

House Bill 821

By: Representatives Hugley of the 141st, Buckner of the 137th, and Reese of the 140th

A BILL TO BE ENTITLED
AN ACT

1 To amend Chapter 3 of Title 47 of the Official Code of Georgia Annotated, relating to the
2 Teachers Retirement System of Georgia, so as to provide for creditable service in the
3 retirement system for certain members based on their teaching service outside this state while
4 married to active duty members of the United States armed forces; to provide for terms and
5 conditions; to provide for related matters; to define "external teaching service"; to provide
6 conditions for an effective date and automatic repeal; to repeal conflicting laws; and for other
7 purposes.

8 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

9 **SECTION 1.**

10 Chapter 3 of Title 47 of the Official Code of Georgia Annotated, relating to the Teachers
11 Retirement System of Georgia, is amended by revising Code Section 47-3-89, relating to
12 credit for service rendered in governmentally supported or operated schools other than public
13 schools in Georgia and payments required to obtain credit for such service, as follows:

14 "47-3-89.

15 (a) ~~Any member of the retirement system shall be entitled to receive up to ten years of~~
16 ~~creditable service for~~ As used in this Code section, 'external teaching service' means

H. B. 821

17 teaching service in school systems of other states in the United States, state supported
18 independent school systems of the United States, schools operated by the Bureau of Indian
19 Affairs of the United States Department of the Interior, public school systems of the Virgin
20 Islands, Puerto Rico, Guam, and the District of Columbia, or American dependents'
21 schools, ~~provided that the~~

22 (b)(1) Any member who has first established at least five years of membership service
23 credit as a teacher in the public schools of Georgia or the University System of Georgia;
24 ~~provided, further, that such service credit shall be allowed~~ shall be eligible to obtain
25 creditable service in this retirement system on the basis of one year of credit for ~~such each~~
26 year of external teaching service for each per additional year of membership service as
27 a teacher in the public schools of Georgia or the University System of Georgia; provided,
28 however, that the total creditable service allowed under this paragraph shall not exceed
29 ten years.

30 (2) For any member who has at least three years of membership credit as a teacher in the
31 public schools of Georgia or the University System of Georgia and rendered external
32 teaching service while being married to an active duty member of the armed forces of the
33 United States, such member shall be eligible to obtain creditable service in this retirement
34 system for each year of such external teaching service as such a spouse; provided,
35 however, that such member must retire at normal retirement age as a teacher in Georgia
36 and the total creditable service allowed under this Code section to such a member shall
37 not exceed 25 years.

38 (c) Except as provided in subsection (d) of this Code section, any eligible A teacher
39 desiring to establish credit obtain creditable service for such external teaching service must
40 shall pay to the board of trustees prior to retirement an amount equal to the total employee
41 and employer contributions which would have been paid to the retirement system on a
42 salary comparable to his or her salary for such external teaching service, plus the applicable

43 rate of interest, in accordance with regulations adopted by the board of trustees. ~~Such~~
44 ~~contributions must be paid prior to retirement under this retirement system.~~

45 (d)(1) For such service rendered prior to January 1, 1945, the rate of employee
46 contributions shall be 5 percent and the rate of employer contributions shall be 6.83
47 percent. The rate of interest on such contributions shall be the applicable regular interest.
48 No member who receives or who is entitled to receive a pension or annuity from any
49 other state, county, or municipality, or federal retirement program excluding social
50 security, shall receive creditable service for such service. The board of trustees shall
51 promulgate rules and regulations to carry out this Code section.

52 ~~(b)~~(2) Any provisions of this Code section to the contrary notwithstanding, teachers who
53 became members of the retirement system prior to April 1, 1966, shall be permitted to
54 establish credit for a maximum of ten years of service in school systems of other states
55 in the United States that permit retirement credit for teaching service rendered in Georgia
56 public schools, by paying 8 percent of such out-of-state compensation that they received,
57 plus applicable accumulated interest, in accordance with regulations adopted by the board
58 of trustees. Such members may establish credit for one year of out-of-state service for
59 each year of membership service in the public schools of Georgia or the University
60 System of Georgia rendered after the first five years of membership service.

61 (e) No member shall be eligible for creditable service under paragraph (2) of
62 subsection (b) of this Code section for any external teaching service that has been or will
63 be used in the determination of eligibility for retirement benefits or allowances from any
64 other state or federal retirement program, excluding social security."

65 **SECTION 2.**

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

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

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SECTION 3.

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