ~~The~~
 260 member must pay, if prior to July 1, 2025, the employer and employee contributions
 261 which would have been paid to the retirement system during the period of time claimed
 262 as creditable service based on the member's earnable compensation at the time of
 263 making application for creditable service plus regular interest thereon compounded
 264 annually from the time the service as a visiting scholar was rendered until the date of
 265 payment, or if on or after July 1, 2025, the full actuarial cost associated with obtaining
 266 such creditable service; or

267 (B) For an individual who first becomes a member on or after July 1, 2020, or who
 268 withdraws his or her accumulated contributions on or after July 1, 2020, such member
 269 shall pay the full actuarial cost associated with obtaining such creditable service."

270 **SECTION 11.**

271 Said title is further amended by revising paragraph (6) of Code Section 47-6-70.1, relating
 272 to prior service credit for military service, as follows:

273 "(6)(A) For an individual who became a member prior to July 1, 2020, the ~~The~~ member
 274 must pay, if prior to July 1, 2025, to the board of trustees the regular employee
 275 contribution of 7 1/2 percent of compensation based on the compensation received by

276 members of the General Assembly during legislative sessions at the time the military
 277 service was rendered plus interest on such employee contributions at the rate of 7
 278 percent per annum compounded annually from the time the military service was
 279 rendered until the date of payment, or if on or after July 1, 2025, the full actuarial cost
 280 associated with obtaining such creditable service.

281 (B) For an individual who first becomes a member on or after July 1, 2020, or who
 282 withdraws his or her accumulated contributions on or after July 1, 2020, such member
 283 shall pay to the board of trustees the full actuarial cost associated with obtaining such
 284 creditable service."

285 SECTION 12.

286 Said title is further amended by revising Code Section 47-16-80, relating to credit for prior
 287 service in the armed forces of the United States or as a peace officer relative to the Sheriffs'
 288 Retirement Fund of Georgia, as follows:

289 "47-16-80.

290 In addition to listing and claiming credit for prior services as a sheriff under paragraph (4)
 291 of Code Section 47-16-40, the applicant may elect to list and claim credit for service in the
 292 armed forces of the United States, not to exceed four years, and service as a peace officer
 293 other than as a sheriff, not to exceed four years, provided that he or she was employed
 294 during such period as a peace officer by the state, a municipality, or any other political
 295 subdivision of this state and was required by the terms of such employment, whether by
 296 election or appointment, to devote his or her full time to the duties of a peace officer. Upon
 297 approval or acceptance of such claims by the board, the applicant shall be credited with
 298 such service as a basis for future contemplated retirement, provided that credit for such
 299 service shall be available only if the applicant shall have served as a sheriff for a minimum
 300 of eight years subsequent to December 31, 1960, and subsequent to periods of service for
 301 which credit under this Code section is claimed; provided, further, that amounts due under
 302 paragraph (5) of Code Section 47-16-40 have been paid prior to July 1, 2025, for such
 303 periods for an individual who first became a member prior to July 1, 2020, or for amounts
 304 not paid by such individuals prior to July 1, 2025, and for any individual who became a
 305 member on or after July 1, 2020, that he or she has paid the full actuarial cost associated
 306 with obtaining such creditable service."

307 SECTION 13.

308 Said title is further amended by revising subsection (c) of Code Section 47-16-81, relating
 309 to credit for prior service as sheriff, member of armed forces of the United States, or peace

310 officer, notice, and amendment of application relative to the Sheriffs' Retirement Fund of
 311 Georgia, as follows:

312 "(c) At the time such member gives written notification to the secretary-treasurer, such
 313 member must also tender payment of all amounts due under paragraph (5) of Code Section
 314 47-16-40 for the prior service listed in the amendment to his or her application for
 315 membership, together with interest on such amounts at 8 percent per annum from the date
 316 of acceptance of his or her original application for membership if paid prior to July 1, 2025,
 317 or on and after July 1, 2025, such member must pay the full actuarial cost associated with
 318 obtaining such creditable service; provided, however, that an individual who first becomes
 319 a member on or after July 1, 2020, shall pay the full actuarial cost associated with obtaining
 320 such creditable service."

321 SECTION 14.

322 Said title is further amended by revising Code Section 47-16-82, relating to credit for prior
 323 service as a warden of a county correctional institution relative to the Sheriffs' Retirement
 324 Fund of Georgia, as follows:

325 "47-16-82.

326 Any member who has served as a sheriff for at least 12 years and who served as a warden
 327 of a county correctional institution for at least ten years prior to his or her service as a
 328 sheriff may, upon application to the board, receive four years of prior service credit for
 329 such service as a warden, provided that if such member either first became a member on
 330 or after July 1, 2020, or applied to the board on or after July 1, 2025, he or she shall be
 331 required to pay the full actuarial cost associated with obtaining such creditable service."

332 SECTION 15.

333 Said title is further amended in Article 1 of Chapter 20, relating to general provisions of the
 334 "Public Retirement Systems Standards Law," by adding two new Code sections to read as
 335 follows:

336 "47-20-6.

337 (a) After July 1, 2020, no law, rule, or regulation shall pass that allows for any form of
 338 creditable service in a retirement system that does not require the individual obtaining such
 339 creditable service to pay to such retirement system an amount equal to the full actuarial
 340 cost of obtaining such creditable service.

341 (b) Existing laws, rules, or regulations that allow for any form of creditable service in a
 342 retirement system for an amount less than the full actuarial cost of obtaining such
 343 creditable service shall only be amended in a manner that does not increase the actuarial
 344 cost to such retirement system.

345 (c) This Code section shall not apply to creditable service in a retirement system that an
346 individual earned as a contributing member of such retirement system.

347 (d) This Code section shall not apply to or affect:

348 (1) The Georgia Municipal Employees Benefit System established in Chapter 5 of this
349 title; or

350 (2) Any local retirement system that is not a legislatively controlled retirement system.

351 47-20-7.

352 (a) Any retirement system administrator may adopt a procedure in accordance with
353 subsections (b), (c), and (d) of this Code section for accepting payments for creditable
354 service for which payment of the full actuarial cost for such creditable service is required,
355 which shall only apply to retirement systems that elect to adopt such a procedure.

356 (b) Following its approval of an application for creditable service, a retirement system
357 administrator shall certify to the applicant the amount of the payment to the retirement
358 system required to earn the creditable service allowed.

359 (c) A member may make a one-time payment of the full amount established by the
360 retirement system administrator under subsection (b) of this Code section within 90 days
361 and thereafter receive such creditable service to which he or she is entitled or may elect to
362 participate in a payment plan pursuant to subsection (d) of this Code section.

363 (d)(1)(A) A member may elect to make equal monthly payments to be deducted from
364 such member's earnable compensation over a period of 12, 24, 36, 48, or 60 months to
365 be paid according to a schedule established by the retirement system administrator,
366 which amortizes the full actuarial cost of obtaining the creditable service, over the
367 elected period of time based on the retirement system's most recent valuation
368 assumptions. Such schedule shall include a present accounting of the full amount
369 necessary to complete the payments.

370 (B) Once a member makes an election for an eligible period of time, he or she shall not
371 be permitted to change such election.

372 (2) At any time prior to retirement, a contributing member may make a one-time
373 payment of the full amount necessary to complete the payments owed pursuant to the
374 schedule established by the retirement system administrator pursuant to paragraph (1) of
375 this subsection.

376 (3) Upon application for retirement, a member may make a one-time payment to the
377 retirement system of the remaining amount owed pursuant to paragraph (1) of this
378 subsection and shall be awarded such creditable service to which he or she is entitled.

379 (4) Upon retirement, if a member has not paid the amount of the full actuarial cost as
380 amortized, he or she shall only be awarded as many months of creditable service on a

381 whole month, pro rata basis as determined by the retirement system administrator from
 382 the original amortized payment schedule elected under paragraph (1) of this subsection
 383 as have been paid for in full.

384 (5) Within 30 days of a member ceasing to be an employee for a reason other than death
 385 or retirement, such individual shall make a one-time payment to the retirement system of
 386 the remaining amount necessary to complete the payments owed in accordance with the
 387 schedule established pursuant to paragraph (1) of this subsection and shall be awarded
 388 such creditable service to which he or she is entitled. If he or she does not make such
 389 payment, the retirement system administrator shall issue to such individual a refund of
 390 payments made pursuant to this subsection, and he or she shall forfeit the related
 391 creditable service; provided, however, that if the individual is a vested member of the
 392 retirement system, he or she shall be awarded such creditable service allowed pursuant
 393 to paragraph (4) of this subsection. Such individual may reapply for the creditable
 394 service sought if eligible and in accordance with this Code section.

395 (6) Within 30 days of a member defaulting by failing to make his or her complete
 396 monthly payment in accordance with the schedule established pursuant to paragraph (1)
 397 of this subsection, such individual shall make a one-time payment to the retirement
 398 system of the remaining amount necessary to complete the payments owed in accordance
 399 with the schedule established pursuant to paragraph (1) of this subsection and shall be
 400 awarded such creditable service to which he or she is entitled. If he or she does not make
 401 such payment, the retirement system administrator shall issue to such individual a refund
 402 of payments made pursuant to this subsection, and he or she shall forfeit the related
 403 creditable service. Such individual may reapply for the creditable service sought if
 404 eligible and in accordance with this Code section.

405 (e) This Code section shall not apply to or affect:

406 (1) The Georgia Municipal Employees Benefit System established in Chapter 5 of this
 407 title; or

408 (2) Any local retirement system that is not a legislatively controlled retirement system."

409

SECTION 16.

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