

AMENDED IN ASSEMBLY MARCH 16, 2011

CALIFORNIA LEGISLATURE—2011–12 REGULAR SESSION

**ASSEMBLY BILL**

**No. 329**

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**Introduced by Assembly Member Dickinson**

February 10, 2011

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An act to add Section 31485.18 to the Government Code, relating to county employees' retirement, and declaring the urgency thereof, to take effect immediately.

LEGISLATIVE COUNSEL'S DIGEST

AB 329, as amended, Dickinson. County employees' retirement.

Under existing law, counties and districts may provide retirement benefits to their employees pursuant to the County Employees Retirement Law of 1937 (CERL). CERL specifies the minimum ages and years of service that are required in order to become eligible for retirement. That law generally permits the board of supervisors of a county or the governing board of a district, by resolution adopted by majority vote and pursuant to a memorandum of understanding, as specified, to make certain formulas for the calculation of benefits for its members based on their classification.

This bill would authorize the board of supervisors of the County of Sacramento, by resolution, adopted by majority vote, ~~as part of if~~ *authorized by a mutually agreed upon and* negotiated memorandum of understanding with a bargaining unit that represents safety members, to require safety employees of that bargaining unit and unrepresented safety employees, first hired after approval of the resolution, to receive a specified pension calculation that applies to safety members and that computes final compensation based upon the average annual compensation earnable during a specified 3-year period.

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

Vote: 2/3. 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 31485.18 is added to the Government  
2 Code, to read:

3 31485.18. (a) Notwithstanding any other provision of this  
4 chapter, in a county of the eighth class, as defined in Sections  
5 28020 and ~~28025~~ 28029, as amended by Chapter 1204 of the  
6 Statutes of 1971, the board of supervisors may, by resolution  
7 adopted by majority vote, ~~as part of any~~ *if authorized by a mutually*  
8 *agreed upon and* negotiated memorandum of understanding with  
9 a bargaining unit that represents safety employees, require a safety  
10 employee of that bargaining unit *first hired after approval of the*  
11 *resolution*, and may also require an unrepresented safety employee;  
12 first hired after approval of the resolution, to receive a pension  
13 calculation provided in Section 31664.2, with a highest  
14 compensation period determined pursuant to Section 31462, and  
15 with a ~~cost-of-living-adjustment~~ *cost-of-living adjustment* provided  
16 in Section 31870.

17 (b) The resolution described in subdivision (a) may provide a  
18 different formula or calculation of retirement benefits for new  
19 safety members in one bargaining unit or new unrepresented safety  
20 members than that provided for new safety members of other  
21 bargaining units or new unrepresented safety members.

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

26 In order to implement the terms of the negotiated memorandum  
27 of understanding, it is necessary that this act take effect  
28 immediately.

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