

STATE OF GEORGIA

COUNTY OF CLAYTON

ORDINANCE NO. 2012- 52

AN ORDINANCE ADOPTED UNDER THE HOME RULE POWERS GRANTED TO CLAYTON COUNTY PURSUANT TO ARTICLE IX, SECTION II, PARAGRAPH I OF THE CONSTITUTION OF THE STATE OF GEORGIA OF 1983, AMENDING THE CLAYTON COUNTY CODE OF ORDINANCES, SPECIFICALLY RELEVANT SECTIONS OF THE CLAYTON COUNTY, GEORGIA PUBLIC EMPLOYEE RETIREMENT SYSTEM TO ALLOW STATE COURT LAW CLERKS TO BE ELIGIBLE EMPLOYEES UNDER THE PLAN; TO REPEAL CONFLICTING LAWS, ORDINANCES AND RESOLUTIONS; TO PROVIDE AN EFFECTIVE DATE OF THIS ORDINANCE; AND FOR OTHER PURPOSES.

WHEREAS, Clayton County and the Clayton County Water Authority maintain the Clayton County, Georgia Public Employee Retirement System (Pension Plan) (the "Plan") by an Act of the General Assembly of the State of Georgia, which originally became effective as of July 1, 1971;

WHEREAS, the Plan was last amended by Ordinance No. 2010-189 of the Clayton County Code of Ordinances; and

WHEREAS, the Board of Commissioners of Clayton County now desires to amend the Plan to allow State Court law clerks to be eligible employees under the Plan;

BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF CLAYTON

COUNTY AND IT IS HEREBY ORDAINED:

Section I. By the authority granted to Clayton County pursuant to Article IX, Section II, Paragraph I of the Constitution of the State of Georgia of 1983, the Board of

Commissioners hereby amends the Clayton County Code of Ordinances, as amended, by amending the Plan effective as of April 2, 2012, by deleting the first sentence of Section 1.22 and substituting therefore the following:

“Eligible Employee’ means any Employee of a Plan Sponsor who is (a) a Commissioner of Clayton County; (b) a department head or staff member appointed by the Board of Commissioners; (c) employed under the Clayton County Civil Service System in a classified position; (d) a judicial secretary appointed by the Judges of the Clayton County Superior Court to perform services for the Superior Court; (e) an Associate Juvenile Court Judge; (f) a Probate Court Judge; (g) a Magistrate; (h) the Clerk of the Superior Court and, effective January 1, 2001, the Clerk of the State Court and court clerks appointed by such Clerks; (i) effective December 1, 2000, the Chief Court Orderly; (j) the Superior Court/State Court Administrator; (k) the Sheriff; (l) the Chief Deputy Sheriff; (m) a Tax Commissioner; (n) a Deputy Tax Commissioner; (o) classified in a Clayton County Water Authority position as listed in the Clayton County Water Authority Position Classification Plan; (p) appointed by the Clayton County Water Authority Board of Directors; or (q) a State Court Law Clerk or State Court Law Clerk Senior.”

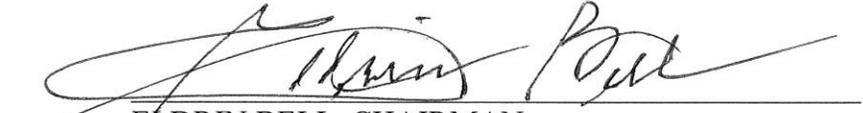
Section II. In the event any section, paragraph, subpart, sentence, clause, phrase or word of this Ordinance shall be declared or adjudged unconstitutional or invalid by any Court, such declaration or adjudication shall not affect the remaining portions of this Ordinance which shall remain in full force and effect as if the portions declared invalid or unconstitutional had never been enacted into law.

Section III. All laws, ordinances or resolutions, or parts thereof, in conflict with provisions of this Ordinance are hereby repealed.

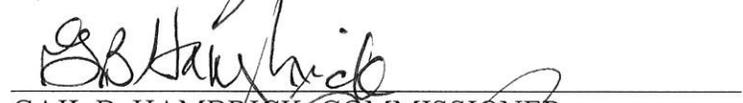
Section IV. This Ordinance shall become generally effective as of the dates provided herein upon its approval by the Board of Commissioners after the second reading of the Ordinance, provided the same receives an affirmative vote of three or more members, and provided further that a copy of the Ordinance has been published in the official organ of Clayton County and filed with the Secretary of the State of Georgia as required by law.

SO ORDAINED, this 20th day of March, 2012.

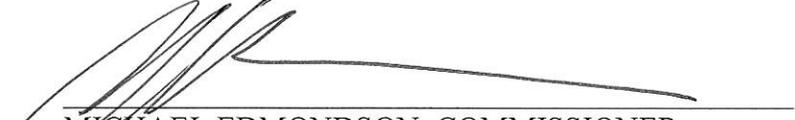
CLAYTON COUNTY BOARD OF COMMISSIONERS


ELDRIN BELL, CHAIRMAN


WOLE RALPH, VICE-CHAIRMAN


GAIL B. HAMBRICK, COMMISSIONER


SONNA SINGLETON, COMMISSIONER


MICHAEL EDMONDSON, COMMISSIONER

ATTEST:


SHELBY D. HAYWOOD, CLERK