

**OFFICE OF COMMITTEE SERVICES**

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**TOMORROW'S FORECAST**

- \* The House will reconvene for its 7th Legislative Day on Wednesday, January 27, at 10:00 AM.
- \* No bills are expected to be debated on the floor.



**GEORGIA HOUSE OF REPRESENTATIVES**

**DAILY REPORT**



Tuesday, January 26, 2010

6th Legislative Day

**TODAY ON THE FLOOR**

There were no bills debated on the floor of the House today.

\* *The House will reconvene Wednesday, January 27, at 10:00 AM, for its 7th Legislative*

**COMMITTEE ON RULES**

\* *The Rules Committee will next meet on Wednesday, January 27, at 9:00 AM*

**COMMITTEE ACTION REPORT**

**Judiciary**

**SB 131 - The Revised Georgia Trust Code of 2009; comprehensively revise provisions relating to trusts**

- BILL SUMMARY: - Title 53, Chapters 12 - 15, relating to trusts, charitable trusts, trustees, and trust instruments are repealed and replaced with the language contained in the bill.
- The revisions to the Georgia Trust Code contained in this bill use the National Conference on Commissioners on Uniform State Laws 2005 Uniform Trust Code (UTC) revisions as the basis for the modifications. The UTC has been modified to avoid conflicts with existing and remaining OCGA sections relating to wills, trusts, and estates.
- The bill was drafted in cooperation with the Fiduciary Law Section of the State Bar of Georgia and extensive discussions were held before the final version of the bill was produced.
- Code Section 7-1-242 of OCGA, relating to restrictions on corporate fiduciaries, is amended to add nonprofit corporations to the list of entities that may lawfully act as a fiduciary.
- **Authored By:** Sen. Bill Hamrick of the 30th
- **Committee Action:** Do Pass by Committee Substitute

**Motor Vehicles**

**HB 328 - Personal property; limit storage fees for nonconsensually towed vehicles; provisions**

- BILL SUMMARY: Limits the amount of storage fees charged for nonconsensually towed vehicles.
- **Authored By:** Rep. Bob Lane of the 158th
- **Committee Action:** Do NOT Pass recommendation

**Retirement**

**HB 54 - Georgia Judicial Retirement System; survivors' benefits; provisions**

- **BILL SUMMARY:** This bill relates to survivors' benefits under the Georgia Judicial Retirement System, ceasing spouses' benefits, vesting and designation of survivors benefits. It would provide that certain members of the Georgia Judicial Retirement System who rejected spouses' benefits may elect such benefits by paying to the board of trustees such amount as determined by the actuary as necessary to grant such benefit without creating any accrued actuarial liability. It would also provide that in order to vest for spouses' benefits, such member must have 10 years of membership service.

- **Authored By:** Rep. John Lunsford of the 110th

- **Committee Action:** Do Pass

## **Retirement**

### **HB 486 - Superior Court Clerks' Retirement Fund of Georgia; not entitled credit for service after July 1, 2010; provisions**

- **BILL SUMMARY:** This bill eliminates the 8 year credit for Deputy Clerk service for those who enter the Retirement Fund AFTER July 1, 2010. Allows for all elected to the Office of Superior Court Clerk to enter the Retirement Fund on an equal footing. bill also offers a one time \$5000.00 death benefit to the member's estate.

Fiscal Bill – Although the First year cost is \$3,621, the employer contribution would not need to be raised because the fund is well-funded and the revenue from fines, fees, and bond forfeitures is sufficient to cover additional cost thus there is \$0 dollar impact on fund.

- **Authored By:** Rep. John Meadows of the 5th

- **Committee Action:** Do Pass

## **Retirement**

### **HB 817 - Georgia Judicial Retirement System; juvenile judges; provide**

- **BILL SUMMARY:** This bill allows any Juvenile Court Judge that was previously a member of the Employees' Retirement System (ERS) to transfer ERS employee and employer contributions to JRS by December 31, 2010, or within 90 days of first becoming a member of JRS.

Currently, any new JRS member that is a Superior Court Judge, State Court Judge, Solicitor General, or District Attorney who was previously an active member of ERS may elect to have all of their ERS contributions transferred to JRS within 90 days first becoming a member of JRS by notifying the Board of Trustees.

If the member has not withdrawn his/her employee contributions from ERS, the Board of Trustees must transfer all employee and employer contributions from ERS and place them in JRS and the member must pay regular interest thereon.

If the member has withdrawn his/her employee contributions from ERS, member must provide notice to the Board of Trustees requesting a transfer to JRS. At that time, the member must pay the Board the total of such contributions, with regular interest thereon, and employee and employer contributions from ERS will be transferred to JRS.

There will be no cost to ERS or JRS upon passage of this legislation.

This bill would be a change to JRS, as it allows Juvenile Court Judges to transfer prior ERS contributions to JRS, whereas only Superior Court Judges, State Court Judges, Solicitors' General, and District Attorneys' are now allowed to transfer within 90 days of first becoming a member of JRS.

Prior Legislation allowed any Superior Court Judge, State Court Judge, Solicitor General, or District Attorney who was a member of JRS and was previously an active member of ERS to elect to have all of their ERS contributions transferred to JRS with a sunset date of December 31, 2002.

- **Authored By:** Rep. Glenn Baker of the 78th

- **Committee Action:** Do Pass

## **Retirement**

### **HB 916 - Retirement ages; nullify application for retirement; provisions**

- **BILL SUMMARY:** This legislation clarifies requirements for members returning to service after retirement.

Specifically, a member that has not reached normal retirement age (60 with at least 10 years of service) on the effective date of their retirement is required to wait two consecutive calendar months prior to returning to employment. The employer of the member is also required to certify that no agreement exists to allow such employee to return to service, including service as an independent contractor. Members that have reached normal retirement age and return to service as a independent contractor are required to have their employing agency provide the Board of Trustees with certification that: The contracting entity has multiple employees; The contracting entity has multiple contracts, and the contracts are not limited to employers; and The contractual relationship with the employer was not created to allow a retired employee to continue employment after retirement in a position similar to the one held before retirement.

- **Authored By:** Rep. Howard Maxwell of the 17th

- **Committee Action:** Do Pass

*\* Bills passing committees are reported to the Clerk's Office, and are then placed on the General Calendar.*



## COMMITTEE MEETING SCHEDULE

**Wednesday, January 27, 2010**

8:30 AM - 9:30 AM	<u>INSURANCE</u>	406 CLOB
9:00 AM - 10:00 AM	<u>RULES</u>	341 CAP
1:30 PM - 3:30 PM	<u>Appropriations General Subcommittee</u>	415 CLOB
1:30 PM - 3:30 PM	<u>Ramsey Subcommittee of Judiciary Non-Civil</u>	132 CAP (or upon adjournment- whichever is alter)
2:00 PM - 3:00 PM	<u>STATE INSTITUTIONS &amp; PROPERTY</u>	406 CLOB
2:00 PM - 3:00 PM	<u>GOVERNMENTAL AFFAIRS</u>	506 CLOB
2:00 PM - 3:00 PM	<u>PUBLIC SAFETY &amp; HOMELAND SECURITY</u>	606 CLOB
2:00 PM - 3:30 PM	<u>Appropriations Education Subcommittee</u>	341 CAP
3:00 PM - 4:30 PM	<u>Appropriations Higher Education Subcommittee</u>	403 CAP
3:00 PM - 5:00 PM	<u>HEALTH &amp; HUMAN SERVICES</u>	606 CLOB
3:30 PM - 4:00 PM	<u>SCIENCE &amp; TECHNOLOGY</u>	515 CLOB

*\* This broadcast schedule is up to date at the time of this report, but meetings dates and times are subject to change. To keep up with the latest schedule please visit the General Assembly website [www.legis.ga.gov](http://www.legis.ga.gov) and click on House Meetings. To view the live stream of these meetings, please visit the Georgia Legislative Network.*