

Senate Bill 11

By: Senators Rhett of the 33rd, Harbison of the 15th, Payne of the 54th, Williams of the 25th, Hickman of the 4th and others

AS PASSED SENATE

A BILL TO BE ENTITLED

AN ACT

1 To amend Article 5 of Chapter 2 of Title 47 of the Official Code of Georgia Annotated,
2 relating to service creditable toward retirement benefits, so as to provide for creditable
3 service for certain military service; to provide for application and payment; to provide for
4 related matters; to provide conditions for an effective date and automatic repeal; to repeal
5 conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Article 5 of Chapter 2 of Title 47 of the Official Code of Georgia Annotated, relating to
9 service creditable toward retirement benefits, is amended by revising Code Section 47-2-95,
10 which is designated as reserved, as follows:

11 "47-2-95.

12 (a) A member with at least ten years of membership service may obtain up to 36 months
13 of creditable service to be awarded month for month for active military service in the
14 armed forces of the United States performed on or after January 1, 1990.

15 (b) To obtain such creditable service, a member shall:

16 (1) Apply in a method or manner to be prescribed by the board of trustees;

17 (2) Submit proof of qualifying active military service as the board of trustees shall deem
18 necessary; and

19 (3) Pay to the board of trustees an amount determined by such board to be equal to the
20 full actuarial cost of such creditable service.

21 (c) Following its approval of an application for creditable service pursuant to this Code
22 section, the board of trustees shall certify to the applicant the amount of the payment to the
23 retirement system required to earn creditable service pursuant to this Code section.

24 (d) A member may make a one-time payment of the full amount established by the board
25 of trustees pursuant to subsection (c) of this Code section within 90 days and thereafter
26 receive such creditable service to which he or she is entitled or may elect to participate in
27 a payment plan under the same terms provided for in subsection (e) of Code
28 Section 47-2-101.

29 (e) Pursuant to this Code section, no member shall receive creditable service:

30 (1) If such member was not honorably discharged;

31 (2) For reserve duty;

32 (3) For any period of time for which he or she obtained membership service; or

33 (4) For any portion of such member's active military service in the armed forces of the
34 United States that has been or will be used in the determination of eligibility for
35 retirement benefits or allowances from any other state or federal retirement program,
36 excluding social security. Reserved."

37 **SECTION 2.**

38 This Act shall become effective on July 1, 2026, 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, 2026, 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.