

ADOPTED

Senators Tillery of the 19th, Butler of the 55th, Hatchett of the 50th and Brass of the 28th offered the following amendment #2:

1 *Amend the House substitute to SB 479 (LC 39 4401S) by striking lines 1 through 378 and*
2 *inserting in lieu thereof the following:*
3 To amend Article 1 of Chapter 6 of Title 15 the Official Code of Georgia Annotated, relating
4 to general provisions concerning superior courts, so as to modify provisions regarding the
5 compensation received by superior court judges; to provide procedures for superior court
6 judges to opt to receive compensation pursuant to such revised procedures; to provide for
7 grandfathering of certain judges so as to not reduce the compensation paid to such judges;
8 to authorize locality pay by counties to superior court judges in lieu of county salary
9 supplements; to abolish most county salary supplements provided to superior court judges;
10 to authorize the continuation of county salary supplements for chief judges; to authorize
11 continuation of fringe benefits provided by counties to superior court judges; to preserve
12 existing rights and obligations related to retirement benefits provided by counties to superior
13 court judges; to provide for retirement benefits relative to optional locality pay; to amend
14 Code Section 45-7-4 of the Official Code of Georgia Annotated, relating to annual salaries
15 of certain state officials and cost-of-living adjustments, so as to revise provisions relating to
16 calculating and setting the salaries of Justices of the Supreme Court, Judges of the Court of
17 Appeals, the judge of the Georgia State-wide Business Court, and superior court judges; to
18 revise provisions related to legislative expense accounts; to provide a definition; to amend
19 Chapter 23 of Title 47 of the Official Georgia Code Annotated, relating to Georgia Judicial
20 Retirement System, to increase the retirement age of superior court judges first taking office
21 on or after July 1, 2025; to amend Chapter 3 of Title 1 of the Official Code of Georgia
22 Annotated, relating to laws and statutes, so as to suspend the operation of local laws or local

ordinances or resolutions that use a superior court judge's salary for the calculation of the salary or compensation of other officers, officials, or employees; to provide for an automatic lifting of such suspension relative to judges; to preserve the authority of the General Assembly to amend or repeal such suspended local laws; to preserve the authority of local governments to use other mechanisms to change salary calculation during such suspension; to provide for legislative construction; to provide for a definition; to amend Title 16 of the Official Code of Georgia Annotated, relating to crimes and offenses, so as to provide for the operation of bingo games by certain nonprofit, tax-exempt organizations and local governments, subject to certain requirements and restrictions; to provide for legislative intent; to provide for definitions; to provide for the Secretary of State to issue bingo licenses to certain local governments; to provide for prohibited activities and required record keeping related to electronic bingo and electronic bingo machines; to provide for inspections; to provide for removal of defective electronic bingo machines; to provide for a penalty; to provide for rules and regulations; to remove certain limitations regarding premises on which bingo games operated by nonprofit, tax-exempt organizations may be held; to authorize the use of electronic bingo machines and bingo based games by licensed local governments at certain locations; to remove and provide exceptions to certain limitations on bingo based games operated by certain nonprofit, tax-exempt organizations and licensed local governments; to change certain provisions relating to the prizes and proceeds of certain bingo games; to amend Code Section 48-14-1 of the Official Code of Georgia Annotated, relating to grants to counties containing more than 20,000 acres of state owned land not subject to taxation, limit on amount of grants, evaluation and assessment, and procedure for billing State Forestry Commission, so as to revise grant awards to counties licensed to operate bingo games; to provide definitions; to authorize local governments to operate bingo based games to offset reduced tax collections that result from the ownership by the State of Georgia of large amounts of forest lands; to provide that certain bingo proceeds collected by such

49 counties are remitted to the state; to provide for a definition; to provide for an effective date;
50 to provide for related matters; to repeal conflicting laws; and for other purposes.

51 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

52 **PART I**

53 **SECTION 1-1.**

54 Article 1 of Chapter 6 of Title 15 of the Official Code of Georgia Annotated, relating to
55 general provisions concerning superior courts, is amended by revising Code Section 15-6-29,
56 relating to salary of judges, as follows:

57 "15-6-29.

58 (a) Except as provided for in subsection (b) of this Code section, the ~~The~~ annual salary of
59 the judges of the superior courts shall be as provided in Code Section 45-7-4 and may be
60 as provided in Code Section 15-6-29.1. The annual salary provided by Code
61 Section 45-7-4 shall be paid by The Council of Superior Court Judges of Georgia in 12
62 equal monthly installments.

63 (b)(1) Each superior court judge in office on July 1, 2024, shall have the option to
64 receive the annual salary provided by Code Section 45-7-4 and any locality pay provided
65 for by Code Section 15-6-29.2. The option provided by this paragraph shall be exercised
66 by such judge filing a written notification thereof with The Council of Superior Court
67 Judges of Georgia and the governing authority of each county comprising the judge's
68 judicial circuit. The failure to exercise the option shall be an election to continue to
69 receive compensation as previously calculated and as outlined in paragraph (2) of this
70 subsection, and until such option is exercised. The option exercised pursuant to this
71 paragraph shall go into effect the next pay period at least five business days following the
72 exercise of such option.

(2) To ensure that no superior court judges in office on July 1, 2024, have their salaries, allowance, or county salary supplements decreased during their terms of office, any superior court judge in office on July 1, 2024, who does not exercise the option provided by paragraph (1) of this subsection shall continue to be compensated in precisely the same manner as they were being compensated as of June 30, 2024, including, but not limited to, county supplements.

(c) The annual salary shall be the total compensation to be paid by the state to the superior court judges and shall be in lieu of any and all other amounts to be paid from The Council of Superior Court Judges of Georgia, except as provided in Code Sections 15-6-29.1, 15-6-29.2, 15-6-30, and 15-6-32.

~~(c) When a new superior court judgeship is created by law for any judicial circuit, the new superior court judge shall upon taking office become entitled to and shall receive from the county or counties comprising the circuit the same county salary supplement, if any, then in effect for the other judge or judges of the judicial circuit. Such salary supplement for such new judge shall be authorized by this subsection and no other legislation or local legislation shall be required in order to authorize such salary supplement, but nothing in this Code section shall be construed to prohibit the enactment of local legislation relating to such salary supplements. A publication of notice of intention to introduce local legislation as provided for in Code Section 28-1-14 shall be required for any local legislation granting, changing the amount of, or removing a salary supplement; but no publication of notice of intention shall be required for a bill creating one or more new superior court judgeships."~~

SECTION 1-2.

Said article is further amended in Code Section 15-6-29.1, relating to accountability court supplement and limitation, by repealing subsection (c) in its entirety.

SECTION 1-3.

Said article is further amended by adding a new Code section to read as follows:

"15-6-29.2.

(a) Except as provided for in subsection (b) of this Code section, on or after July 1, 2024, the county or counties comprising a judicial circuit may provide each judge of such circuit with locality pay which shall not exceed 10 percent of the state annual salary provided by Code Section 45-7-4 to such judge. All such locality pay shall be in lieu of and not in addition to any county salary supplements previously provided by the county or counties. All judges within a judicial circuit who elect to exercise the option provided by paragraph (1) of subsection (b) of Code Section 15-6-29 shall receive equal locality pay from any given county within such circuit that has opted to provide such pay.

(b)(1) In no event shall the annual locality pay provided to a judge by the county or counties comprising a judicial circuit in aggregate exceed 10 percent of the state annual salary provided by Code Section 45-7-4 to such judge.

(2) In the event that the state annual salary provided by Code Section 45-7-4 to superior court judges exceeds \$201,060.00, the maximum allowable amount of annual locality pay provided to a judge by the county or counties comprising a judicial circuit shall be capped at \$20,106.00, and such cap shall be reduced in an amount equal to half of the percentage amount of such state annual salary increase above \$201,060.00. The intent of this paragraph is to provide for a decrease in the maximum amount of allowable locality pay so that such maximum shall be decreased by an amount equal to 50 percent of an increase of the state annual salary provided by Code Section 45-7-4 to superior court judges beyond \$201,060.00.

(c) When a new superior court judgeship is created by law for any judicial circuit, the new superior court judge shall upon taking office become entitled to and shall receive from the county or counties comprising the circuit the same locality pay, if any, then in effect for the other judge or judges of the judicial circuit. Such locality pay for such new judge shall be

authorized by this subsection and no other legislation or local legislation shall be required to authorize such locality pay.

(d) Except as provided for in subsection (b) of Code Section 15-6-29 and subsection (e) of this Code section and notwithstanding any other provision of law to the contrary, on and after July 1, 2024, no county or counties comprising a judicial circuit shall provide county salary supplements to a superior court judge.

(e)(1) Nothing in subsection (d) of this Code section shall operate to prevent a county or counties comprising a judicial circuit from continuing to provide a local salary supplement to the chief judge of the circuit that was otherwise authorized by law on June 30, 2024. On or after July 1, 2024, no local supplement for a chief judge shall be enacted or increased.

(2) For all judges who elect to exercise the option provided by paragraph (1) of subsection (b) of Code Section 15-6-29, to the extent the aggregate salary provided for by subsection (a) of Code Section 15-6-29 and locality pay provided for by subsection (a) of this Code section to a particular judge do not equal or exceed that judge's aggregate salary and local supplement in effect at the time of the judge's exercise of such option, then the county or counties of the circuit shall pay an additional supplement in an amount equal to the difference between the aggregate salary and supplement in effect at the time of the judge's exercise of such option and the aggregate salary provided for by subsection (a) of Code Section 15-6-29 and locality pay provided for by subsection (a) of this Code section. When an additional supplement is required by this paragraph in a circuit consisting of more than one county, then each county shall pay such additional supplement in proportion to each county's contribution to the local supplement in effect at the time of the judge's exercise of the option to participate. In no event shall the additional supplement required by this paragraph result in a judge's aggregate salary that exceeds the aggregate salary and supplement existing at the time of a judge's exercise of such option.

152 (f) Nothing in subsection (d) of this Code section shall operate to prevent a county or
 153 counties comprising a judicial circuit from continuing to provide fringe benefits to any
 154 judge of a judicial circuit in the same manner that such benefits were provided on
 155 June 30, 2024.

156 (g) Nothing in this Code section or subsection (b) of Code Section 15-6-29 shall operate
 157 to alter, amend, contract, expand, extend, limit, modify, or terminate retirement benefits
 158 or rights thereto in existence prior to July 1, 2024. All judges who exercise the option
 159 provided by paragraph (1) of subsection (b) of Code Section 15-6-29 shall have no right
 160 to any benefit existing at the time such option is exercised reduced. To the extent
 161 otherwise permitted by law, each county within a judicial circuit is authorized, but not
 162 required, to provide retirement benefits based upon the locality pay it provides pursuant to
 163 subsection (a) of this Code section."

164 **SECTION 1-4.**

165 Code Section 45-7-4 of the Official Code of Georgia Annotated, related to annual salaries
 166 of certain state officials and cost-of-living adjustments, is amended as follows:
 167 "45-7-4.

168 (a) The annual salary of each of the state officials listed below shall be as follows:

169 (1) Governor \$ 175,000.00

170 An allowance in an amount specified in the appropriations Act shall also
 171 be provided for the operation of the Governor's mansion.

172 (2) Lieutenant Governor 54,920.00

173 Notwithstanding any provision of law to the contrary, the annual salary for
 174 the Lieutenant Governor for the 2021 fiscal year shall be reduced by an
 175 amount equal to 14 percent of the amount received for such office during
 176 the 2020 fiscal year.

177 (3) Adjutant general

178	The adjutant general shall continue to receive the pay and allowances under	
179	the same procedure as provided by law.	
180	(4) Commissioner of Agriculture	100,429.00
181	(5) Attorney General	114,633.00
182	(6) Reserved.	
183	(7) Commissioner of Insurance	100,396.00
184	(8) Reserved.	
185	(9) Commissioner of Labor	100,418.00
186	The above amount of salary for the Commissioner of Labor shall include	
187	any compensation received from the United States government and the	
188	amount of state funds paid shall be reduced by the amount of compensation	
189	received from the United States government.	
190	(10) Reserved.	
191	(11) Each member of the Public Service Commission	96,655.00
192	(12) Reserved.	
193	(13) State School Superintendent	102,708.00
194	(14) Secretary of State	102,708.00
195	(15) Reserved.	
196	(16) Reserved.	
197	(17) Reserved.	
198	(18) <u>Reserved.</u> Each Justice of the Supreme Court	175,600.00
199	(19) <u>Reserved.</u> Each Judge of the Court of Appeals	174,500.00
200	(19.1) <u>Reserved.</u> Judge of the Georgia State-wide Business Court	174,500.00
201	(20) <u>Reserved.</u> Each superior court judge	126,265.00
202	(21) Each district attorney	120,072.00
203	(22) Each member of the General Assembly	16,200.00

(A) Notwithstanding any provision of law to the contrary, the annual salary for each member of the General Assembly for the 2021 fiscal year shall be reduced by an amount equal to 10 percent of the amount received for such office during the 2020 fiscal year.

(B) Each member of the General Assembly shall also receive the allowances provided by law. The amount of the daily expense allowance which each member is entitled to receive under the provisions of Code Section 28-1-8 shall be as provided in that Code section. The mileage allowance for the use of a personal car on official business shall be the same as that received by other state officials and employees.

(C) In addition to any other compensation and allowances authorized for members of the General Assembly, each member may be reimbursed for per diem differential and for actual expenses incurred in the performance of duties as a member of the General Assembly in an amount not to exceed ~~\$7,000.00~~ \$14,000.00 per year. Expenses reimbursable up to such amount shall be limited to one or more of the following purposes: lodging, meals, per diem differential, postage, personal services, printing and publications, rents, supplies (including software), telecommunications, transportation, utilities, purchasing or leasing of equipment, and other reasonable expenditures directly related to the performance of a member's duties. If equipment purchased by a member has a depreciated value of \$100.00 or less when such member leaves office, the equipment does not need to be returned to the state. No reimbursement shall be made for any postage which is used for a political newsletter. No reimbursement shall be paid for lodging or meals for any day for which a member receives the daily expense allowance as provided in this paragraph. Eligible expenses shall be reimbursed

following the submission of vouchers to the legislative fiscal office in compliance with the requirements of this subparagraph and subject to the provisions of subparagraph (E) of this paragraph. Such vouchers shall be submitted in such form and manner as prescribed by the Legislative Services Committee pursuant to subparagraph (E) of this paragraph, provided that each such voucher shall be accompanied by a supporting document or documents, or legible copies thereof, showing payment for each expense claimed or an explanation of the absence of such documentation; in addition, each such voucher shall include a certification by the member that the information contained in such voucher and supporting document or documents, or legible copies thereof, is true and correct and that such expenses were incurred by the member. The provisions of Code Section 16-10-20 shall be applicable to any person submitting such certified vouchers and supporting documents or copies the same as if the General Assembly were a department or agency of state government. No such voucher or supporting document shall be required for per diem differential.

(D) The amount of per diem differential which may be claimed for each day under subparagraph (C) of this paragraph shall be the difference between the daily expense allowance authorized for members of the General Assembly and \$119.00; provided, however, that the General Appropriations Act for any fiscal year may increase such amount of \$119.00 per day to an amount not in excess of the federal per diem rate then in effect for the state capital as specified by the General Services Administration. Per diem differential shall be paid by the legislative fiscal office to the member upon the member's notification to the legislative fiscal office of the days for which the daily expense allowance

was received for which the member wishes to claim the per diem differential, and the legislative fiscal office shall keep a record of the days for which per diem differential is so claimed and paid.

(E) For the purposes of this paragraph, a year shall begin on the convening date of the General Assembly in regular session each year and end on the day prior to the convening of the General Assembly in the next calendar year. Any voucher or claim for any reimbursement for any year as defined in this paragraph shall be submitted no later than the fifteenth of April immediately following the end of such year. No reimbursement shall be made on any voucher or claim submitted after that date. Any amounts remaining in such expense account at the end of the first year of the two-year biennium may be claimed for expenses incurred during the second year of the two-year biennium. Any amounts remaining in any expense account which are not so claimed by April 15 of the year following the second year of the biennium and any amounts claimed which are returned as hereafter provided for in this paragraph shall lapse and shall be remitted by the legislative fiscal office to the general fund of the state treasury. Any former member of the General Assembly may be reimbursed for expenses incurred while a member of the General Assembly upon compliance with the provisions of this paragraph. The Legislative Services Committee is empowered to provide such procedures as it deems advisable to administer the provisions of this paragraph, including, but not limited to, definitions of the above list of items for which reimbursement may be made; provided, however, that the term 'other reasonable expenditures directly related to the performance of a member's duties' shall be as defined by policies adopted by the Speaker of the House of Representatives and by the Senate

Administrative Affairs Committee as to reimbursement of such expenditures incurred by members of the House and Senate, respectively; and provided, further, that the amount of expenses which may be reimbursed within the limits of subparagraph (C) of this paragraph for travel outside the state may be as provided by policies adopted by the Speaker of the House of Representatives and by the Senate Administrative Affairs Committee as to such expenditures of members of the House and Senate, respectively. The Legislative Services Committee is further empowered to prescribe the form of the voucher or claim which must be submitted to the legislative fiscal office. In the event of any disagreement as to whether any reimbursement shall be made or any allowance shall be paid, the Legislative Services Committee shall make the final determination; except that in the event of any disagreement as to whether any reimbursement under subparagraph (C) of this paragraph shall be made for other reasonable expenses directly related to the performance of a member's duties or for travel outside the state, the Speaker of the House of Representatives shall make the final determination as to such expenses incurred by a member of the House, and the Senate Administrative Affairs Committee shall make the final determination as to such expenses incurred by a member of the Senate. In the event any reimbursement is made or any allowance is paid and it is later determined that such reimbursement or payment was made in error, the person to whom such reimbursement or payment was made shall remit to the legislative fiscal office the amount of money involved. In the event any such person refuses to make such remittance, the legislative fiscal office is authorized to withhold the payment of any other moneys to which such person is entitled until the amount of such

312 reimbursement or payment which was made in error shall be realized.

313 (23) Speaker of the House of Representatives 17,800.00

314 The Speaker of the House of Representatives shall also receive the salary
 315 and allowances authorized as a member of the General Assembly. Upon
 316 the taking of office by the members of the General Assembly on the
 317 convening day of the regular session of the General Assembly in 1983, the
 318 annual salary of the Speaker of the House of Representatives shall
 319 become \$22,800.00. After such date, the Speaker shall also receive as
 320 additional salary a sum equal to the amount of salary over \$30,000.00 per
 321 annum which is received by the Lieutenant Governor as of that date or
 322 thereafter; and the salary of the Speaker shall be adjusted at the beginning
 323 of each term so as to include such additional sum.

324 (24) President Pro Tempore of the Senate 4,800.00

325 The President Pro Tempore of the Senate shall also receive the salary and
 326 allowances authorized as a member of the General Assembly.

327 (25) Speaker Pro Tempore of the House of Representatives 4,800.00

328 The Speaker Pro Tempore of the House of Representatives shall also
 329 receive the salary and allowances authorized as a member of the General
 330 Assembly.

331 (b) As an adjustment except as qualified below as to members and member-officers of the
 332 General Assembly, the annual salary of each state official whose salary is established by
 333 Code Section 45-7-3, this Code section, and Code Sections 45-7-20 and 45-7-21, including
 334 members of the General Assembly, the Speaker of the House of Representatives, the
 335 President Pro Tempore of the Senate, and the Speaker Pro Tempore of the House of
 336 Representatives, may be increased by the General Assembly in the General Appropriations
 337 Act by a percentage not to exceed the average percentage of the increase in salary as may

from time to time be granted to employees of the executive, judicial, and legislative branches of government. However, any increase for such officials shall not include within-grade step increases for which employees subject to compensation plans authorized and approved in accordance with Code Section 45-20-4 are eligible. Any increase granted pursuant to this subsection shall become effective at the same time that funds are made available for the increase for such employees, except increases for members and member-officers of the General Assembly. That portion of the increase determined by the Legislative Services Committee to reflect a cost-of-living increase based upon objective economic criteria shall become effective for members and member-officers at the same time that funds are made available for the increase for such employees. The balance of the increase for members and member-officers of the General Assembly shall become effective on the convening of the next General Assembly in January of the next odd-numbered year. The Office of Planning and Budget shall calculate the average percentage increase.

(c) The annual salary being received on June 30, 1980, shall be increased by 8 percent for each state official listed in subsection (a) of this Code section who:

(1) Is not a member of the General Assembly; and

(2) Is not a contributing member of a state retirement system and, therefore, does not benefit by or participate in any program whereunder a portion of the employee contributions to the state retirement system are made on behalf of the employee by the employer.

(d)(1) For the purposes this subsection, 'base salary' means the annual salary fixed for the judges of the United States District Court for the Northern District of Georgia on July 1 of the second preceding state fiscal year.

(2) Except as provided for in subsection (b) of Code Section 15-6-29, the annual salary of each of the state officials listed below shall be set by the General Assembly in the General Appropriations Act, provided that such salary shall not exceed the ratio of the base salary listed below for such officials:

365	<u>(A) Each Justice of the Supreme Court</u>	<u>100 percent.</u>
366	<u>(B) Each Judge of the Court of Appeals</u>	<u>99 percent.</u>
367	<u>(C) Judge of the Georgia State-wide Business Court</u>	<u>95 percent.</u>
368	<u>(D) Each superior court judge</u>	<u>90 percent."</u>

369 **SECTION 1-5.**

370 Chapter 3 of Title 1 of the Official Code of Georgia Annotated, related laws and statutes is
371 amended by adding a new Code section to read as follows:

372 "1-3-12.

373 (a)(1) Notwithstanding any provision of law to the contrary, as of July 1, 2024, all local
374 laws and local ordinances or resolutions in effect as of such date that provide for a salary,
375 supplement, or other compensation to be paid to a state, county, or local officer, official,
376 or employee based on a percentage of, total compensation for, or similar mathematical
377 relationship to a superior court judge's salary or supplement shall be suspended with
378 respect to any salary, supplement, or other compensation increase during the term of such
379 suspension as a matter of law.

380 (2) No change in the salary of a superior court judge shall result in a change in the
381 calculation of any compensation to be paid by any county, municipality, consolidated, or
382 other local government that may otherwise be required pursuant to a local law or local
383 ordinance or resolution during the period of suspension provided for in paragraph (1) of
384 this subsection. The provisions of this subsection do not repeal or amend any such local
385 law or local ordinance or resolution, and the provisions of such local laws or local
386 ordinances or resolutions related to calculating compensation shall be merely suspended
387 and shall remain suspended until lifted or modified pursuant to subsection (b) or (c) of
388 this Code section.

389 (b) As of July 1, 2025, the suspension provided for in subsection (a) of this Code section
390 shall be terminated as to judges, but shall otherwise remain in place for all other officers,

officials, and employees. Any salary or compensation change for judges that otherwise would have gone into effect between July 1, 2024, and June 30, 2025, by operation of a local law or local ordinance or resolution if such suspension did not occur shall go into effect for calculations of prospective salary or other compensation accrued on or after July 1, 2025. The termination of the suspension provided for in this subsection shall not entitle any person to retroactive compensation that he or she otherwise may have earned except for such suspension, and no such retroactive payments shall be made by any county, municipality, consolidated, or other local government.

(c)(1) Nothing in this Code section shall operate to prevent the General Assembly from repealing or amending, in whole or in part, any local law that is suspended pursuant to subsection (a) of this Code section through the enactment of local legislation.

(2) Nothing in this Code section shall operate to prevent a county, municipality, consolidated, or other local government from enacting any salary or compensation changes for any state, county, or local officer, official, or employee that may otherwise be authorized by general or local law."

SECTION 1-6.

Chapter 23 of Title 47 of the Official Georgia Code Annotated, relating to Georgia Judicial Retirement System, is amended by revising Code Section 47-23-102, relating to vesting, benefits upon retirement, compliance with federal income tax laws, as follows:

"47-23-102.

(a) The right of a member to receive benefits under this chapter shall vest after the member obtains ten years of creditable service; provided, however, that no member shall receive a retirement benefit prior to attaining the age of 60 years. Except as otherwise provided in Article 2 of Chapter 1 of this title, a member's accumulated contributions shall be 100 percent vested and nonforfeitable at all times. Any member retiring on or after July 1, 1996, and any member who was retired on July 1, 1996, with 16 years or more of

417 creditable service shall receive a benefit equal to 66.66 percent, plus 1 percent for each year
418 of creditable service over 16 years, of the member's salary; provided, however, that no
419 member shall receive more than 24 years of creditable service. Any member retiring with
420 less than 16 years of creditable service may retire at a reduced benefit pursuant to Code
421 Section 47-23-103. Except as provided in subsection (c) of this Code section, normal
422 ~~Normal~~ retirement age under this retirement system shall be the date the member has
423 reached ~~age~~ 60 years of age, provided that he or she has at least ten years of creditable
424 service. For purposes of Section 402(1) of the federal Internal Revenue Code regarding
425 distributions from governmental plans for health and long-term care insurance for public
426 safety officers, normal retirement age shall be the earliest date when the member has
427 satisfied the requirements for a retirement under this or the predecessor retirement system.
428 Except as otherwise provided in Article 2 of Chapter 1 of this title, a member's right to his
429 or her retirement allowance is nonforfeitable upon attainment of normal retirement age.
430 Any member who was retired on July 1, 1996, with more than 16 years of creditable
431 service shall receive in July, 1998, a one-time benefit payment equal to two times the
432 product of 1 percent of the salary paid to such judge at the time of his or her retirement
433 multiplied by the number of years of creditable service in excess of 16 years.

434 (b) The board is authorized to provide by rule or regulation for the payment of benefits to
435 members or beneficiaries of the retirement system at a time and under circumstances not
436 provided for in this chapter to the extent that such payment is required to maintain the
437 retirement system as a qualified retirement plan for the purposes of federal income tax laws
438 and regulations.

439 (c) For any superior court judge first taking office on or after July 1, 2025, the normal
440 retirement age under this retirement system shall be the date the member has reached 65
441 years of age. All other requirements to receive a retirement benefit under this Code section
442 shall apply to such superior court judge."

SECTION 1-7.

Said chapter is further amended by revising Code Section 47-23-103, relating to retirement based on age, application to retire, as follows:

"47-23-103.

(a) In lieu of retirement at the benefit level provided by Code Section 47-23-102, a member, except for any superior court judge first taking office on or after July 1, 2025, may retire at any time after attaining the age of 60 years and after obtaining a minimum of ten years of creditable service. The monthly retirement benefit for such early retirement shall be a percentage of the benefit under Code Section 47-23-102, and such percentage shall be the proportion which the number of years of creditable service the member has in the retirement system bears to 16.

(b) The effective date of retirement shall be the first day of the month in which the application is received by the board of trustees, provided that no retirement shall, in any case, be effective earlier than the first day of the month following the final month of the applicant's employment. Applications for retirement shall not be accepted more than 90 days in advance of the effective date of retirement."

PART II**SECTION 2-1.**

Title 16 of the Official Code of Georgia Annotated, relating to crimes and offenses, is amended in Part 2 of Article 2 of Chapter 12, relating to bingo, by revising Code Section 16-12-50, relating to legislative intent, as follows:

"16-12-50.

(a) It is the intention of the General Assembly that, except for recreational bingo, only nonprofit, tax-exempt organizations which are properly licensed pursuant to this part shall be allowed to operate bingo games.

(b) The General Assembly recognizes that in certain counties the State of Georgia owns significant acreage of property that has been taken off of such counties' tax digests. It is the further intention of the General Assembly to provide a process and resource for those counties to mitigate the fiscal impact of not receiving tax revenue from such state owned property while also raising revenue to remove the burden of maintaining such property from the state government by authorizing certain local governments with highly impacted tax digests which are also properly licensed pursuant to this part to operate a bingo game."

SECTION 2-2.

Said title is further amended in said part by revising Code Section 16-12-51, relating to definitions, as follows:

"16-12-51.

As used in this part, the term:

(.1) 'Adjusted net income' means the income generated by a bingo game operated pursuant to this part by a local government with a highly impacted tax digest less any costs associated with the administration, operation, or marketing of the bingo game.

(1) 'Bingo game' or 'nonprofit bingo game' means a game of chance played on cards or electronic bingo machines with numbered squares in which counters or indicators are placed on numbers chosen by lot and won by covering a previously specified number or order of numbered squares. A bingo game may be played manually or with an electronic or computer device bingo machine that stores the numbers from a player's card or cards, tracks the numbers chosen by lot when such numbers are entered by the player, and notifies the player of a winning combination; provided, however, that, except as provided for in this part, the numbers chosen by lot shall be chosen by a natural person who is physically located on the premises or property described in Code Section 16-12-57 on which the game is operated. Such words, terms, or phrases, as used in this paragraph, shall be strictly construed to include only the series of acts generally defined as bingo and

shall exclude all other activity. Such term shall also include a game played on an electronic bingo machine.

(2) 'Bingo session' means a time period during which bingo games are played.

(2.1) 'Electronic bingo machine' means a stand-alone electronic or computer device on which a bingo based game is played, provided that the person playing such game is physically located within three feet of the machine and further provided that the numbers chosen in such game need not be chosen by a natural person who is physically located on the premises or property described in subsection (a) of Code Section 16-12-57 on which the game is operated.

(2.2) 'Local government with a highly impacted tax digest' means a county that meets the requirements established pursuant to subsection (a) of Code Section 48-14-1 or any municipal corporation located within such county.

(3) 'Nonprofit, tax-exempt organization' means an organization, association, corporation, or other legal entity which has been determined by the federal Internal Revenue Service to be exempt from taxation under federal tax law and which is exempt from taxation under the income tax laws of this state under Code Section 48-7-25; which is organized or incorporated in this state or authorized to do business in this state; and which uses the proceeds from any bingo games conducted or operated by such organization solely within this state.

(4) 'Operate,' 'operated,' or 'operating' means the direction, supervision, management, operation, control, or guidance of activity.

(5) 'Recreational bingo' means a bingo session operated by any person or entity at no charge to participants in which the prizes for each bingo game during the bingo session shall be noncash prizes and the total of such prizes for each such game shall not exceed the amount established pursuant to regulations established by the Secretary of State. No such noncash prize awarded in recreational bingo shall be exchanged or redeemed for money or for any other prize with a value in excess of the amount established pursuant

to regulations established by the Secretary of State. Recreational bingo shall also include a bingo session operated by a nonprofit, tax-exempt licensed operator of bingo games at no charge to participants in which the participants are senior citizens attending a function at a facility of the tax-exempt licensed organization or are residents of nursing homes, retirement homes, senior centers, or hospitals and in which the prizes for each bingo game during the bingo session shall be nominal cash prizes not to exceed \$5.00 for any single prize and the total of such prizes for each such game shall not exceed the amount established pursuant to regulations established by the Secretary of State. Recreational bingo shall also include a bingo session operated by an employer with ten or more full-time employees for the purposes of providing a safe workplace incentive and in which the prizes are determined by the employer; provided, however, that no monetary consideration is required by any participant other than the employer and the employer expressly prohibits any monetary consideration from any employee. Recreational bingo shall not be considered a lottery as defined in paragraph (4) of Code Section 16-12-20 or a form of gambling as defined in Code Section 16-12-21."

SECTION 2-3.

Said title is further amended in said part by adding new Code sections to read as follows:

"16-12-53.1.

(a) Any local government with a highly impacted tax digest desiring to obtain a license to operate bingo games shall make application to the Secretary of State on forms prescribed by the Secretary of State and shall pay an annual fee of \$1,000.00. A bingo license issued pursuant to this Code section shall be valid for ten years. Applications for renewal of a bingo license shall be submitted to the Secretary of State not less than 60 days prior to the expiration of the bingo license on a form prescribed by the Secretary of State.

(b) Each application for a bingo license and each application for renewal of a bingo license shall contain the following information:

547 (1) The name and mailing address of the applicant local government entity;

548 (2) The names, titles, and contact information of the persons who will be supervising the
549 operation of the bingo games for the local government entity;

550 (3) A statement affirming that the applicant meets the requirements established pursuant
551 to subsection (a) of Code Section 48-14-1 or is a municipal corporation located within a
552 county that meets such requirements;

553 (4) The location at which the applicant will operate the bingo games and, if the premises
554 on which the games are to be operated are to be leased, a copy of the lease or rental
555 agreement; and

556 (5) Any other necessary and reasonable information which the Secretary of State may
557 require.

558 (c) The Secretary of State shall grant a bingo license to any applicant that provides fully
559 the information required by this Code section.

560 16-12-53.2.

561 (a) No electronic bingo machine shall be sold, leased, or otherwise furnished in the State
562 of Georgia without the Secretary of State first inspecting and testing the model of machine
563 that is being proposed for use in order to ensure that such machine is designed and shall
564 function for no purpose other than the game of bingo.

565 (b) The Secretary of State may examine and inspect any portion of an electronic bingo
566 machine at any time. Such examination and inspection includes immediate access to any
567 portion of the electronic bingo machine the Secretary of State determines needs to be
568 inspected or any system that is related to such machine.

569 (c) If the Secretary of State detects or discovers any problem with an electronic bingo
570 machine or its associated system that affects the security or integrity of the bingo game or
571 the system, the Secretary of State may direct the bingo location to cease the use of the
572 device or system as applicable. The Secretary of State may require the facility utilizing

573 such electronic bingo machine to correct the problem or recall the device or system
574 immediately upon notification by the Secretary of State to the licensee that is responsible
575 for the electronic bingo game. If the bingo location detects or discovers any defect,
576 malfunction, or problem with any component of the system, the bingo location shall
577 immediately remove the component from use or play and immediately notify the Secretary
578 of State of such action.

579 (d) A licensee utilizing electronic bingo machines and the associated system must maintain
580 a log showing the date, model, and serial number of every machine that is in use at its
581 facility. This information is required to be reported monthly to the Secretary of State.

582 (e) Each manufacturer or distributor selling electronic bingo machines and the associated
583 system must maintain a log showing the date, model, serial number, and to whom they
584 were sold. This information is required to be reported monthly to the Secretary of State.

585 (f) Each licensee utilizing electronic bingo machines must maintain a record showing the
586 date, model number, and serial number for each machine it is utilizing. Additionally, all
587 records, reports, and receipts relating to an electronic bingo machine or its associated
588 system's sales, maintenance, and repairs must be retained by the entity licensed to operate
589 an electronic bingo game.

590 (g) No electronic bingo location may display, use, or otherwise furnish an electronic bingo
591 device having been marked, defaced, tampered with, or altered in any manner which may
592 deceive the public or affect a participant's chances of winning.

593 (h) The participant in any electronic bingo machine shall be physically present at the
594 electronic bingo location where the game is actually conducted and when the game is
595 called.

596 (i) An electronic bingo machine shall not be capable of dispensing currency by any means
597 or any other form of automatic payout.

598 (j) A licensee shall maintain a record of each payout that is made from any electronic
599 bingo machine at its facility. The Secretary of State shall inspect such records not less than

once per year. The Secretary of State may inspect the payout records required pursuant to this subsection at any time he or she deems necessary.

(k) The Secretary of State shall develop a process to maintain records and receipts for all payments made out to participants in electronic bingo. Such process shall contain, but not be limited to, receipts that include:

(1) Name of the licensee;

(2) Session number;

(3) Time and date of purchase. The circuitry and programs that maintain and control the time and date must be of the type that can only be reset by service personnel and must retain the last transaction number issued even throughout adverse conditions or power interruptions;

(4) Amount paid for the opportunity to play each game or game pack;

(5) Total amount paid; and

(6) A record of all voided transactions.

(l) In addition to any rules or regulations the Secretary of State adopts pursuant to Code Section 16-12-61, the Secretary of State shall establish rules and regulations regarding the minimum standards for electronic bingo machines.

(m) Any violation of this Code section shall be punished by a fine of no more than \$5,000.00."

SECTION 2-4.

Said title is further amended in said part by revising Code Section 16-12-57, relating to restrictions as to ownership of premises utilized, as follows:

"16-12-57.

(a) Bingo games shall be operated only on premises owned by the nonprofit, tax-exempt organization operating the bingo game, on property leased by the nonprofit, tax-exempt organization and used regularly by that organization for purposes other than the operation

of a bingo game, or on property leased by the nonprofit, tax-exempt organization operating the bingo game from another nonprofit, tax-exempt organization.

(b) Notwithstanding any provisions of subsection (a) of this Code section to the contrary, a local government with a highly impacted tax digest licensed pursuant to this part may operate a bingo game pursuant to this part and shall be authorized to contract with a private entity to operate such bingo game. The adjusted net income from a bingo game operated pursuant to this part shall be used for a public purpose. A bingo game operated pursuant to this part may utilize one or more electronic bingo machines."

SECTION 2-5.

Said title is further amended in said part by revising Code Section 16-12-60, relating to rules and regulations, as follows:

"16-12-60.

(a) A licensee that conducts or operates a bingo session shall maintain the following records for at least three years from the date on which the bingo session is conducted or operated:

(1) An itemized list of the gross receipts for each session;

(2) An itemized list of all expenses other than prizes that are incurred in the conducting or operation of the bingo session as well as the name of each person to whom the expenses are paid and a receipt for all of the expenses;

(3) A list of all prizes awarded during the bingo session and the name and address of all persons who are winners of prizes of \$50.00 or more in value;

(4) An itemized list of the recipients other than the licensee of the proceeds of the bingo game, including the name and address of each recipient to whom such funds are distributed; and

(5) A record of the number of persons who participate in any bingo session conducted or operated by the licensee.

652 (b) A licensee shall:

653 (1) Own all the equipment used to conduct or operate a bingo game or lease such
654 equipment;

655 (2) Display its bingo license conspicuously at the location where the bingo game is
656 conducted or operated;

657 (3) Conduct or operate bingo games only at the ~~single~~ location or locations specified in
658 the licensee's application; and

659 (4) Not conduct or operate more than ~~one~~ three bingo ~~session~~ sessions during any one
660 calendar day, which provided that each session shall not exceed five hours.

661 ~~(c) No nonprofit, tax-exempt organization shall enter into any contract with any individual,~~
662 ~~firm, association, or corporation to have such individual, firm, association, or corporation~~
663 ~~operate bingo games or concessions on behalf of the nonprofit, tax-exempt organization.~~

664 ~~(d)~~ A nonprofit, tax-exempt organization shall not lend its name nor allow its identity to
665 be used by any individual, firm, association, or corporation in the operating or advertising
666 of a bingo game in which said nonprofit, tax-exempt organization is not directly and solely
667 operating the bingo game.

668 ~~(e) It shall be unlawful for two or more nonprofit, tax-exempt organizations which are~~
669 ~~properly licensed pursuant to this part to operate bingo games jointly or to operate bingo~~
670 ~~games upon the same premises during any 18 hour period.~~

671 ~~(f)~~(d) It shall be unlawful to award prizes in excess of ~~\$3,000.00~~ \$6,000.00 in cash or gifts
672 of equivalent value during any calendar week. It shall be unlawful to exceed such
673 limitation at any combination of locations operated by a single licensee or such licensee's
674 agents or employees. It shall be unlawful for two or more licensees to pyramid the
675 valuation of prizes in such manner as to exceed the limitation contained in this Code
676 section. The term 'equivalent value' shall mean the fair market value of the gift on the date
677 the gift is given as the prize in a bingo game.

678 ~~(g)(e)~~ No person or organization by whatever name or composition thereof shall ~~take any~~
679 ~~salary, expense money, or fees for the operation of any bingo game, except that not more~~
680 ~~than \$30.00 per day may be paid to one or more individuals for assisting in the conduct of~~
681 ~~such games on such day~~ receive any of the proceeds of a bingo game; provided, however,
682 that a commercially reasonable amount may be paid for the skill and tasks required for
683 conducting or operating a bingo game; provided, further, that such amount is a fixed sum
684 or fixed hourly rate agreed upon in advance and not determined as a percentage of the
685 proceeds.

686 ~~(h)(f)~~ No person shall pay consulting fees to any person for any services performed in
687 relation to the ~~operation or conduct~~ conduct or operation of a bingo game.

688 ~~(i)(g)~~ A person who is a member of more than one nonprofit, tax-exempt organization
689 shall be permitted to participate in the bingo operations of only two organizations of which
690 such person is a member; provided, however, that such person shall not receive ~~more than~~
691 ~~\$30.00 per day~~ any payment or proceeds in violation of subsection (e) of this Code section
692 for assisting in the conduct or operation of bingo games regardless of whether such person
693 assists both organizations in the same day.

694 (h) The provisions of this Code section shall not apply to a local government with a highly
695 impacted tax digest licensed pursuant to this part."

696 **SECTION 2-6.**

697 Code Section 48-14-1 of the Official Code of Georgia Annotated, relating to grants to
698 counties containing more than 20,000 acres of state-owned land not subject to taxation, limit
699 on amount of grants, evaluation and assessment, and procedure for billing State Forestry
700 Commission, is amended as follows:

701 "48-14-1.

702 (a)(1) For the purposes of this subsection, the term:

(A) 'Bingo license' means a license granted to a qualified county pursuant to Part 2 of Article 2 of Chapter 12 of Title 16.

(B) 'Grant' means funds granted to a county by the State Forestry Commission for state owned land.

(C) 'Qualified county' means a county which consists of at least 50,000 acres of state owned land on which such county is not lawfully able to collect tax revenue.

(D) 'State owned land' means land in a qualified county that the State of Georgia owns from which the county receives no tax revenue.

(2) The governing authority of a qualified county may receive a grant for state owned land. The amount of funds to be granted pursuant to such grant shall not exceed the amount the qualified county would have received were the land subject to taxation during the applicable time period based on property evaluation and millage assessment.

(3) A qualified county that has a bingo license and is operating one or more bingo games shall not receive a grant pursuant to this subsection. After a qualified county has collected proceeds from its bingo game or games in an amount greater than the amount it otherwise would have been qualified to receive from a grant pursuant to paragraph (2) of this subsection for that fiscal year, the qualified county shall remit to the State of Georgia 5 percent of its adjusted net income from bingo games for that fiscal year.

~~Each county in which is located land belonging to the state which consists of 20,000 acres and from which the county receives no tax revenue may receive from the State Forestry Commission a grant of funds for such land. The amount of funds to be granted may not exceed the amount the county would have received were the land subject to taxation during the applicable time period based on property evaluation and millage assessment.~~

(b) Immediately upon an evaluation of the property involved and a determination of the millage assessment for the property, the county tax official for the county involved shall bill the State Forestry Commission for the proper amount as determined under this Code section. The county tax official shall send the bill to the State Forestry Commission at the

730 same time as the county tax bills are sent to the property owners of the county who are
731 subject to county taxation."

732 **PART III**

733 **SECTION 3-1.**

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

735 **SECTION 3-2.**

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