

House Bill 338

By: Representatives Carson of the 46th, Hitchens of the 161st, Powell of the 33rd, Lumsden of the 12th, Momtahan of the 17th, and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Chapter 2 of Title 47 of the Official Code of Georgia Annotated, relating to the
2 Employees' Retirement System of Georgia, so as to establish the State Law Enforcement
3 Officer Plan to offer enhanced benefits for electing state law enforcement officers; to provide
4 for irrevocable elections; to provide for conditions and limitations; to provide for deferred
5 retirement option program accounts; to provide for definitions; to provide a short title; to
6 provide for related matters; to provide conditions for an effective date and automatic repeal;
7 to repeal conflicting laws; and for other purposes.

8 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

9 **SECTION 1.**

10 Chapter 2 of Title 47 of the Official Code of Georgia Annotated, relating to the Employees'
11 Retirement System of Georgia, is amended in Code Section 47-2-1, relating to definitions,
12 by revising paragraph (37) and by adding a new paragraph to read as follows:

13 "(37) 'State law enforcement officer' means any sworn police officers certified by the
14 Georgia Peace Officer Standards and Training Council employed to perform the duties
15 of a peace officer, as such term is defined in Code Section 16-1-3, by the:

16 (A) Department of Corrections;

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- 17 (B) Department of Community Supervision;
18 (C) Department of Behavioral Health and Developmental Disabilities;
19 (D) Office of the Attorney General;
20 (E) Georgia Board of Dentistry;
21 (F) Georgia Composite Medical Board;
22 (G) Department of Driver Services;
23 (H) Department of Transportation;
24 (I) Office of the Inspector General;
25 (J) Prosecuting Attorneys' Council of the State of Georgia;
26 (K) State Board of Workers' Compensation;
27 (L) Department of Juvenile Justice;
28 (M) State Board of Pardons and Paroles;
29 (N) Georgia Public Safety Training Center;
30 (O) Public Service Commission;
31 (P) Georgia Bureau of Investigation;
32 (Q) Department of Natural Resources;
33 (R) Department of Agriculture;
34 (S) Department of Revenue;
35 (T) Georgia Drugs and Narcotics Agency;
36 (U) State Forestry Commission;
37 (V) Office of Insurance and Safety Fire Commissioner;
38 (W) Georgia Ports Authority;
39 (X) Georgia World Congress Center Police; and
40 (Y) Department of Public Safety.
41 (38) 'Within one year after discharge from the armed forces' means within one year after
42 the termination of the member's active service in the military or naval forces of the
43 United States and shall not include any military reserve or naval reserve service."

65 47-2-402.

66 Each electing officer shall be entitled to all of the same benefits provided otherwise for
67 similarly situated members of this retirement system, except that:

68 (1) Each electing officer shall contribute 5 percent of his or her earnable compensation
69 to the retirement system;

70 (2) Each electing officer shall be eligible for retirement benefits to be determined in
71 accordance with the following schedule:

72 (A) An electing officer shall receive a monthly retirement benefit equal to 10 percent
73 of his or her average final compensation if he or she earns ten years of creditable
74 service;

75 (B) For each of the years of creditable service from year 11 through year 15, an
76 electing officer shall receive a monthly retirement benefit equal to 3 percent of his or
77 her average final compensation;

78 (C) For each of the years of creditable service from year 16 through year 20, an
79 electing officer shall receive a monthly retirement benefit equal to 5 percent of his or
80 her average final compensation; and

81 (D) For each of the years of creditable service from year 21 through year 25, an
82 electing officer shall receive a monthly retirement benefit equal to 6 percent of his or
83 her average final compensation; and

84 (3)(A) After an electing officer obtains 25 years of creditable service in the SLEO
85 Plan, his or her contributions pursuant to paragraph (1) of this Code section shall cease,
86 and such officer's retirement benefit amount shall be calculated based upon his or her
87 average final compensation at such time.

88 (B) On and after the date on which an electing officer's contributions cease pursuant
89 to subparagraph (A) of this paragraph, if the officer does not elect to retire under the
90 plan, his or her monthly retirement benefits shall be paid into such officer's DROP
91 Account provided for in subsection (a) of Code Section 47-2-403 until he or she elects

92 to retire. Such monthly payments shall accrue any postretirement benefit adjustments
93 granted to other members of this retirement system.

94 47-2-403.

95 (a) The board of trustees shall establish a Deferred Retirement Option Program (DROP)
96 Account for each eligible electing officer to deposit such officer's monthly benefit
97 payments. The amounts in each account shall earn interest at a market rate to be
98 determined by the board of trustees.

99 (b) Upon an electing officer's retirement, he or she shall be entitled to receive a lump sum,
100 a partial lump sum, or an annuity payment from the funds in his or her DROP Account,
101 including any interest therein. The board of trustees may also make available options to
102 roll such funds into certain tax advantaged retirement accounts."

103 **SECTION 3.**

104 This Act shall become effective on July 1, 2026, only if it is determined to have been
105 concurrently funded as provided in Chapter 20 of Title 47 of the Official Code of Georgia
106 Annotated, the "Public Retirement Systems Standards Law"; otherwise, this Act shall not
107 become effective and shall be automatically repealed in its entirety on July 1, 2026, as
108 required by subsection (a) of Code Section 47-20-50.

109 **SECTION 4.**

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