

House Bill 808

By: Representatives Carson of the 46<sup>th</sup>, Powell of the 33<sup>rd</sup>, and Crowe of the 118<sup>th</sup>

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:

14 (A) A peace officer, as such term is defined in Code Section 35-8-2, employed by the  
15 Department of Community Supervision; or

- 16 (B) A sworn police officer certified by the Georgia Peace Officer Standards and  
17 Training Council employed to perform the duties of a peace officer, as such term is  
18 defined in Code Section 16-1-3, by the:
- 19 (i) Department of Corrections;
  - 20 (ii) Department of Behavioral Health and Developmental Disabilities;
  - 21 (iii) Office of the Attorney General;
  - 22 (iv) Georgia Board of Dentistry;
  - 23 (v) Georgia Composite Medical Board;
  - 24 (vi) Department of Driver Services;
  - 25 (vii) Department of Transportation;
  - 26 (viii) Office of the Inspector General;
  - 27 (ix) Prosecuting Attorneys' Council of the State of Georgia;
  - 28 (x) State Board of Workers' Compensation;
  - 29 (xi) Department of Juvenile Justice;
  - 30 (xii) State Board of Pardons and Paroles;
  - 31 (xiii) Georgia Public Safety Training Center;
  - 32 (xiv) Public Service Commission;
  - 33 (xv) Georgia Bureau of Investigation;
  - 34 (xvi) Department of Natural Resources;
  - 35 (xvii) Department of Agriculture;
  - 36 (xviii) Department of Revenue;
  - 37 (xix) Georgia Drugs and Narcotics Agency;
  - 38 (xx) State Forestry Commission;
  - 39 (xxi) Office of Insurance and Safety Fire Commissioner;
  - 40 (xxii) Georgia Ports Authority;
  - 41 (xxiii) Georgia World Congress Center Police; and
  - 42 (xxiv) Department of Public Safety.

43 (38) 'Within one year after discharge from the armed forces' means within one year after  
44 the termination of the member's active service in the military or naval forces of the  
45 United States and shall not include any military reserve or naval reserve service."

46 **SECTION 2.**

47 Said chapter is further amended by adding a new article to read as follows:

48 "ARTICLE 11

49 47-2-400.

50 This article shall be known and may be cited as the 'State Law Enforcement Officer Plan'  
51 or 'SLEO Plan.'

52 47-2-401.

53 (a) As used in this article, the term 'electing officer' means a state law enforcement officer  
54 who, on or after July 1, 2026, is a contributing member of this retirement system and makes  
55 an irrevocable election to participate in the SLEO Plan in lieu of any other retirement  
56 system, plan, or program established under this chapter.

57 (b) Each eligible state law enforcement officer shall become an electing officer if he or she  
58 notifies the board of trustees in writing of such irrevocable election within 90 days of  
59 becoming a state law enforcement officer or July 1, 2026, whichever is later.

60 (c) No person who did not make a valid election pursuant to subsection (b) of this Code  
61 section shall be eligible for the enhanced benefits plan provided for in this article.

62 (d) In no event shall an electing officer be eligible to retire under this article at any point  
63 prior to July 1, 2031. If such an officer seeks to retire before July 1, 2031, he or she shall  
64 not be entitled to any of the enhanced benefits provided in this article, and the retirement

65 system shall treat such officer as if he or she had not made the irrevocable election under  
66 this Code section.

67 47-2-402.

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

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

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

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

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

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

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

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

90 (B) On and after the date on which an electing officer's contributions cease pursuant  
91 to subparagraph (A) of this paragraph, if the officer does not elect to retire under the  
92 plan, his or her monthly retirement benefits shall be paid into such officer's DROP  
93 Account provided for in subsection (a) of Code Section 47-2-403 until he or she elects  
94 to retire. Such monthly payments shall accrue any postretirement benefit adjustments  
95 granted to other members of this retirement system.

96 47-2-403.

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

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

### 105 **SECTION 3.**

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

### 111 **SECTION 4.**

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