

House Bill 825 (COMMITTEE SUBSTITUTE)

By: Representatives Fleming of the 125th and Leverett of the 123rd

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 Judicial Retirement System, so as to require certain counties that comprise single county
3 judicial circuits to supplement the retirement benefits paid to the circuit's district attorneys;
4 to provide for related matters; to provide conditions for an effective date and automatic
5 repeal; to repeal conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Chapter 23 of Title 47 of the Official Code of Georgia Annotated, relating to the Judicial
9 Retirement System, is amended by revising Code Section 47-23-106, relating to county
10 supplement of salaries, as follows:

11 "47-23-106.

12 (a) Whenever any county within a judicial circuit supplements the state salary paid to
13 active superior court judges or the district attorney of said circuit, the governing authority
14 of such county shall be authorized, but not required, to supplement the benefit being paid
15 pursuant to this chapter to any retired superior court judge or district attorney of said circuit
16 who is receiving benefits pursuant to this chapter or to supplement the benefit being paid

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17 pursuant to this chapter to any beneficiary of any deceased superior court judge or district
18 attorney.

19 (b) Whenever any county which has a state court supplements the salary of the judges or
20 solicitors-general of such court, the governing authority of such county shall be authorized,
21 but not required, to supplement the benefit being paid pursuant to this chapter to any retired
22 state court judge of such court who is receiving benefits pursuant to this chapter or
23 supplement the benefit being paid pursuant to this chapter to any beneficiary of any
24 deceased state court judge.

25 (c) Notwithstanding the provisions of subsection (a) or (b) of this Code section, for any
26 single county judicial circuit where the county site is located in an unincorporated area of
27 the county and the county governing authority has constructed one or more permanent
28 satellite courthouses within the county, said county shall supplement the benefit amount
29 being paid pursuant to this chapter to any district attorney who retired from such circuit.
30 The amount of the supplement shall be determined by multiplying the benefit percentage
31 he or she earned pursuant to Code Section 47-23-102 at retirement together with the
32 aggregate county salary supplement being paid to the active district attorney on the date
33 that he or she begins receiving a retirement benefit or the supplement paid to the retiring
34 district attorney upon his or her last day of service as district attorney, whichever is greater.
35 The supplement shall not be payable to a spouse or survivor pursuant to the provisions of
36 Code Section 47-23-105."

37 **SECTION 2.**

38 This Act shall become effective on July 1, 2024, 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, 2024, 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.