

AMENDED IN SENATE APRIL 16, 2002

SENATE BILL

No. 1801

Introduced by Senator O'Connell

February 22, 2002

An act to ~~amend Section 20390 of~~ *add Section 20890.2 to the Government Code, relating to public employees' retirement, and making an appropriation therefor.*

LEGISLATIVE COUNSEL'S DIGEST

SB 1801, as amended, O'Connell. Public employees' retirement: patrol members.

Existing law establishes the patrol member classification in the Public Employees' Retirement System for specified members of the Department of the California Highway Patrol and ~~prescribes retirement benefits and contribution rates for those members, which benefits and contribution rates are generally higher than those for state miscellaneous members of the system. Member contributions to the system are deposited in the Public Employees' Retirement Fund, a continuously appropriated fund.~~

~~This bill would include members of the Department of the California Highway Patrol who are students at the department's training school within the patrol member classification. By increasing contributions to the Public Employees' Retirement Fund, the bill would make an appropriation~~ *establishes the state miscellaneous member classification in the system for members employed by the state who are not subject to any other membership classification. Under existing law, retirement benefits of a member of the system are based, in part, on the member's years of service credit, as defined.*

Under this bill, past state miscellaneous service performed by a current patrol member while he or she was a student at the Department of the California Highway Patrol’s training school shall be converted to patrol member service, as specified. The bill would require the department to notify the Board of Administration of the Public Employees’ Retirement System of any department employee eligible for that conversion.

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

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

1 ~~SECTION 1.—Section 20390 of the Government Code is~~
2 *SECTION 1. Section 20890.2 is added to the Government*
3 *Code, to read:*
4 *20890.2. (a) Past miscellaneous service performed as an*
5 *employee of the Department of the California Highway Patrol*
6 *while a student at the department’s training school established*
7 *pursuant to Section 2262 of the Vehicle Code shall be converted to*
8 *patrol member service if both of the following apply:*
9 *(1) The service was rendered by a current employee of the*
10 *Department of the California Highway Patrol.*
11 *(2) The service was credited to an employee who has patrol*
12 *member service credit for service performed with the Department*
13 *of the California Highway Patrol.*
14 *(b) The Department of the California Highway Patrol shall*
15 *notify the board, in the manner established by the board, of any*
16 *employee eligible for conversion of service pursuant to this*
17 *section.*
18 ~~amended to read:~~
19 ~~20390. (a) “Patrol member” includes all members~~
20 ~~employed in the Department of the California Highway Patrol or~~
21 ~~by a county in connection with its highway patrol function;~~
22 ~~respectively, whose principal duties consist of active law~~
23 ~~enforcement service, except those whose principal duties are those~~
24 ~~of a telephone operator, clerk, stenographer, machinist, mechanic,~~
25 ~~or otherwise clearly do not fall within the scope of active law~~
26 ~~enforcement service, even though the person is subject to~~
27 ~~occasional call, or is occasionally called upon, to perform duties~~
28 ~~within the scope of active law enforcement service.~~



1 ~~(b) “Patrol member” also includes all members employed in~~
2 ~~the Department of the California Highway Patrol who are students~~
3 ~~at the department’s training school established pursuant to Section~~
4 ~~2262 of the Vehicle Code.~~

5 ~~(c) “Patrol member” does not include employees of the~~
6 ~~Department of the California Highway Patrol who are designated~~
7 ~~as peace officers by the Commissioner of the California Highway~~
8 ~~Patrol under subdivision (a) of Section 2250.1 of the Vehicle Code.~~

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