

Senate Bill 216

By: Senators Robertson of the 29th, Tillery of the 19th, Strickland of the 42nd, Burns of the 23rd, Setzler of the 37th and others

AS PASSED

A BILL TO BE ENTITLED
AN ACT

1 To amend Chapter 23 of Title 47 of the Official Code of Georgia Annotated, relating to the
2 Georgia Judicial Retirement System, so as to provide for membership in the system for
3 individuals employed as the director of the Prosecuting Attorneys Qualifications
4 Commission; to provide for an election for such current employees; to provide for transfer
5 of funds; to provide for payment of actuarial costs; to provide for transfer of membership
6 service; to provide for earnable monthly compensation for purposes of contributions and
7 benefit amounts; to provide for applicability; to provide for related matters; to provide
8 conditions for an effective date and automatic repeal; to repeal conflicting laws; and for other
9 purposes.

10 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

11 **SECTION 1.**

12 Chapter 23 of Title 47 of the Official Code of Georgia Annotated, relating to the Georgia
13 Judicial Retirement System, is amended by adding a new Code section to read as follows:

14 "47-23-43.2.

15 (a) On and after July 1, 2026, each individual employed pursuant to subparagraph
16 (c)(2)(C) of Code Section 15-18-32 shall become a member of this retirement system;

17 provided, however, that each individual so employed as of June 30, 2026, who is not
18 already a member of this retirement system, shall remain a member of the Employees'
19 Retirement System of Georgia unless he or she elects to become a member of this
20 retirement system on or before June 30, 2027, notifies the board of such election, and pays
21 to the retirement system the remaining amount necessary to pay for the full actuarial cost
22 to the retirement system associated with his or her transfer of service. Upon such election
23 and payment, such an individual shall become a member of this retirement system, the
24 Employees' Retirement System of Georgia shall transfer to this retirement system all
25 employer and employee contributions paid by or on behalf of him or her together with
26 regular interest thereon, and he or she shall receive service in this retirement system toward
27 vesting only in the full amount of the service he or she rendered as an employee while he
28 or she was a member of the Employees' Retirement System of Georgia and for which credit
29 was allowable in such system.

30 (b) The provisions of this Code section shall only apply to or affect individuals who are
31 employed on or after July 1, 2026, pursuant to subparagraph (c)(2)(C) of Code Section
32 15-18-32. Members of this retirement system who are so employed shall be subject to all
33 provisions of this chapter applicable to solicitors-general of the state courts, except as
34 otherwise specifically provided by this chapter. For the purposes of this retirement system,
35 for each such member, his or her earnable monthly compensation shall be the full rate of
36 regular monthly compensation paid from state funds to such member employee for his or
37 her full working time."

38 **SECTION 2.**

39 Said chapter is further amended in subsection (a) of Code Section 47-23-100, relating to
40 salary defined, by striking "and" at the end of paragraph (5), replacing the period with "; and"
41 at the end of paragraph (6), and adding a new paragraph to read as follows:

42 "(7) For any member who is a member of the retirement system for whom the provisions
43 of Code Section 47-23-43.2 are applicable, his or her average earnable monthly
44 compensation."

45 **SECTION 3.**

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

51 **SECTION 4.**

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