

**ACTS AND RESOLUTIONS OF THE GENERAL ASSEMBLY OF THE STATE OF
GEORGIA 1971 [VOLUME 2]**

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Sequential Number: 055

Short Title: FULTON COUNTY PENSION SYSTEM AMENDED -- CREDITABLE SERVICE.

Law Number: No. 139

Origin: (Senate Bill No. 15).

Full Title: An Act to amend the Act entitled "An Act authorizing the Board of Commissioners of Roads and Revenues of Fulton County to establish rules and regulations governing the payment of pensions to county employees..... and for other purposes", approved March 3, 1939 (Ga. L. 1939, p. 571, et seq.), and the several Acts amendatory thereof, so as to allow credit to Fulton County officers and employees for prior service as a Fulton County officer or employee, or as an officer or employee of the State of Georgia or member of the General Assembly thereof, or an officer or employee of any municipality located in whole or in part of Fulton County, to provide the conditions and payment for such service, and certain other requirements as may be prescribed by the Board of Trustees; to repeal conflicting laws; and for other purposes.

Be it enacted by the General Assembly of Georgia and it is hereby enacted by authority of the same, that the Act entitled "An Act authorizing the Board of Commissioners of Roads and Revenues of Fulton County to establish rules and regulations governing the payment of pensions to County employees..... and for other purposes", approved March 3, 1939 (Ga. L. 1939, p. 571, et seq.), and the several Acts amendatory thereof, be further amended as follows:

Section 1. All officers and employees who were elected or employed by Fulton County prior to January 10, 1971, are hereby authorized to claim credit for prior service as a Fulton County officer or employee, officer or employee of any municipality located in whole or in part of Fulton County, officer or employee of the State of Georgia or member of the General Assembly thereof, a year of such service counting for the purpose of this Act as a year of service in Fulton County, provided proof of such service is furnished to the Pension Board before the period ending June 30, 1971.

[Sidenote: Creditable service.]

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Whenever such qualified officer or employee desires such credit, not to exceed ten (10) years, he is required to pay into the Pension Fund in addition to all other sums required of this Act, a sum representing 12% plus 6% interest of his total salary as an officer or employee for the years for which he is seeking credit. Provided, however, that such years of credit shall not be used to obtain pension benefits in any other pension system. He shall have been an employee of Fulton

County for five years prior to being eligible for such credit. When such employee has served five years with Fulton County he shall immediately receive five years' credit, and for each successive year thereafter he shall receive another year's credit, not to exceed ten years. Fulton County shall not be required to match any part of the said sum.

[Sidenote: Payments.]

Section 2. Any officer or employee of Fulton County who became employed by Fulton County after January 10, 1971 and is qualified for pension benefits under this Act, as amended, who was employed by the State of Georgia or member of the General Assembly thereof, or any municipality located in whole or in part of Fulton County, a year of such service counting for the purpose of this Act as a year of service in Fulton County, prior to his employment by Fulton County, may receive credit for such service for benefits under this Act, as amended, upon the following terms and conditions:

[Sidenote: How service counted.]

- 1. No credit may be given for part-time or temporary service.
[Sidenote: Conditions.]
- 2. Such officer or employee must have had at least five (5) years continuous service as an employee of Fulton County before becoming eligible for this service. When such officer or employee has served five years with Fulton County he shall immediately receive five years' credit, and for each succeeding year thereafter with Fulton County, he shall receive another year's credit, not to exceed ten years.
- 3. Application must be made for the credit within six (6) months after the passage of this Act or after becoming eligible for the credit, whichever is later.

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- 4. Such officer or employee shall pay into the Pension Fund created by this Act, as amended, an amount which he would have paid into such fund had he been an employee of Fulton County during such time, plus matching funds, plus 6% interest on the total amount. The payments may be divided into thirty-six (36) equal installments bearing interest at 4% and the amount thereof deducted from any compensation due such person.
- 5. It shall be the responsibility of the officer or employee making application for such credit, to furnish to the Board of Trustees proof of the years of service and the monthly rate of compensation in such manner as the Board may by rules prescribe.
- 6. The total amount of creditable service as provided in this Act shall not exceed ten (10) years. Provided, however, that such years of credit shall not be used to obtain pension benefits in any other pension system.

Section 3. All laws or parts of laws in conflict with the Act are hereby repealed.

Section 4. A copy of the notice of intention to apply for local legislation is attached hereto and made a part of this bill.

Notice of Intention to Apply for Local Legislation.

Notice is hereby given of intention to apply to the January, 1971 Session of the General Assembly of Georgia for local legislation to amend the Act approved March 3, 1939, (Ga. L. 1939, p. 571), authorizing the Board of Commissioners of Fulton County to establish Rules and Regulations governing the payment of pensions to County employees of said County.....and for other purposes.

Lula B. Carson Executive Secretary

Georgia, Fulton County.

Before me, the undersigned, a Notary Public, this day personally came Mildred N. Lazenby, who, being first duly

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sworn, according to law, says that she is the Treasurer of the Daily Report Company, publishers of the Fulton County Daily Report, official newspaper published at Atlanta, in said county and State, and that the publication, of which the annexed is a true copy, was published in said paper on the 16, 23, 30 days of December, 1970, and on the 5th days of January, 1971. As provided by law.

/s/ Mildred N. Lazenby

Subscribed and sworn to before me,

this 14th day of January, 1971.

/s/ Maiodis F. Palmer

Notary Public Georgia, State at Large.

My Commission Expires Jan. 19, 1972.

Approval Date: Approved March 30, 1971.