

House Bill 873

By: Representative Townsend of the 179th

A BILL TO BE ENTITLED
AN ACT

1 To amend Article 7 of Chapter 3 of Title 47 of the Official Code of Georgia Annotated,
2 relating to retirement allowances, disability benefits, and spouses' benefits, so as to allow for
3 the Department of Education to employ beneficiaries of the Teachers Retirement System of
4 Georgia; to provide for such employees to continue to receive their retirement benefit; to
5 prohibit such employees from accruing creditable service for such employment; to provide
6 for exceptions; to provide conditions for an effective date and automatic repeal; to provide
7 for related matters; to repeal conflicting laws; and for other purposes.

8 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

9 **SECTION 1.**

10 Article 7 of Chapter 3 of Title 47 of the Official Code of Georgia Annotated, relating to
11 retirement allowances, disability benefits, and spouses' benefits, is amended by revising
12 subsection (a) of Code Section 47-3-127, relating to effect of restoration to service on
13 retirement allowances, and creditable service after restoration to service, as follows:

14 "(a) If, except as provided in Code Section 47-3-127.1 or 47-3-127.2, a beneficiary is
15 restored to service as a teacher, he or she may elect:

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16 (1) Cessation of his or her retirement allowance, in which case he or she shall again
17 become a contributing member of the retirement system and be governed by the
18 retirement provisions of this chapter; or

19 (2) Not to reinstate his or her membership in the retirement system, in which case his or
20 her retirement benefits shall be suspended during the period of time he or she is restored
21 to service. Upon cessation of such service, his or her prior retirement allowance shall be
22 resumed.

23 If the returning beneficiary fails to elect either choice, his or her status shall be as if he or
24 she had elected paragraph (1) of this subsection."

25 SECTION 2.

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

27 "47-3-127.2.

28 (a) Notwithstanding the provisions of Code Section 47-3-127, to the extent and under the
29 conditions provided for in this Code section, the Department of Education may employ a
30 beneficiary.

31 (b) An individual employed as described in subsection (a) of this Code section shall
32 remain a beneficiary and shall continue to receive his or her retirement allowance and any
33 postretirement benefit adjustments for which he or she is eligible; provided, however, that
34 such service shall not constitute creditable service and shall not entitle such beneficiary to
35 a recomputation of retirement benefits upon cessation of such service.

36 (c) The provisions of this Code section shall not apply to any beneficiary who becomes an
37 employee of any school operated by the Department of Education.

38 (d) The provisions of this Code section shall not become part of the employment contract
39 and shall be subject to future legislation."

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SECTION 3.

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

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SECTION 4.

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