

Assembly Bill No. 1769

CHAPTER 134

An act to add and repeal Section 31663.2 of the Government Code, relating to county employees' retirement, and declaring the urgency thereof, to take effect immediately.

[Approved by Governor July 27, 2005. Filed with
Secretary of State July 27, 2005.]

LEGISLATIVE COUNSEL'S DIGEST

AB 1769, Negrete McLeod. County employees' retirement.

The County Employees Retirement Law of 1937 authorizes counties to require specified safety members, except certain elective officers, sheriffs, undersheriffs, and court marshals, to be retired at 60 or 70 years of age.

This bill would, until April 1, 2009, and upon approval by the county board of supervisors, make those requirements inapplicable to the fire chief of a fire district in Los Angeles County whose primary duties are administrative and who is employed on a specified date. The bill would also specify that the fire chief is prohibited from receiving a salary increase that is disproportionate to any salary increase granted to other department heads of the same jurisdiction at the same time.

This bill would declare that it is to take effect immediately as an urgency statute.

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

SECTION 1. Section 31663.2 is added to the Government Code, to read:

31663.2. (a) (1) Sections 31662.4 and 31662.6 shall not apply to the fire chief of a fire district who is a safety member and whose primary duties are administrative, if the fire chief was employed as fire chief on May 1, 2005.

(2) A fire chief who is exempted from the requirements of Sections 31662.4 and 31662.6, pursuant to paragraph (1), shall retire before April 1, 2009, and, subsequent to the operative date of this section, that fire chief shall not receive a salary increase that is disproportionate to any salary increase granted to other department heads of the same jurisdiction at the same time.

(b) This section applies only to a county of the first class, as defined by Sections 28020 and 28022.

(c) This section shall not be operative in any county until the board of supervisors, by resolution adopted by a majority vote, makes this section applicable in the county.

(d) This section shall become inoperative on April 1, 2009, and, as of January 1, 2010, is repealed, unless a later enacted statute, that is enacted before January 1, 2010, deletes or extends the dates on which it becomes inoperative and is repealed.

SEC. 2. This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting the necessity are:

In order to maintain public safety, it is necessary that this act take effect immediately.