

House Bill 472 (COMMITTEE SUBSTITUTE)

By: Representatives Crowe of the 118<sup>th</sup>, Blackmon of the 146<sup>th</sup>, Hitchens of the 161<sup>st</sup>,  
Lumsden of the 12<sup>th</sup>, Powell of the 33<sup>rd</sup>, 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 allow sworn law enforcement officers  
3 serving in and the commissioner and deputy commissioner of the Motor Carrier Compliance  
4 Division and the Capitol Police Division of the Department of Public Safety to be eligible  
5 for certain disability benefits; to provide conditions for an effective date and automatic  
6 repeal; to repeal conflicting laws; and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 Chapter 2 of Title 47 of the Official Code of Georgia Annotated, relating to the Employees'  
10 Retirement System of Georgia, is amended by revising Code Section 47-2-221, relating to  
11 disability allowances payable to personnel for certain disabilities arising in the line of duty,  
12 as follows:

13 "47-2-221.

14 (a)(1) Notwithstanding the disability allowance provided for in Code Section 47-2-123,  
15 any member in service;

16 (A) In of the Uniform Division of the Department of Public Safety;

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- 17 (B) As a any game warden of the Department of Natural Resources;  
18 (C) As an any officer or agent of the Georgia Bureau of Investigation, and;  
19 (D) As an any alcohol and tobacco officer or agent of the Department of Revenue; or  
20 (E) As a sworn law enforcement officer, the commissioner, or the deputy  
21 commissioner in the Motor Carrier Compliance Division or the Capitol Police Division  
22 of the Department of Public Safety on or after July 1, 2024,

23 who, while a contributing member of this retirement system and upon becoming  
24 permanently disabled due to an act of external violence or injury incurred in the line of  
25 duty, becomes eligible for disability retirement allowances shall, upon making written  
26 application to the board of trustees either personally or through his or her employer and  
27 after a medical examination and upon certification by the medical board that such  
28 member is, in their opinion, permanently disabled, be entitled to a monthly allowance as  
29 computed on the member's life expectancy without option. Such monthly allowance as  
30 shall be payable to the member only, during his or her life or length of disability, shall  
31 not exceed 80 percent of the service allowance that would have been payable to the  
32 member had he or she accumulated not more than 30 years of creditable service and had  
33 retired at age 65. Such allowance shall be computed on the basis of the member's  
34 monthly earnable compensation for the month in which his or her permanent disability  
35 occurred. Such permanent disability retirement shall apply regardless of the length of  
36 service of any such member; and such member shall be deemed to have acquired 30 or  
37 more years of creditable service. In addition, a member so disabled in the line of duty  
38 shall receive a monthly supplemental benefit which shall be in the amount of \$5.00 per  
39 month for each year of creditable service as a member ~~of the Uniform Division of the~~  
40 ~~Department of Public Safety, game warden of the Department of Natural Resources,~~  
41 ~~alcohol and tobacco officer or agent of the Department of Revenue, or as an officer or~~  
42 ~~agent of the Georgia Bureau of Investigation~~ described in subparagraphs (A) through (E)  
43 of this paragraph. Such additional monthly supplemental benefit shall in no event exceed

44 \$150.00 per month. ~~Any other provision of law to the contrary notwithstanding, any~~  
45 ~~member of the Uniform Division of the Department of Public Safety who retired prior to~~  
46 ~~July 1, 1970, as a result of becoming permanently disabled due to an act of external~~  
47 ~~violence or injury incurred in the line of duty and who was a member of the retirement~~  
48 ~~system on the date of the injury or act of violence shall be entitled to and shall receive the~~  
49 ~~monthly supplemental benefit provided for in this subsection.~~

50 (2) In lieu of the foregoing benefits provided for in paragraph (1) of this subsection, any  
51 member so described and so disabled in the line of duty shall be entitled to receive a  
52 minimum monthly disability retirement benefit equal to 2 percent of his or her monthly  
53 earnable compensation for the month in which his or her permanent disability occurred  
54 for each year of creditable service determined as though he or she had continued in  
55 service ~~in the Uniform Division of the Department of Public Safety, as a game warden~~  
56 ~~of the Department of Natural Resources, as an alcohol and tobacco officer or agent of the~~  
57 ~~Department of Revenue, or as an officer or agent of the Georgia Bureau of Investigation~~  
58 as a member described in subparagraphs (A) through (E) of paragraph (1) of this  
59 subsection until his or her mandatory retirement age.

60 (b)(1) Notwithstanding the disability allowance provided for in Code Section 47-2-123,  
61 any employee of the Department of Natural Resources appointed as a deputy game  
62 warden under Code Section 27-1-17, any parole officer employed by the State Board of  
63 Pardons and Paroles, any probation officer employed by the Department of Corrections,  
64 and any community supervision officer employed by the Department of Community  
65 Supervision who, while a contributing member of this retirement system and upon  
66 becoming permanently disabled due to an act of external violence or injury incurred in  
67 the line of law enforcement duty, becomes eligible for disability retirement allowances  
68 shall, after a medical examination and upon certification by the medical board that such  
69 member is, in their opinion, permanently disabled, be entitled to a monthly allowance as  
70 computed on the member's life expectancy without option. Such monthly allowance as

71 shall be payable to the member only, during his or her life or length of disability, shall  
72 not exceed 80 percent of the service allowance that would have been payable to the  
73 member had he or she accumulated not more than 30 years of creditable service and had  
74 retired at age 65. Such allowance shall be computed on the basis of the member's  
75 monthly earnable compensation for the month in which his or her permanent disability  
76 occurred. Such permanent disability retirement shall apply regardless of the length of  
77 service of any such member; and such member shall be deemed to have acquired 30 or  
78 more years of creditable service. In addition, a member so disabled in the line of law  
79 enforcement duty shall receive a monthly supplemental benefit which shall be in the  
80 amount of \$5.00 per month for each year of creditable service as an employee of the  
81 Department of Natural Resources who has been appointed as a deputy game warden  
82 under Code Section 27-1-17, parole officer of the State Board of Pardons and Paroles,  
83 probation officer of the Department of Corrections, or any community supervision officer  
84 employed by the Department of Community Supervision. Such additional monthly  
85 supplemental benefit shall in no event exceed \$150.00 per month.

86 (2) In lieu of the foregoing, any member so disabled in the line of law enforcement duty  
87 shall be entitled to receive a minimum monthly disability retirement benefit equal to 2  
88 percent of his or her monthly earnable compensation for the month in which his or her  
89 permanent disability occurred for each year of creditable service determined as though  
90 he or she had continued in service as a deputy game warden, probation officer, parole  
91 officer, or a community supervision officer until his or her mandatory retirement age."

92 **SECTION 2.**

93 This Act shall become effective on July 1, 2024, only if it is determined to have been  
94 concurrently funded as provided in Chapter 20 of Title 47 of the Official Code of Georgia  
95 Annotated, the "Public Retirement Systems Standards Law"; otherwise, this Act shall not

96 become effective and shall be automatically repealed in its entirety on July 1, 2024, as  
97 required by subsection (a) of Code Section 47-20-50.

98 **SECTION 3.**

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