

ASSEMBLY BILL

No. 2792

Introduced by Assembly Member Negrete McLeod

February 25, 2002

An act to amend Section 20475 of the Government Code, relating to public employees' retirement.

LEGISLATIVE COUNSEL'S DIGEST

AB 2792, as introduced, Negrete McLeod. Public employees' retirement: contracting agencies.

The Public Employees' Retirement System permits a contracting agency, without employee consent, to amend its contract, or previous amendments to its contract, for the purpose of reducing or modifying benefits, as specified, subject to certain limitations.

This bill would specify that the above provisions apply prior to January 1, 2003.

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

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

1 SECTION 1. Section 20475 of the Government Code is
2 amended to read:
3 20475. Notwithstanding Section 20474, a contracting agency
4 may, *prior to January 1, 2003*, amend its contract or previous
5 amendments to its contract, without election among its employees,
6 to reduce benefits, to terminate provisions that are available only
7 by election of the agency to become subject thereto, to provide
8 different benefits or provisions or to provide any combination of

1 those changes with respect to service performed after the effective
2 date of the contract amendment made pursuant to this section, if
3 the contracting agency has fully discharged all of the obligations
4 imposed by Chapter 10 (commencing with Section 3500) of
5 Division 4 of Title 1 with respect to the contract amendments, and
6 if the amendment provides that:

7 (a) The contract amendments apply uniformly with respect to
8 all members within each of the following classifications: local
9 miscellaneous members, local police officers, local firefighters,
10 county peace officers, or all local safety members other than local
11 police officers, local firefighters, and county peace officers.

12 (b) A member shall be subject to the contract as amended only
13 if, after the effective date of the contract amendment, the member
14 either (1) receives service credit for the first time within a
15 classification, or (2) the member returns to service within a
16 classification following termination of membership as provided
17 for in subdivision (b) of Section 20340 unless the member has
18 redeposited or elects prior to 90 days after returning to service to
19 redeposit contributions pursuant to Section 20750, in which case
20 the member shall not be subject to the contract amendment.

21 Amendments to the contract and amendments of previous
22 amendments to the contract may be effected pursuant to this
23 section only once during any three-year period with respect to each
24 of the classifications.

