

ASSEMBLY BILL

No. 1862

Introduced by Assembly Member Eng

February 12, 2010

An act to amend Section 22200 of the Education Code, relating to the Teachers' Retirement Board.

LEGISLATIVE COUNSEL'S DIGEST

AB 1862, as introduced, Eng. Teachers' Retirement Board: members.

The State Teachers' Retirement Law establishes the procedures by which members of the Teachers' Retirement Board are selected. Existing law provides for the election of 3 members of the board by specified members of the defined Benefit Program and specified participants of the Cash Balance Benefit Program at elections conducted by the board. Existing law also authorizes the Governor to appoint 5 persons to the board, including a person who is either a retired member of the Defined Benefit Program or a retired participant of the Cash Balance Benefit Program.

This bill would, beginning January 1, 2012, instead provide that the board member that is either a retired member of the Defined Benefit Program or a retired participant of the Cash Balance Benefit Program would be elected by retired members of the Defined Benefit Program and retired participants of the Cash Balance Benefit Program.

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

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

1 SECTION 1. Section 22200 of the Education Code is amended
2 to read:

3 22200. (a) The plan and the system are administered by the
4 Teachers' Retirement Board. On and after January 1, 2004, the
5 members of the board are as follows:

- 6 (1) The Superintendent of Public Instruction.
- 7 (2) The Controller.
- 8 (3) The Treasurer.
- 9 (4) The Director of Finance.

10 (5) ~~Three~~Four persons who are either members of the Defined
11 Benefit Program or participants in the Cash Balance Benefit
12 Program, as follows:

13 (A) One person who, at the time of election, is an active member
14 of the Defined Benefit Program or an active participant of the Cash
15 Balance Benefit Program employed by a school district that
16 provides instruction for prekindergarten, kindergarten, or grades
17 1 to 12, inclusive, or a county office of education, in a position
18 other than a school administrator that requires a services credential
19 with a specialization in administrative services. This member shall
20 be elected by the active members of the Defined Benefit Program
21 and active participants of the Cash Balance Benefit Program who
22 are employed by a school district that provides instruction for
23 prekindergarten, kindergarten, or grades 1 to 12, inclusive, or
24 county office of education, pursuant to regulations adopted by the
25 board, for a four-year term commencing on January 1, 2004.

26 (B) One person who, at the time of election, is an active member
27 of the Defined Benefit Program or an active participant of the Cash
28 Balance Benefit Program employed by a school district that
29 provides instruction for prekindergarten, kindergarten, or grades
30 1 to 12, inclusive, or a county office of education. This member
31 shall be elected by the active members of the Defined Benefit
32 Program and active participants of the Cash Balance Benefit
33 Program who are employed by a school district that provides
34 instruction for prekindergarten, kindergarten, or grades 1 to 12,
35 inclusive, or a county office of education, pursuant to regulations
36 adopted by the board, for a four-year term commencing on January
37 1, 2004.

1 (C) One person who, at the time of election, is a community
2 college instructor and an active member of the Defined Benefit
3 Program or an active participant of the Cash Balance Benefit
4 Program employed by a community college district, who shall be
5 elected by the active community college members of the Defined
6 Benefit Program and the active community college participants of
7 the Cash Balance Benefit Program, pursuant to regulations adopted
8 by the board, for a four-year term commencing on January 1, 2004.

9 *(D) One person, who at the time of the election, is either a*
10 *retired member under this part or a retired participant under Part*
11 *14 (commencing with Section 26000). This member shall be elected*
12 *by the retired members of the Defined Benefit Program and the*
13 *retired participants of the Cash Balance Benefit Program, pursuant*
14 *to regulations adopted by the board, for a four-year period*
15 *commencing on January 1, 2012.*

16 (6) ~~Five~~Four persons appointed by the Governor for a term of
17 four years, subject to confirmation by the Senate, as follows:

18 (A) One person who, at the time of appointment, is a member
19 of the governing board of a school district or a community college
20 district.

21 ~~(B) One person who is either a retired member under this part~~
22 ~~or a retired participant under Part 14 (commencing with Section~~
23 ~~26000).~~

24 ~~(C)~~

25 (B) Three persons representing the public, whose terms shall
26 be staggered by varying the first terms of these members, as
27 follows:

28 (i) One person to a term expiring December 31, 2005.

29 (ii) One person to a term expiring December 31, 2006.

30 (iii) One person to a term expiring December 31, 2007.

31 (b) A person who is employed to perform creditable service by
32 a community college district and either a school district that
33 provides instruction for prekindergarten, kindergarten, or grades
34 1 to 12, inclusive, or a county office of education, may only be
35 elected to the position on the board that corresponds to the position
36 in which he or she accrued the most service credit during the prior
37 school year.

- 1 (c) The members of the board shall annually elect a chairperson
- 2 and vice chairperson.

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