

House Bill 421 (AS PASSED HOUSE AND SENATE)

By: Representatives Nimmer of the 178th, Coomer of the 14th, Dickey of the 140th, and Rogers of the 10th

A BILL TO BE ENTITLED
AN ACT

1 To amend Code Section 47-2-221 of the Official Code of Georgia Annotated, relating to
2 disability allowances payable to personnel for certain disabilities arising in the line of duty,
3 so as to provide that community supervision officers employed by the Department of
4 Community Supervision shall be entitled to certain disability benefits; to provide conditions
5 for an effective date and automatic repeal; to repeal conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Code Section 47-2-221 of the Official Code of Georgia Annotated, relating to disability
9 allowances payable to personnel for certain disabilities arising in the line of duty, is amended
10 by revising subsection (b) as follows:

11 "(b)(1) Notwithstanding the disability allowance provided for in Code Section 47-2-123,
12 any employee of the Department of Natural Resources appointed as a deputy
13 conservation ranger under Code Section 27-1-17, any parole officer employed by the
14 State Board of Pardons and Paroles, ~~and~~ any probation officer employed by the
15 Department of Corrections, and any community supervision officer employed by the
16 Department of Community Supervision who, while a contributing member of this
17 retirement system and upon becoming permanently disabled due to an act of external
18 violence or injury incurred in the line of law enforcement duty, becomes eligible for
19 disability retirement allowances shall, after a medical examination and upon certification
20 by the medical board that such member is, in their opinion, permanently disabled, be
21 entitled to a monthly allowance as computed on the member's life expectancy without
22 option. Such monthly allowance as shall be payable to the member only, during his or
23 her life or length of disability, shall not exceed 80 percent of the service allowance that
24 would have been payable to the member had he or she accumulated not more than 30
25 years of creditable service and had retired at age 65. Such allowance shall be computed
26 on the basis of the member's monthly earnable compensation for the month in which his

27 or her permanent disability occurred. Such permanent disability retirement shall apply
28 regardless of the length of service of any such member; and such member shall be
29 deemed to have acquired 30 or more years of creditable service. In addition, a member
30 so disabled in the line of law enforcement duty shall receive a monthly supplemental
31 benefit which shall be in the amount of \$5.00 per month for each year of creditable
32 service as an employee of the Department of Natural Resources who has been appointed
33 as a deputy conservation ranger under Code Section 27-1-17, parole officer of the State
34 Board of Pardons and Paroles, ~~or~~ probation officer of the Department of Corrections, or
35 any community supervision officer employed by the Department of Community
36 Supervision. Such additional monthly supplemental benefit shall in no event exceed
37 \$150.00 per month.

38 (2) In lieu of the foregoing, any member so disabled in the line of law enforcement duty
39 shall be entitled to receive a minimum monthly disability retirement benefit equal to 2
40 percent of his or her monthly earnable compensation for the month in which his or her
41 permanent disability occurred for each year of creditable service determined as though
42 he or she had continued in service as a deputy conservation ranger, probation officer, ~~or~~
43 parole officer, or a community supervision officer until his or her mandatory retirement
44 age."

45 **SECTION 2.**

46 This Act shall become effective on July 1, 2016, 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, 2016, as
50 required by subsection (a) of Code Section 47-20-50.

51 **SECTION 3.**

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