



Senate Special Committee on Investigation- PAQC Supplement

December 2nd, 2025

Prepared by: Ian Heap, Executive Director

Prosecuting Attorneys Qualifications Commission

Introduction

The Georgia Senate Special Committee on Investigations subpoenaed Prosecuting Attorneys Qualifications Commission Executive Director Ian Heap to testify at the October 3, 2025, meeting. Several times during the testimony, Chairman Bill Cowser requested Heap submit additional information to him in writing for inclusion in the record and to take into account in drafting a final report of the committee. Chairman Cowser requested any recommended changes in the law concerning the qualifications commission, our underlying statutes that designate what is acceptable behavior by prosecutors or not, and any other recommended changes. Chairman Cowser specifically requested input on whether O.C.G.A. § 15-18-32 should be amended to add more specific bases for discipline to those seven enumerated in subsection (h) or clarify those already listed. Finally, Chairman Cowser specifically requested suggestions on how legislation might address confidentiality concerns. “[H]ow can we improve this law? And if confidentiality is a weak link, tell me how to fix it.”

Executive Summary

No additional bases are recommended. The bases for discipline or removal of prosecuting attorneys are sufficient. The issue is not that O.C.G.A. § 15-18-32 fails to cover conduct, the issue is that the PAQC has limited ability to investigate and prove the conduct. There is no comprehensive remedy for the confidentiality issues, but changes to the statute already existing in SB 218 will relieve some concerns. The PAQC desperately needs investigative authority, and if SB 218 were stripped down to solely providing subpoena authority, it would still go a long way towards getting the PAQC operating effectively. Although physical security is a legitimate concern, those issues are controversial, and the PAQC is not willing to sacrifice the opportunity to get subpoena authority by insisting on any legislative support for our security.

There are currently additional changes to the existing law in SB 218 that are far less important than the above, but address current concerns with O.C.G.A. § 15-18-32, Those are removing a contradiction in the appeals process, clarifying travel reimbursement for commissioners who are state employees, correcting a misidentification, clarifying date jurisdiction, and harmonizing the Director/Executive Director job title. Finally, SB 216 moves the Director/Executive Director from ERS to JRS.

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Clarifying Bases for Discipline

After careful consideration, the bases for discipline or removal of prosecuting attorneys are sufficient. The issue is not that O.C.G.A. § 15-18-32 fails to cover conduct, the issue is that the PAQC has limited ability to investigate and prove the conduct. The PAQC is sometimes compared to the Judicial Qualifications Commission (JQC), and while there are many parallels there are significant differences. The most obvious difference is that the JQC does have subpoena authority. Another significant difference is that Judges generally personally preside in court on the record and issue rulings, orders, and opinions individually and on the record. District attorneys and solicitors general often have assistants handling cases in court, advocates handling victims and witnesses, and staff handling other aspects of the office. O.C.G.A. § 15-18-32 states that a district attorney or solicitor general is subject to discipline for the actions of an assistant district attorney or assistant solicitor-general only for “knowingly authorizing or permitting an assistant district attorney or assistant solicitor-general to commit any act constituting grounds for removal under paragraphs (1) through (6) of this subsection.” Absent subpoenas, depositions, and/or search warrants, this “knowingly authorizing or permitting” could only be proven by voluntary whistleblowers who not only come forward on their own but remain committed throughout the process.

Confidentiality Concerns

The most alarming threat to confidentiality is Complainants publicizing the fact they have filed a complaint and sometimes the actions and communications of the PAQC resulting from the complaint. A full analysis can be found at <https://paqcga.gov/confidentiality-notice/> but in essence the matter is intended to be confidential, but only the Investigative Panel and staff are under any authority. There is no legal bar to the complainant publicizing the information. There is no easy fix. Other entities have attempted to use contempt proceedings, often with limited success. The main difficulty with contempt in this context is that the PAQC is not operating under the authority of or in conjunction with any specific court. A secondary concern is the PAQC has no law enforcement or criminal prosecution authority, so a model such as Rule 6(e) of the Federal Rules of Criminal Procedure is unworkable.

Some of the issues the PAQC has with the current confidentiality provisions in O.C.G.A. § 15-18-32 are addressed in SB 218, amending subsection (k) starting on line 52 of SB 218 (Ex. A). One portion of this (on line 55) now seems like it will have unintended consequences, and we will be asking that "complainant or the" NOT be included in the final bill. Lines 62-68 are still needed and do not appear controversial.

The PAQC rules state that the Director shall notify the Complainant of a final disposition within 10 days. The O.C.G.A. § 15-18-32 currently states that all matters shall be confidential unless and until formal charges are filed, or a consent is filed in the Supreme Court. One or more complainants have publicized their dismissal notices. The PAQC is placed in the position of giving to the complainant what cannot be publicized with the knowledge that a percentage will be publicized.

Lines 62-63 (Ex. A) harmonize the law, the rules, and reality, allowing disclosure if:

“A complaint is dismissed at any stage; provided, however, that such disclosure shall be limited to disclosing the reason for such dismissal to the complainant.”

District Attorneys and Solicitors General have expressed a strong interest in knowing about complaints filed against them. In the event a full investigation is authorized by the Investigative Panel, the prosecuting attorney does receive full notification. If formal charges are filed, the matter becomes public. For cases dismissed without a full investigation, lines 64-68 (Ex. A) allow for the prosecutor, but not the public, to receive notice of the dismissed complaint, allowing disclosure if:

“A complaint is dismissed prior to an authorization of formal investigation; provided, however, that such disclosure shall be limited to disclosing the statutory basis for such complaint to the individual who was the subject of the complaint; and, provided, further, that such disclosure shall not include the complainant's identity or the specifics of the allegation.”

The O.C.G.A. § 15-18-32 already allows a prosecuting attorney to waive confidentiality and address the matter in the press at any stage. SB 218 as introduced added that a Complainant could also waive confidentiality. The reasoning was that despite admonitions not to, some complaints were publishing their complaint, or the fact that they had filed a complaint in the press or social media. The fact that there had been a complaint, and the insinuation that there was an ongoing investigation reflected negatively on the prosecuting attorney, who could not refute or clarify the allegations. The intent of adding that the Complainant could waive confidentiality was that the publication by the complainant would free the PAQC to address misstatements and allow proportionate publicization if and when the complaint were dismissed. An unintended consequence could be that their waiving confidentiality could be construed to opening the entire matter to open records requests. The PAQC is requesting that “complainant” be removed from line 55. The addition of lines 64-68 above combined

with the prosecuting attorneys' statutory ability to waive confidentiality should address the issue while minimizing unintended consequences.

Current Version of SB 218

The current version of SB 218 (Exhibit A), has been returned to the Senate as amended by the House and is currently postured "agree/disagree".

Primary Issue- Investigative Power

With great power comes great responsibility. The inverse is not always so. Although responsible for conducting investigations, the PAQC has no power to conduct these investigations beyond that of the average citizen.

Subpoena Authority

SB 218 current version (Ex. A) Lines 123-149 provide authority to issue subpoenas for witnesses and documents. Without subpoena authority, the PAQC has no ability to gather evidence beyond what any citizen can gather and the PAQC cannot compel witnesses to appear for hearings. The accused prosecutor should have the right to compel witnesses for their defense in a contested hearing. It hampers the PAQC proving a case and hampers the responding prosecuting attorney from presenting a defense. Lack of subpoena authority is unfair to both sides. Subpoena authority remains in the current version of SB 218 (Ex. A) which has passed the House and could be passed as is by the Senate and sent to the Governor. The authorization of subpoena authority is clearly the most important provision in any legislation for the PAQC and would be the recommendation of the PAQC if SB 218 needed to be stripped down to a single issue, as was the removal of the Supreme Court rules review in 2024.

Search Warrant Authority

The initial version of SB 218 as introduced (Ex. B Lines 138-152) included the ability to apply for search warrants for medical and banking records held by third parties, requiring a showing of probable cause to a superior court judge. The authority was to apply for warrants, not to issue warrants ourselves. The provision was drafted as being the least intrusive method to satisfy a compelling government need, narrowly tailored to only certain records and only from third parties. The authority to apply for search warrants was removed in the Senate, having been characterized as the PAQC wanting to serve search warrants on either the DA/SG themselves, or on their offices/homes. As this was removed prior to SB 218 passing the Senate, and as the PAQC has lost the

battle of perception, it is understandable if this provision is not included in a final version of SB 218. Even with subpoena authority, there will be no way absent patient's consent to get medical records, severely limiting any investigation into incapacity.

Deposition Authority

On November 13, 2025, Senate Special Committee on Investigations meeting Ethics Commission Executive Secretary David Emadi testified that although his Commission has subpoena authority, that is insufficient to build the cases he needs to prove, especially when investigating collusion and coordination. Emadi suggested, and the Special Committee on Investigations seemed receptive to empowering the Ethics commission to place witnesses under oath for depositions prior to their probable cause administrative hearing. Deposition authority would be useful to the PAQC, especially in cases where the issue is whether the elected prosecutor knowingly authorized or permitted an assistant prosecutor to commit an act which would be a basis for discipline if committed by the elected prosecutor themselves.

Physical security

The physical security of the PAQC employees, commissioners, and witnesses at their places of business and at public hearings or meetings has been a serious concern, especially given the current political climate. The concern had gone beyond speculative (see Exhibit C). The PAQC welcomes any assistance in this area, but it has proven controversial, and we are not willing to sacrifice the opportunity to get subpoena authority by insisting on any legislative support for our security.

Exemption from Firearm Carry Restrictions

The trigger of objections to SB 218 in the House was "firearms in the courtroom." The Senate had passed a version which added the investigators, commissioners, and director, current and retired, from the firearms exemptions of O.C.G.A. §16-11-130. The House Judiciary Non-Civil amended this section to include all attorneys. The PAQC never intended to include all attorneys in the exemption. Numerous Sheriffs contacted their Representatives with strong objections to having all defense attorneys and civil attorneys able to carry firearms in county courtrooms. The House Rules Committee removed the entire section, then sent it back to the Senate. We are fine with asking the Senate to leave it out if that means we get subpoena authority, or would be fine with the original version, or a pared down version (only investigators, or "except jails and courthouses"), but again, we are not willing to sacrifice the opportunity to get subpoena authority by insisting on any legislative support for our security.

Limited Arrest Power

We now understand the Sheriffs are opposed to any arrest power, no matter how carefully limited, so the PAQC is ready to ask that lines 95-122 be removed from the final bill.

Somewhat Controversial Provisions in the Current SB 218

Appeal Procedure and Venue

The current appeals process is contradictory, and our original proposed language was changed several times. We accept the current added language, but it conflicts with the existing language, so we are asking that lines 79 and 80 be removed from the final bill. Appeals should be to the Superior Court of either the county the prosecuting attorney resides in or Fulton County, but not both or either.

Date Jurisdiction

Our commissioners have previously voted to not consider conduct that predates their adoption of our rules, and that is codified in (n), lines 81-85. This is a bit controversial, as the legislators seem to want the PAQC to have greater date jurisdiction, but the Commissioners are not going to exercise any jurisdiction they consider to be violative of due process (compare ex post facto) no matter what date the statute permits. SB 218 as introduced (Exhibit B) set the date at the date the Commissioners adopted the PAQC Rules (April 1, 2024). The was changed via friendly amendment back to 2023, and is now back to April 1, 2024, in the current version of SB 218 (Exhibit A)

Apparently Non-Controversial Provisions in Current SB 218

Commissioner reimbursement language (lines 29-44) clarifies Commissioners who are State employees can be reimbursed for travel expenses either by PAQC or by their office, but not both. Line 48 cleans up a misidentification currently existing in O.C.G.A. §15-18-32, replacing Judge with district attorney or solicitor general. Lines 87-89 (q) is now redundant, as the FY 2026 appropriations bill has already moved the PAQC to the AOC for appropriations allocation and administrative support. Lines 90-91 (r) addresses that the Commissioners advertised for and hired an Executive Director, but the O.C.G.A. §15-18-32 names a Director.

The PAQC looks forward to working with this Committee to see if there is a viable version of SB 218 that grants subpoena authority, then see what the full Senate says about rewriting and, and then what the Representatives have to say about what the Senators settle on.

Current Version of SB 216

SB 216 is the second piece of legislation pending concerning the PAQC. SB216 is a two-year fiscal bill that was sent for study between sessions and is now in the Senate Committee on Retirement.

As a recruitment mechanism for the PAQC, SB216 would move the Director position from ERS (employees Retirement System) into JRS (Judicial Retirement System). That would certainly benefit the current Director, but the focus of the bill is to get a more qualified person for the next Director. The ideal candidate for this position is a former elected District Attorney or Solicitor General, not an Assistant DA or Assistant SG. The Director should have the perspective and experience of having been in the position under investigation. The Director should be someone who has experience running an office and making policy decisions.

The two times this position as it currently exists (ERS) show none of those candidates are applying, and frankly few others are. If this were a JRS position an elected prosecutor who has served one or two terms and needs more years in JRS to vest would consider applying for this position, as would an elected prosecutor who had less than 24 years in JRS and could add creditable service. If advertised (and recruited for) in the future without this change, there is no reason to believe the applicant pool will be significantly different than four or five applicants, mostly current ADAs. The study is complete (Exhibit D), and states, “[t]his legislation should not have any fiscal impact on the Georgia Judicial Retirement System (JRS),” and “this bill would not result in an increase in the anticipated employer contribution rate for the ERS.”

The House Committee on Rules offers the following substitute to SB 218:

A BILL TO BE ENTITLED
AN ACT

1 To amend Title 15 of the Official Code of Georgia Annotated, relating to courts, so as to
2 provide that the Prosecuting Attorneys Qualifications Commission shall be assigned for
3 administrative purposes only to the Administrative Office of the Courts and shall be funded
4 by funds appropriated or otherwise available to the judicial branch of state government; to
5 provide for appeals from the decisions of hearing panels of the Prosecuting Attorneys
6 Qualifications Commission; to revise the date before which certain complaints of misconduct
7 shall be barred; to provide for executive director designation; to provide generally for
8 constitutionally or statutorily created organizations funded through the judicial branch of
9 state government expressly authorized by law to conduct investigations to provide for special
10 commission investigators; to provide for limited powers of arrest for such special
11 commission investigators; to provide for subpoenas; to provide for construction; to provide
12 for definitions; to provide for related matters; to repeal conflicting laws; and for other
13 purposes.

14 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Title 15 of the Official Code of Georgia Annotated, relating to courts, is amended in Article 1 of Chapter 18, relating to general provisions relevant to prosecuting attorneys, by revising paragraph (4) of subsection (f), paragraph (1) of subsection (j), and subsections (k), (m), and (n), and by adding new subsections to Code Section 15-18-32, relating to the Prosecuting Attorneys Qualifications Commission, authority, membership, ex parte communications, governance, disciplinary actions, confidentiality, and privileged nature, to read as follows:

"(4)(A) Members of the commission shall serve without compensation but shall receive the same daily expense allowance as members of the General Assembly receive, as set forth in Code Section 28-1-8, for each day such member is in physical attendance at a panel meeting or hearing, plus either reimbursement for actual transportation costs while traveling by public transportation or the same mileage allowance for use of a personal motor vehicle in connection with such attendance as members of the General Assembly receive, subject to subparagraph (B) of this paragraph.

(B) Members of the commission who:

(i) Are not subject to the provisions of division (ii) of this subparagraph shall receive the daily expense allowance and travel reimbursement provided for in subparagraph (A) of this paragraph from funds appropriated or otherwise available to the judicial branch of state government; or

(ii) Pursuant to the terms and conditions of their official position, employment, or contract with the state, are eligible to receive a daily expense allowance and travel allowance for their service on the commission shall not receive daily expense allowance and travel reimbursement provided for in subparagraph (A) of this paragraph. Notwithstanding subparagraph (A) of this paragraph, no member shall receive such expense allowance or travel reimbursement if he or she is entitled to receive an expense allowance, travel reimbursement, or salary for performance of duties as a state employee.

(C) Expense allowances and travel reimbursements shall be paid from ~~moneys~~ funds appropriated or otherwise available to the ~~commission~~ judicial branch of state government."

"(j)(1) All information regarding a disciplinary or incapacity matter of a district attorney or solicitor-general shall be kept confidential by the investigative panel and commission staff before formal charges are filed; provided, however, that, if prior to filing formal charges ~~the judge~~ such district attorney or solicitor-general and investigative panel agree to a satisfactory disposition of a disciplinary matter other than by a private admonition or deferred discipline agreement, a report of such disposition shall be publicly filed in the Supreme Court."

"(k) Notwithstanding subsection (j) of this Code section, information regarding a disciplinary or incapacity matter of a district attorney or solicitor-general may be disclosed or the confidentiality of such information may be removed when:

(1) The privilege of confidentiality has been waived by the complainant or the individual who was the subject of the commission's investigation; ~~or~~

(2) The commission's rules provide for disclosure:

(A) In the interest of justice and to protect the public;

(B) If an emergency situation exists; or

(C) If a district attorney or solicitor-general is under consideration for another state or federal position;

(3) A complaint is dismissed at any stage; provided, however, that such disclosure shall be limited to disclosing the reason for such dismissal to the complainant; or

(4) A complaint is dismissed prior to an authorization of formal investigation; provided, however, that such disclosure shall be limited to disclosing the statutory basis for such complaint to the individual who was the subject of the complaint; and, provided, further, that such disclosure shall not include the complainant's identity or the specifics of the allegation."

69 ~~“(m) A respondent may appeal the decision of the hearing panel by submitting a petition~~
 70 ~~to the superior court of the county where such respondent served as a district attorney or~~
 71 ~~solicitor-general. The hearing panel's order in a disciplinary or incapacity matter may be~~
 72 appealed to the superior court of the county where the respondent resides. Any decision
 73 rendered by the superior court shall be subject to review by the Court of Appeals or
 74 Supreme Court, as jurisdictionally appropriate.

75 (m.1) A respondent who is subjected to public reprimand, censure, limitation on the
 76 performance of prosecutorial duties, suspension, retirement, or removal shall be entitled
 77 to a copy of the proposed record to be filed with the Supreme Court and, if the respondent
 78 has objections to it, to have the record settled by the hearing panel's presiding officer. The
 79 hearing panel's order in a disciplinary or incapacity matter may be appealed to the Superior
 80 Court of Fulton County pursuant to Chapter 3 of Title 5.

81 ~~(n) The commission shall commence by July 1, 2023, and the rules and regulations~~
 82 ~~promulgated by such commission shall be established no later than October 1, 2023. No~~
 83 ~~complaint shall be filed before October 1, 2023. The commission shall not receive~~
 84 ~~complaint submissions regarding misconduct in office that occurred prior to May 5, 2023~~
 85 April 1, 2024, unless such alleged misconduct is related to a continuous pattern of conduct
 86 that continues beyond that date.”

87 “(q) The commission shall be a budget unit as defined in Part 1 of Article 4 of Chapter 12
 88 of Title 45, the 'Budget Act'; provided, however, that the commission shall be assigned for
 89 administrative purposes only to the Administrative Office of the Courts.

90 (r) The individual selected to serve as director of the commission may be designated with
 91 the title of executive director by the commission.”

92 **SECTION 2.**

93 Said title is further amended by adding a new chapter to read as follows:

"CHAPTER 26

15-26-1.

As used in this chapter, the term:

(1) 'Commission' means the Prosecuting Attorneys Qualifications Commission.

(2) 'Special commission investigator' means an individual employed by the commission to conduct investigations by the commission and who is currently certified by the Georgia Peace Officer Standards and Training Council as having met the qualifications and having completed the basic training requirements for a peace officer under Chapter 8 of Title 35.

15-26-2.

(a) The commission may employ investigators and special commission investigators to conduct investigations by the commission.

(b) A special commission investigator shall have the power of arrest in the performance of his or her duties for the commission for crimes that:

(1) Are committed within the special commission investigator's presence;

(2) Are committed within the building, parking area, or curtilage of a building where the commission's office is located; within any building, parking area, or curtilage of a building where an official meeting or hearing of the commission is being conducted; or while traveling to or from such area; and

(3) Involve the person, building, vehicle, or other personal property of any member or employee of the commission, or the person, vehicle, or other personal property of any individual attending a meeting or hearing of the commission or traveling to or from such area.

(c) Nothing in this Code section shall be construed to:

118 (1) Confer the power of arrest for crimes that may be under investigation by the
119 commission but which are not provided for in subsection (b) of this Code section; or
120 (2) Affect or limit the powers or authority of investigators employed by any district
121 attorney's office, any solicitor-general's office, the Prosecuting Attorneys' Council of the
122 State of Georgia, or any sheriff or sheriff's deputy.

123 15-26-3.

124 (a) A subpoena shall state that it is issued by the commission and the title of the
125 proceeding and shall command each person to whom it is directed to attend and give
126 testimony or produce evidence at a time and place specified by the subpoena.

127 (b) A clerk of court shall make subpoenas in blank available on demand by electronic or
128 other means to parties, or their counsel, or to the commission.

129 (c) An attorney representing a party in a proceeding before the commission, including
130 investigative proceedings and hearings, may issue and sign a subpoena obtained by
131 electronic or other means from the clerk of court as an officer of a court for any deposition,
132 hearing, or other matter to be conducted in conjunction with such proceeding.

133 (d) A duly appointed officer or director of the commission may compel by subpoena the
134 attendance of individuals at a proceeding before the commission, including investigative
135 proceedings and hearings, and the production of pertinent books, papers, and documents
136 for any deposition, hearing, or other matter to be conducted in conjunction with such
137 proceeding.

138 (e) A subpoena shall be completed prior to being served.

139 (f) Subpoenas are enforceable as provided in Code Section 24-13-26.

140 (g) Subpoena fees and costs shall be the same as those provided for in proceedings in
141 superior court.

142 (h) An individual who misuses a subpoena shall be subject to punishment for contempt of
143 court and a fine of not more than \$300.00 or not more than 20 days' imprisonment, or both,
144 in the superior court in the county in which the attendance or production is required.

145 (i) Any attack on the validity of a subpoena shall be heard and determined by the body
146 before which the matter is then pending or by the court wherein enforcement of the
147 subpoena is being sought. Any resulting order is not appealable prior to entry of a final
148 order in the proceeding, except appeal of a court order pursuant to the interlocutory appeal
149 procedures set forth in subsection (b) of Code Section 5-6-34."

150 **SECTION 3.**

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

Senate Bill 218

By: Senators Robertson of the 29th, Strickland of the 42nd, Gooch of the 51st, Walker III of the 20th, Bearden of the 30th and others

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4 by funds appropriated or otherwise available to the judicial branch of state government; to
5 provide for appeals from the decisions of hearing panels of the Prosecuting Attorneys
6 Qualifications Commission; to revise the date before which certain complaints of misconduct
7 shall be barred; to provide for executive director designation; to provide generally for
8 constitutionally or statutorily created organizations funded through the judicial branch of
9 state government expressly authorized by law to conduct investigations to provide for special
10 commission investigators; to provide for limited powers of arrest for such special
11 commission investigators; to provide for search warrants; to provide for subpoenas; to
12 provide for construction; to provide for definitions; to amend Code Section 16-11-130 of the
13 Official Code of Georgia Annotated, relating to exemptions from Code Sections 16-11-126
14 through 16-11-127.2, so as to provide for exemptions for current and retired members, staff,
15 and other employees of the Prosecuting Attorneys Qualifications Commission; to provide for
16 related matters; to repeal conflicting laws; and for other purposes.

17 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

S. B. 218

- 1 -

SECTION 1.

Title 15 of the Official Code of Georgia Annotated, relating to courts, is amended in Article 1 of Chapter 18, relating to general provisions relevant to prosecuting attorneys, by revising paragraph (4) of subsection (f), paragraph (1) of subsection (j), and subsections (k), (m), and (n), and by adding new subsections to Code Section 15-18-32, relating to the Prosecuting Attorneys Qualifications Commission, authority, membership, ex parte communications, governance, disciplinary actions, confidentiality, and privileged nature, to read as follows:

"(4)(A) Members of the commission shall serve without compensation but shall receive the same daily expense allowance as members of the General Assembly receive, as set forth in Code Section 28-1-8, for each day such member is in physical attendance at a panel meeting or hearing, plus either reimbursement for actual transportation costs while traveling by public transportation or the same mileage allowance for use of a personal motor vehicle in connection with such attendance as members of the General Assembly receive, subject to subparagraph (B) of this paragraph.

(B) Members of the commission who:

(i) Are not subject to the provisions of division (ii) of this subparagraph shall receive the daily expense allowance and travel reimbursement provided for in subparagraph (A) of this paragraph from funds appropriated or otherwise available to the judicial branch of government; or

(ii) Pursuant to the terms and conditions of their official position, employment, or contract with the state, are eligible to receive a daily expense allowance and travel allowance for their service on the commission shall not receive daily expense allowance and travel reimbursement provided for in subparagraph (A) of this paragraph.

(C) Expense allowances and travel reimbursements shall be paid from ~~moneys~~ funds appropriated or otherwise available to the ~~commission~~ judicial branch of state government."

45 "(j)(1) All information regarding a disciplinary or incapacity matter of a district attorney
46 or solicitor-general shall be kept confidential by the investigative panel and commission
47 staff before formal charges are filed; provided, however, that, if prior to filing formal
48 charges ~~the judge~~ such district attorney or solicitor-general and investigative panel agree
49 to a satisfactory disposition of a disciplinary matter other than by a private admonition
50 or deferred discipline agreement, a report of such disposition shall be publicly filed in the
51 Supreme Court."

52 "(k) Notwithstanding subsection (j) of this Code section, information regarding a
53 disciplinary or incapacity matter of a district attorney or solicitor-general may be disclosed
54 or the confidentiality of such information may be removed when:

55 (1) The privilege of confidentiality has been waived by the complainant or the individual
56 who was the subject of the commission's investigation; ~~or~~

57 (2) The commission's rules provide for disclosure:

58 (A) In the interest of justice and to protect the public;

59 (B) If an emergency situation exists; or

60 (C) If a district attorney or solicitor-general is under consideration for another state or
61 federal position;

62 (3) A complaint is dismissed at any stage; provided, however, that such disclosure shall
63 be limited to disclosing the reason for such dismissal to the complainant; or

64 (4) A complaint is dismissed prior to an authorization of formal investigation; provided,
65 however, that such disclosure shall be limited to disclosing the statutory basis for such
66 complaint to the individual who was the subject of the complaint; and, provided, further,
67 that such disclosure shall not include the complainant's identity or the specifics of the
68 allegation."

69 "(m) A respondent ~~may~~ shall be entitled to appeal the decision of the hearing panel by
70 submitting a petition for review to the superior court of the county where such respondent
71 served as a district attorney or solicitor-general. Such appeal shall be subject to Chapter 3

of Title 5; provided, however, that the respondent shall have no right to a jury trial; and, provided, further, that the superior court review shall be limited to determining whether the decision of the hearing panel was arbitrary, capricious, or an abuse of discretion.

(m.1) A respondent who is subjected to public reprimand, censure, limitation on the performance of prosecutorial duties, suspension, retirement, or removal shall be entitled to a copy of the proposed record to be filed with the Supreme Court and, if the respondent has objections to it, to have the record settled by the hearing panel's presiding officer. ~~The hearing panel's order in a disciplinary or incapacity matter may be appealed to the Superior Court of Fulton County pursuant to Chapter 3 of Title 5.~~

(n) The commission shall commence by July 1, 2023, ~~and the rules and regulations promulgated by such commission shall be established no later than October 1, 2023. No complaint shall be filed before October 1, 2023.~~ The commission shall not receive complaint submissions regarding misconduct in office that occurred prior to ~~May 5, 2023~~ April 1, 2024, unless such alleged misconduct is related to a continuous pattern of conduct that continues beyond that date."

"(q) The commission shall be a budget unit as defined in Part 1 of Article 4 of Chapter 12 of Title 45, the 'Budget Act'; provided, however, that the commission shall be assigned for administrative purposes only to the Administrative Office of the Courts.

(r) The individual selected to serve as director of the commission may be designated with the title of executive director by the commission."

SECTION 2.

Said title is further amended by adding a new chapter to read as follows:

"CHAPTER 26

15-26-1.

As used in this chapter, the term:

(1) 'Commission' means the Prosecuting Attorneys Qualifications Commission.

(2) 'Court of competent jurisdiction' means a superior court in any judicial circuit other than the judicial circuit where the primary residence or principal business address of the subject of investigation is located.

(3) 'Special commission investigator' means an individual employed by the commission to conduct investigations by the commission and who is currently certified by the Georgia Peace Officer Standards and Training Council as having met the qualifications and having completed the basic training requirements for a peace officer under Chapter 8 of Title 35.

(4) 'Subject of investigation' means the individual who is the subject of an investigation by the commission.

15-26-2.

(a) The commission may employ investigators and special commission investigators to conduct investigations by the commission.

(b) A special commission investigator shall have the power of arrest in the performance of his or her duties for the commission for crimes that:

(1) Are committed within the special commission investigator's presence;

(2) Are committed within the building, parking area, or curtilage of a building where the commission's office is located; within any building, parking area, or curtilage of a building where an official meeting or hearing of the commission is being conducted; or while traveling to or from such area; and

(3) Involve the person, building, vehicle, or other personal property of any member or employee of the commission, or the person, vehicle, or other personal property of any individual attending a meeting or hearing of the commission or traveling to or from such area.

(c) Nothing in this Code section shall be construed to:

(1) Confer the power of arrest for crimes that may be under investigation by the commission but which are not provided for in subsection (b) of this Code section; or

(2) Affect or limit the powers or authority of investigators employed by any district attorney's office, any solicitor-general's office, the Prosecuting Attorneys' Council of the State of Georgia, or any sheriff or sheriff's deputy.

15-26-3.

(a) Search warrants authorized under this chapter shall issue only upon an application under oath by a special commission investigator to a judge of a court of competent jurisdiction containing probable cause to believe that records including medical, financial, telephone, or stored electronic data, or any record not subject to public inspection or other disclosure under Article 4 of Chapter 18 of Title 50 or other public disclosure laws are held by an entity and that such records are material to an investigation by the commission.

(b) Upon an application that meets the requirements of subsection (a) of this Code section:

(1) The judge of the court of competent jurisdiction may issue a warrant ordering the entity to provide the records sought, and such order shall include a provision of nondisclosure to the entity's clients;

(2) The special commission investigator shall serve a copy of the warrant, but not the affidavit, within ten days of issuance of such warrant either on an agent of the entity holding such records at the physical location where the records are located or can be accessed from, or on the legal compliance department of the entity holding such records if such has been previously designated by the entity;

(3) The special commission investigator shall make a return to the court listing the records obtained, the lack of records, or a statement that the warrant is being returned unserved;

(4) The special commission investigator and the commission shall retain a true and/or certified copy of the affidavit, warrant, and return;

(5) Upon service, the affidavit, warrant, and return shall be under seal of the court until further order; and

(6) The records obtained shall remain confidential to the extent permitted by law, but shall be permitted to be used in investigations and hearings.

15-26-4.

(a) A subpoena shall state that it is issued by the commission and the title of the proceeding and shall command each person to whom it is directed to attend and give testimony or produce evidence at a time and place specified by the subpoena.

(b) A clerk of court shall make subpoenas in blank available on demand by electronic or other means to parties, or their counsel, or to the commission.

(c) An attorney representing a party in a proceeding before the commission, including investigative proceedings and hearings, may issue and sign a subpoena obtained by electronic or other means from the clerk of court as an officer of a court for any deposition, hearing, or other matter to be conducted in conjunction with such proceeding.

(d) A duly appointed officer or director of the commission may compel by subpoena the attendance of individuals at a proceeding before the commission, including investigative proceedings and hearings, and the production of pertinent books, papers, and documents for any deposition, hearing, or other matter to be conducted in conjunction with such proceeding.

(e) A subpoena shall be completed prior to being served.

(f) Subpoenas are enforceable as provided in Code Section 24-13-26.

170 (g) Subpoena fees and costs shall be the same as those provided for in proceedings in
171 superior court.
172 (h) An individual who misuses a subpoena shall be subject to punishment for contempt of
173 court and a fine of not more than \$300.00 or not more than 20 days' imprisonment, or both,
174 in the superior court in the county in which the attendance or production is required.
175 (i) Any attack on the validity of a subpoena shall be heard and determined by the body
176 before which the matter is then pending or by the court wherein enforcement of the
177 subpoena is being sought. Any resulting order is not appealable prior to entry of a final
178 order in the proceeding, except appeal of a court order pursuant to the interlocutory appeal
179 procedures set forth in subsection (b) of Code Section 5-6-34."

180 **SECTION 3.**

181 Code Section 16-11-130 of the Official Code of Georgia Annotated, relating to exemptions
182 from Code Sections 16-11-126 through 16-11-127.2, is amended in subsection (a) by striking
183 "and" at the end of paragraph (15), by replacing the period with a semicolon at the end of
184 paragraph (16), and by adding new paragraphs to read as follows:

185 "(17) The director of the Prosecuting Attorneys Qualifications Commission, attorneys
186 and investigators employed by the Prosecuting Attorneys Qualifications Commission, and
187 appointed members of the investigative panel or hearing panel of the Prosecuting
188 Attorneys Qualifications Commission; and
189 (18) Former directors, attorneys, and investigators of the Prosecuting Attorneys
190 Qualifications Commission who are retired in good standing from their respective
191 positions and receiving or eligible to receive benefits from a county, municipal, State of
192 Georgia, state authority, or federal retirement system and would otherwise be qualified
193 to be issued a weapons carry license."

194

SECTION 4.

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

S. B. 218

- 9 -

From: [REDACTED]

Sent: Wednesday, May 21, 2025 2:42 PM

To: Greg Blackmon <greg.blackmon@paqcga.gov>

Subject: Re: Presentation of Your Complaint to Investigative Panel

Bro. please do this next time a person like me comes to you. Let him know this is some more bullshit of the racist state of Georgia only to protect the MAGA status quo. Your questions about what was not even relevant only supported what you heard me say to my wife. That you and now even your chief do not know law. But, the bullshit that Georgia has been putting down for years locking up Blackmen wrongfully for years will be real when a family member of yours has to deal with the same BS. Now, when the chickens come home to roost and black start exacting justice in the streets, No one should cry. Your chief's response had nothing to do with the fact that no one can legally waive being sent to prison without indictment or accusation. You could have been straight up and not have wasted my time talking to you and sending you so many documents. I wish and pray all you bitches and your family painful deaths.



DOAA

Georgia Department
of Audits & Accounts

Greg S. Griffin
State Auditor

October 30, 2025

The Honorable Rick Williams
Chairman, Senate Retirement Committee
Coverdell Legislative Office Building, Room 327-B
Atlanta, GA 30334

SUBJECT: Actuarial Investigation
Senate Bill 216 (LC 56 0220)
Employees' Retirement System of Georgia
Georgia Judicial Retirement System

Dear Chairman Williams:

This bill would amend provisions relating to membership in the Georgia Judicial Retirement System (JRS). Specifically, this bill would authorize individuals employed as the director of the Prosecuting Attorneys Qualifications Commission to become members of the JRS. Currently, such persons participate in the Employees' Retirement System of Georgia (ERS). If this legislation is enacted, all persons hired into this position on or after July 1, 2026 will automatically become members of the JRS. This bill would authorize any person who is serving in this position on the effective date to transfer their membership from ERS to JRS, provided such election is made by June 30, 2027.

Under the provisions of this bill, the transferring member would be eligible to obtain creditable service in the JRS equal to the amount of service time earned under the ERS. The ERS would be required to transfer all employee and employer contributions, with interest, to the JRS. The transferring member would be required to pay any additional amount necessary to fund the full actuarial cost of the creditable service granted. Currently, there is only one active member of the ERS who is affected by this legislation.

This legislation would impact the Employees' Retirement System of Georgia (ERS) only if the current director of the Prosecuting Attorneys Qualifications Commission elects to transfer into the JRS. If such election is made, the ERS could realize an increase in the unfunded actuarial accrued liability because the System would lose the value of contributions made by or on behalf of the transferring member, the associated earnings, and future earning from these contributions. However, since this bill only affects one member of ERS, the impact is not enough to require an increase in the annual amortization of the unfunded actuarial accrued liability. Therefore, this bill would not result in an increase in the anticipated employer contribution rate for the ERS. The cost estimate is based on current member data, an estimated payroll of \$3,500,000,000, actuarial assumptions, and actuarial methods. Changes to any of these variables could affect the cost of this legislation. Any future costs would be paid through State appropriations.

This legislation should not have any fiscal impact on the Georgia Judicial Retirement System (JRS). The amount of creditable service earned by a transferring member will be determined by the value of the contributions transferred from the ERS, along with any additional amount paid by the transferring member. All persons who assume the position of director of the Prosecuting Attorneys Qualification Commission on or after July 1, 2026 would be subject to the provisions available to all new members of the System. This bill would not result in an increase in the unfunded actuarial accrued liability or cause an increase in the employer contribution rate. The cost estimate is based on current member data, an estimated payroll of \$75,000,000, actuarial assumptions, and actuarial methods. Changes to any of these variables could affect the cost of this legislation. Any future costs would be paid through State appropriations.

The following is a summary of the relevant findings included in the actuarial investigations for this bill. The investigations were completed pursuant to a request from the Senate Retirement Committee. The investigations were to be conducted according to O.C.G.A. §47-20-36, which outlines the factors to be considered in an actuarial investigation.

Employees' Retirement System of Georgia

(1)	The amount of the unfunded actuarial accrued liability which will result from the bill.	\$ <u>86,000</u>
(2)	The amount of the annual amortization of the unfunded actuarial accrued liability which will result from the bill.	\$ <u>0</u>
(3)	The number of years that the unfunded actuarial accrued liability created by the bill would be amortized.	<u>N/A</u>
(4)	The amount of the annual normal cost which will result from the bill.	\$ <u>0</u>
(5)	The employer contribution rate currently in effect for Non-GSEPS members.	<u>29.28%*</u>
(6)	The employer contribution rate recommended for non-GSEPS members (in conformity with minimum funding standards specified in O.C.G.A. §47-20-10).	<u>29.28%</u>
(7)	The employer contribution rate currently in effect for GSEPS members.	<u>25.51%*</u>
(8)	The employer contribution rate recommended for GSEPS members (in conformity with minimum funding standards specified in O.C.G.A. §47-20-10)	<u>25.51%</u>
(9)	The total dollar amount of the increase in the annual employer contribution which is necessary to maintain the retirement system in an actuarially sound condition.	\$ <u>0</u>

**This rate represents the employer contribution rate that has been recommended by the actuary beginning July 1, 2026, for Non-GSEPS and GSEPS members, respectively, to meet the minimum funding standards.*

Georgia Judicial Retirement System

(1)	The amount of the unfunded actuarial accrued liability which will result from the bill.	\$ _____ 0
(2)	The amount of the annual amortization of the unfunded actuarial accrued liability which will result from the bill.	\$ _____ 0
(3)	The number of years that the unfunded actuarial accrued liability created by the bill would be amortized.	_____ N/A
(4)	The amount of the annual normal cost which will result from the bill.	\$ _____ 0
(5)	The employer contribution rate currently in effect.	_____ 9.10%*
(6)	The employer contribution rate recommended (in conformity with minimum funding standards specified in O.C.G.A. §47-20-10).	_____ 9.10%
(7)	The total dollar amount of the increase in the annual employer contribution which is necessary to maintain the retirement system in an actuarially sound condition.	\$ _____ 0

**This rate represents the employer contribution rate that has been recommended by the actuary beginning July 1, 2026, to meet the minimum funding standards.*

It should be noted that these cost estimates are based upon the current provisions of the bill as outlined in Senate Bill 216 (LC 56 0220). Any subsequent changes in the retirement bill could invalidate the actuarial investigations and the findings included therein.

Respectfully Submitted,



Greg S. Griffin
State Auditor

GSG/cs



September 30, 2025

Mr. Greg Griffin
State Auditor
270 Washington St SW, Room 4-101
Atlanta, GA 30334-8400

SENATE BILL 216 (LC 56 0220)

Dear Mr. Griffin:

As requested, we have made an actuarial investigation of the impact of Senate Bill 216 (LC 56 0220) on the Employees' Retirement System of Georgia (ERS) in accordance with the requirements of Code Section 47-20-36.

Background

This bill provides that on or after July 1, 2026, any individual employed as the director of the Prosecuting Attorneys Qualifications Commission shall become a member of the Judicial Retirement System of Georgia (JRS) but provides that any member employed as such prior to July 1, 2026 may either remain a member of ERS or elect to become a member of JRS. If such an election is made, the member must pay JRS any remaining amount necessary to cover the full actuarial cost of such transfer after ERS has transferred all employer and employee contributions with regular interest while a member of ERS. The service transferred from ERS to JRS would be for vesting purposes only.

Cost Impacts

This legislation would only impact ERS if the current director of the Prosecuting Attorneys Qualifications Commission elected to transfer his service from ERS to JRS. Our analysis indicates that such a transfer may be an attractive option to this member but ultimately would be a decision to be made by the member. If the director elects to continue as a member of ERS, then there would be no impact to ERS. The following analysis assumes that the member would elect to make the transfer to JRS.

The cost to ERS would stem from the loss of the employer and employee contributions related to this member and the loss of future investment earnings on these amounts. However, this would be partially offset by the elimination of any pension liability to ERS on behalf of this member.

The estimated increase in the unfunded actuarial accrued liability would be \$86,000. However, when the accrued liability contribution rate is calculated to include this amount, the result, when rounded, comes out to the same rate as the baseline. In other words, the change in the rate is less than one basis point. Therefore, the cost of this bill would be approximately \$0 in the first year.

Exhibit A shows the unfunded actuarial accrued liability and recommended employer contributions under the System before and after the proposed legislation. The recommended employer contribution rates are in conformity with the minimum funding standards specified by Code Section 47-20-10.



Mr. Greg Griffin
September 25, 2025
Page 2

The five-year impact of this bill for various actuarial metrics is shown on Exhibit B.

Actuarial Assumptions

The cost estimates, if applicable, contained in this letter are based on the data, methods, assumptions, and provisions used in the June 30, 2024 actuarial valuation for ERS. There were no changes in any of the current actuarial assumptions for this actuarial impact letter. The increase in liabilities due to the legislation are amortized over a 20-year period. As can be seen in column (n) of Exhibit B, the funding policy for ERS calls for the employer contribution rate to not decrease by more than 2% from one fiscal year to the next fiscal year.

Disclosures and Caveats

In order to prepare the results in this investigation, we have utilized actuarial models that were developed to measure liabilities and develop actuarial costs. These models include tools that we have produced and tested, along with commercially available valuation software that we have reviewed to confirm the appropriateness and accuracy of the output. In utilizing these models, we develop and use input parameters and assumptions about future contingent events along with recognized actuarial approaches to develop the needed results.

The comments and analysis contained in this letter are not intended to give exact calculations of costs. They should be considered to be estimates. The emerging costs will vary from those presented in this letter to the extent that actual experience differs from that projected by the actuarial assumptions. This cost analysis has been prepared in accordance with generally recognized and accepted actuarial principles and practices which are consistent with the principles prescribed by the Actuarial Standards Board (ASB) and the Code of Professional Conduct and Qualification Standards for Public Statement of Actuarial Opinion of the American Academy of Actuaries.

We have not explored any legal issues with respect to the proposed plan analysis. We are not attorneys and cannot give legal advice on such issues. We recognize that the proposed changes may be affected by federal law and strongly suggest that you review this proposal with counsel.

The undersigned are members of the American Academy of Actuaries and meet the Qualification Standards of the American Academy of Actuaries to render the actuarial opinion contained herein.

Respectfully submitted,

Edward J. Koebel, EA, FCA, MAAA
Chief Executive Officer

Ben Mobley, ASA, FCA, MAAA
Consulting Actuary



EXHIBIT A
EMPLOYEES RETIREMENT SYSTEM

SENATE BILL 216 (LC 56 0220)
(All amounts are in \$ thousands)

Cost	Before Legislation		After Legislation		Increase Due to Legislation	
Unfunded Actuarial Accrued Liability	\$5,156,679		\$5,156,765		\$86	
Amount of the Annual Amortization of the Unfunded Actuarial Accrued Liability	\$766,500		\$766,500		\$0	
Number of Years that the Unfunded Actuarial Accrued Liability would be Amortized	10.9		10.9		0	
Annual Contribution: Non-GSEPS	%	Annual Amount	%	Annual Amount	%	Annual Amount
Normal Cost	7.38 %	\$ 66,420	7.38 %	\$ 66,420	0.00 %	\$ 0
Accrued Liability	21.90	197,100	21.90	197,100	0.00	0
Employer Contribution Rate Currently in Effect	29.28 %	\$ 263,520	29.28 %	\$ 263,520	0.00 %	\$ 0
Non-GSEPS Employer Contribution Rate Recommended due to Minimum Funding Standards	29.28 %	\$ 263,520	29.28 %	\$ 263,520	0.00 %	\$ 0
Annual Contribution: GSEPS	%	Annual Amount	%	Annual Amount	%	Annual Amount
Normal Cost	3.61 %	\$ 93,860	3.61 %	\$ 93,860	0.00 %	\$ 0
Accrued Liability	21.90	569,400	21.90	569,400	0.00	0
Employer Contribution Rate Currently in Effect	25.51 %	\$ 663,260	25.51 %	\$ 663,260	0.00 %	\$ 0
GSEPS Employer Contribution Rate Recommended due to Minimum Funding Standards	25.51 %	\$ 663,260	25.51 %	\$ 663,260	0.00 %	\$ 0

The preceding figures are based on the employee data, actuarial assumptions, and actuarial methods used to prepare the June 30, 2024 actuarial valuation of the System. An estimated payroll of \$3,500,000,000 was used for the 2026-2027 Plan Year for all participants; \$900,000,000 for Non-GSEPS and \$2,600,000,000 for GSEPS members.



EXHIBIT B
EMPLOYEES RETIREMENT SYSTEM

SENATE BILL 216 (LC 56 0220)

Projected values by year before enactment of proposed pension legislation*

Valuation Year	Fiscal Year End	Assets (Actuarial)	Present Value Future Benefits	Actuarial Accrued Liability	Funded Ratio (f) = (c) / (e)	Unfunded Actuarial Accrued Liability (g) = (e) - (c)	Unfunded Actuarial Liability Rate (h)	Normal Cost (New Plan) (i)	Normal Cost Rate (New Plan) (j)	Total Employer Rate (New Plan) (k) = (h) + (j)	Normal Cost Rate (GSEPs) (m)	Total Employer Rate (GSEPs) (n) = (h) + (m)
2024	2027	\$16,216	\$22,396	\$21,372	75.9%	\$5,156	21.90%	\$71	7.38%	29.28%	\$92	25.51%
2025	2028	\$17,793	\$22,408	\$21,396	83.2%	\$3,603	19.88%	\$63	7.33%	27.21%	\$97	23.51%
2026	2029	\$18,265	\$22,463	\$21,460	85.1%	\$3,195	17.87%	\$56	7.27%	25.14%	\$103	21.51%
2027	2030	\$19,349	\$22,482	\$21,486	90.1%	\$2,137	15.85%	\$49	7.22%	23.07%	\$108	19.51%
2028	2031	\$20,274	\$22,469	\$21,477	94.4%	\$1,203	13.85%	\$43	7.17%	21.02%	\$113	17.51%

* Dollar amounts reported in millions.

Projected values by year after enactment of proposed pension legislation*

Valuation Year	Fiscal Year End	Assets (Actuarial)	Present Value Future Benefits	Actuarial Accrued Liability	Funded Ratio (f) = (c) / (e)	Unfunded Actuarial Accrued Liability (g) = (e) - (c)	Unfunded Actuarial Liability Rate (h)	Normal Cost (New Plan) (i)	Normal Cost Rate (New Plan) (j)	Total Employer Rate (New Plan) (k) = (h) + (j)	Normal Cost Rate (GSEPs) (m)	Total Employer Rate (GSEPs) (n) = (h) + (m)
2024	2027	\$16,216	\$22,396	\$21,372	75.9%	\$5,156	21.90%	\$71	7.38%	29.28%	\$92	25.51%
2025	2028	\$17,793	\$22,408	\$21,396	83.2%	\$3,603	19.88%	\$63	7.33%	27.21%	\$97	23.51%
2026	2029	\$18,265	\$22,463	\$21,460	85.1%	\$3,195	17.87%	\$56	7.27%	25.14%	\$103	21.51%
2027	2030	\$19,349	\$22,482	\$21,486	90.1%	\$2,137	15.85%	\$49	7.22%	23.07%	\$108	19.51%
2028	2031	\$20,274	\$22,469	\$21,477	94.4%	\$1,203	13.85%	\$43	7.17%	21.02%	\$113	17.51%

* Dollar amounts reported in millions.

Changes after enactment of proposed legislation*

Valuation Year	Fiscal Year End	Assets (Actuarial)	Present Value Future Benefits	Actuarial Accrued Liability	Funded Ratio (f) = (c) / (e)	Unfunded Actuarial Accrued Liability (g) = (e) - (c)	Unfunded Actuarial Liability Rate (h)	Normal Cost (New Plan) (i)	Normal Cost Rate (New Plan) (j)	Total Employer Rate (New Plan) (k) = (h) + (j)	Normal Cost Rate (GSEPs) (m)	Total Employer Rate (GSEPs) (n) = (h) + (m)
2024	2027	\$0	\$0	\$0	0.0%	\$0	0.00%	\$0	0.00%	0.00%	\$0	0.00%
2025	2028	\$0	\$0	\$0	0.0%	\$0	0.00%	\$0	0.00%	0.00%	\$0	0.00%
2026	2029	\$0	\$0	\$0	0.0%	\$0	0.00%	\$0	0.00%	0.00%	\$0	0.00%
2027	2030	\$0	\$0	\$0	0.0%	\$0	0.00%	\$0	0.00%	0.00%	\$0	0.00%
2028	2031	\$0	\$0	\$0	0.0%	\$0	0.00%	\$0	0.00%	0.00%	\$0	0.00%

* Dollar amounts reported in millions.



September 30, 2025

Mr. Greg Griffin
State Auditor
270 Washington St SW, Room 4-101
Atlanta, GA 30334-8400

SENATE BILL 216 (LC 56 0220)

Dear Mr. Griffin:

As requested, we have made an actuarial investigation of the impact of Senate Bill 216 (LC 56 0220) on the Judicial Retirement System of Georgia (JRS) in accordance with the requirements of Code Section 47-20-36.

Background

This bill provides that on or after July 1, 2026, any individual employed as the director of the Prosecuting Attorneys Qualifications Commission shall become a member of JRS but provides that any member employed as such prior to July 1, 2026 may either remain a member of the Employees' Retirement System (ERS) or elect to become a member of JRS. If such an election is made, the member must pay JRS any remaining amount necessary to cover the full actuarial cost of such transfer after ERS has transferred all employer and employee contributions with regular interest while a member of ERS. The service transferred from ERS to JRS would be for vesting purposes only.

Cost Impacts

Since this legislation states that the member must pay to the Board of Trustees an amount sufficient to cover the full actuarial cost of granting such creditable service, we believe there is no cost impact to JRS.

Actuarial Assumptions

The cost estimates, if applicable, contained in this letter are based on the data, methods, assumptions, and provisions used in the June 30, 2024 actuarial valuation for JRS. There were no changes in any of the current actuarial assumptions for this actuarial impact letter.



Mr. Greg Griffin
September 30, 2025
Page 2

Disclosures and Caveats

In order to prepare the results in this investigation, we have utilized actuarial models that were developed to measure liabilities and develop actuarial costs. These models include tools that we have produced and tested, along with commercially available valuation software that we have reviewed to confirm the appropriateness and accuracy of the output. In utilizing these models, we develop and use input parameters and assumptions about future contingent events along with recognized actuarial approaches to develop the needed results.

The comments and analysis contained in this letter are not intended to give exact calculations of costs. They should be considered to be estimates. The emerging costs will vary from those presented in this letter to the extent that actual experience differs from that projected by the actuarial assumptions. This cost analysis has been prepared in accordance with generally recognized and accepted actuarial principles and practices which are consistent with the principles prescribed by the Actuarial Standards Board (ASB) and the Code of Professional Conduct and Qualification Standards for Public Statement of Actuarial Opinion of the American Academy of Actuaries.

We have not explored any legal issues with respect to the proposed plan analysis. We are not attorneys and cannot give legal advice on such issues. We recognize that the proposed changes may be affected by federal law and strongly suggest that you review this proposal with counsel.

The undersigned are members of the American Academy of Actuaries and meet the Qualification Standards of the American Academy of Actuaries to render the actuarial opinion contained herein.

Respectfully submitted,

A handwritten signature in blue ink that reads 'Edward J. Koebel'.

Edward J. Koebel, EA, FCA, MAAA
Chief Executive Officer

A handwritten signature in blue ink that reads 'Ben Mobley'.

Ben Mobley, ASA, FCA, MAAA
Consulting Actuary



EXHIBIT A

JUDICIAL RETIREMENT SYSTEM

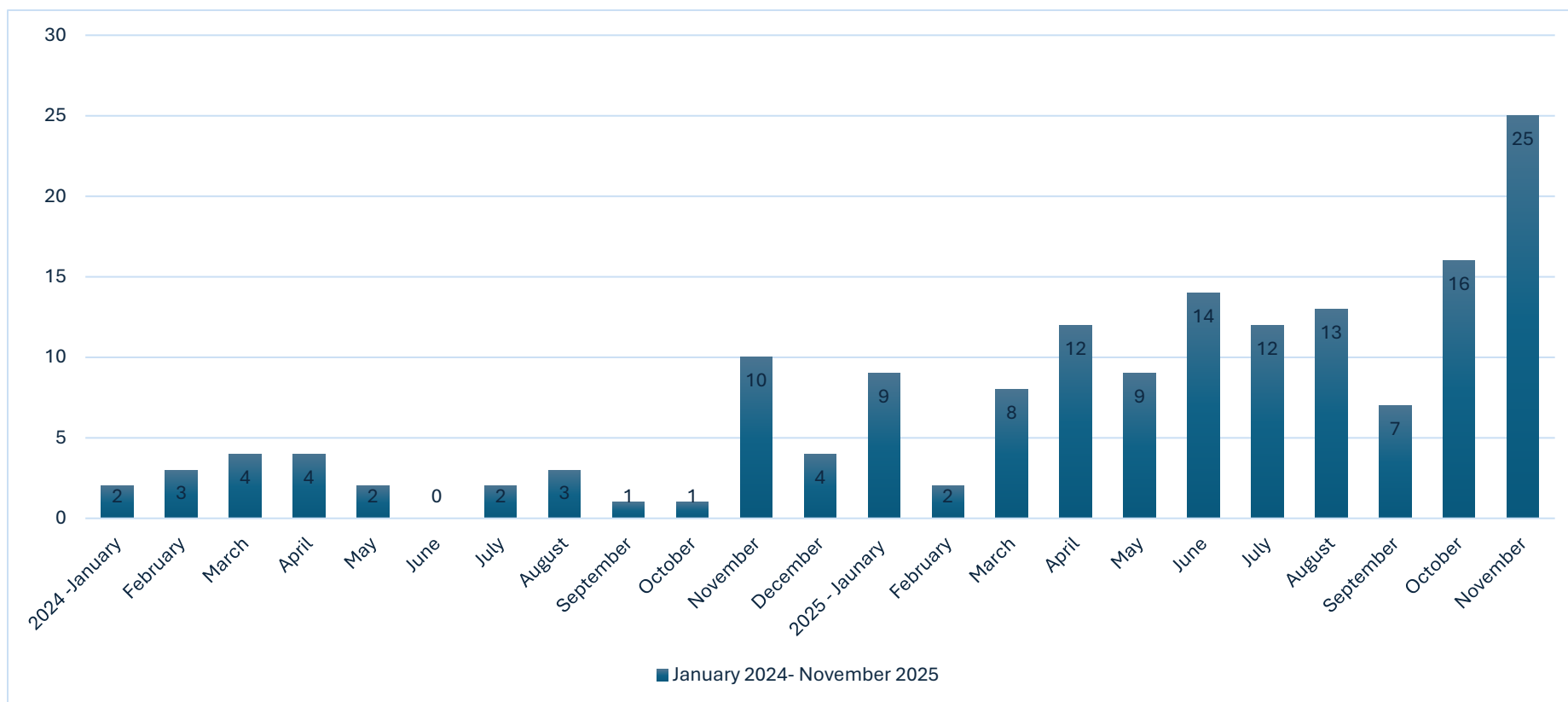
SENATE BILL 216 (LC 56 0220)
(All amounts are in \$ thousands)

Cost	Before Legislation		After Legislation		Increase Due to Legislation	
Unfunded Actuarial Accrued Liability	\$ (27,413)		\$ (27,413)		\$ 0	
Amount of the Annual Amortization of the Unfunded Actuarial Accrued Liability	\$ (3,735)		\$ (3,735)		\$ 0	
Number of Years that the Unfunded Actuarial Accrued Liability would be Amortized	9.9		9.9		0	
Annual Contribution:						
	%	Annual Amount	%	Annual Amount	%	Annual Amount
Normal Cost	14.08 %	\$ 10,560	14.08 %	\$ 10,560	0.00 %	\$ 0
Accrued Liability	(4.98)	(3,735)	(4.98)	(3,735)	0.00	0
Employer Contribution Rate Currently in Effect	9.10 %	\$ 6,825	9.10 %	\$ 6,825	0.00 %	\$ 0
Employer Contribution Rate Recommended due to Minimum Funding Standards	9.10 %	\$ 6,825	9.10 %	\$ 6,825	0.00 %	\$ 0

The preceding figures are based on the employee data, actuarial assumptions, and actuarial methods used to prepare the June 30, 2024 actuarial valuation of the System. An estimated payroll of \$75,000,000 was used for the 2026-2027 Plan Year for all participants.

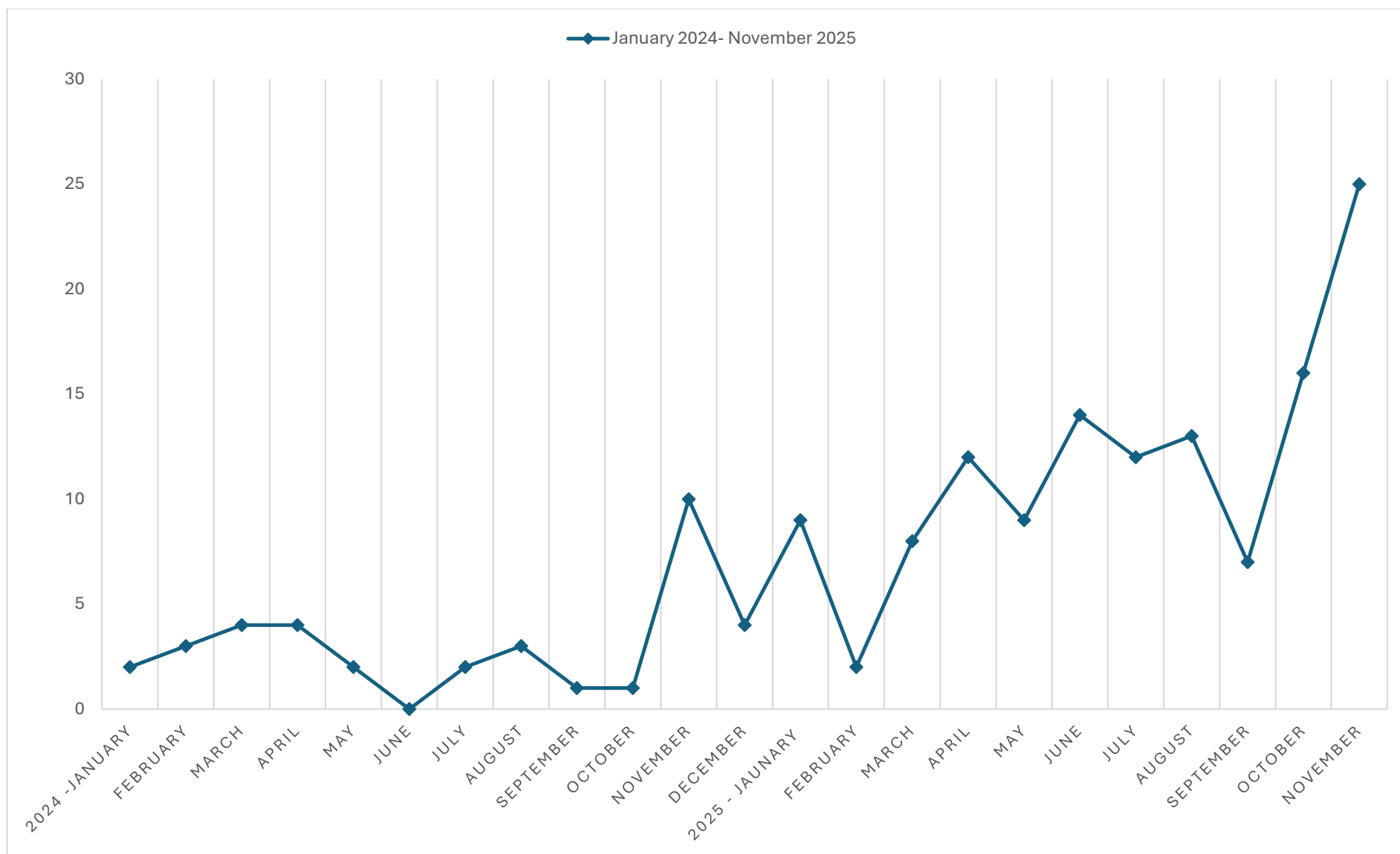


Prosecuting Attorneys Qualifications Commission
Cases – By Month (January 2024 – November 2025)
Report Date: November 24, 2025



2024 Annual Total: 36

2025 Annual Total: 127



Overall percentage increase in cases from 2024 to 2025 is approximately 252.8%