

House Bill 838

By: Representative Fleming of the 121st

A BILL TO BE ENTITLED
AN ACT

1 To amend Chapter 6 of Title 47 of the Official Code of Georgia Annotated, relating to the
2 Georgia Legislative Retirement System, so as to define certain terms; to provide for a new
3 form of retirement allowance; to provide for related matters; to provide conditions for an
4 effective date and automatic repeal; to repeal conflicting laws; and for other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

6 **SECTION 1.**

7 Chapter 6 of Title 47 of the Official Code of Georgia Annotated, relating to the Georgia
8 Legislative Retirement System, is amended in Code Section 47-6-1, relating to definitions,
9 by adding two new paragraphs to read as follows:

10 "(1.1) 'Average monthly salary' means the average of the monthly salary of a member
11 during the 24 consecutive months of membership service producing the highest such
12 average."

13 "(7.1) 'Monthly salary' means the full rate of the total combined regular monthly salary,
14 not including any per diems, allowances, or expense reimbursements, payable to a
15 member pursuant to provisions of Code Section 45-7-4 that are applicable to such

16 member plus any additional regular monthly salary payable to the member pursuant to
17 resolution adopted by the House of Representatives or the Senate."

18 **SECTION 2.**

19 Said chapter is further amended in Code Section 47-6-80, relating to eligibility and
20 application for a retirement allowance, early retirement, amount of retirement allowance,
21 compliance with federal tax laws, and increases in retirement allowance, by adding a new
22 subsection to read as follows:

23 "(d.2) Upon retirement pursuant to subsection (a) of this Code section at any point on or
24 after July 1, 2022, in lieu of the amount provided in subsection (d) of this Code section, any
25 member who served as the Speaker of the House of Representatives for at least two years
26 may elect to receive a monthly service retirement allowance equal to 38 percent of his or
27 her average monthly salary."

28 **SECTION 3.**

29 This Act shall become effective on July 1, 2022, only if it is determined to have been
30 concurrently funded as provided in Chapter 20 of Title 47 of the Official Code of Georgia
31 Annotated, the "Public Retirement Systems Standards Law"; otherwise, this Act shall not
32 become effective and shall be automatically repealed in its entirety on July 1, 2022, as
33 required by subsection (a) of Code Section 47-20-50.

34 **SECTION 4.**

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