

Assembly Bill No. 2451

Passed the Assembly August 29, 2002

Chief Clerk of the Assembly

Passed the Senate August 27, 2002

Secretary of the Senate

This bill was received by the Governor this _____ day of
_____, 2002, at _____ o'clock __M.

Private Secretary of the Governor



CHAPTER _____

An act to add Section 26504.5 to the Education Code, relating to state teachers' retirement, and making an appropriation therefor.

LEGISLATIVE COUNSEL'S DIGEST

AB 2451, Salinas. State teachers' retirement: credit for sick leave.

The Teachers' Retirement Law provides that a person employed to perform creditable service, as defined, on a part-time basis may become a member of the Cash Balance Benefit Program of the State Teachers' Retirement Plan or an alternative retirement plan, if offered by the employer. Existing law prescribes employer contribution rates under the Cash Balance Benefit Program. Employer and employee contributions under that program are deposited in the Teachers' Retirement Fund, a continuously appropriated fund special.

This bill would provide that a part-time adjunct temporary faculty member of a community college district who retires on or after January 1, 2004, and who is a participant in the Cash Balance Benefit Program, or an alternative retirement plan offered by the district, would receive an additional employer contribution, as specified, on account of his or her accumulated, unused sick leave at the time of retirement. By increasing employer contributions to the Teachers' Retirement Fund, the bill would make an appropriation.

Appropriation: yes.

The people of the State of California do enact as follows:

SECTION 1. Section 26504.5 is added to the Education Code, to read:

26504.5. (a) This section shall apply to an adjunct temporary faculty member who is employed by a community college district to perform creditable service for less than 50 percent of the full-time equivalent for the position and who is a participant in the Cash Balance Benefit Program or in an alternative retirement plan,



offered by the employer, that satisfies the requirements under Section 3121(b)(7)(F) of Title 26 of the United States Code.

(b) When an adjunct temporary faculty member described in subdivision (a) retires on or after January 1, 2004, the employer shall contribute to the employer account in the Cash Balance Benefit Program, or to the appropriate account for the benefit of the adjunct temporary faculty member under the alternative retirement plan, in addition to any other employer contributions otherwise required to be made under that program or plan, an amount equal to 4 percent of the following: (1) the total number of hours of accumulated and unused leave of absence for illness or injury for which salary is allowed and to which the adjunct temporary faculty member was entitled on his or her final day of employment with the community college district, multiplied by (2) his or her highest rate of hourly pay during the course of that employment.

(c) No contributions may be made under this section if the adjunct temporary faculty member is otherwise entitled to receive payment for accumulated and unused leave of absence for illness or injury upon termination of service.



Approved _____, 2002

Governor

