

AMENDED IN ASSEMBLY MAY 2, 2012  
AMENDED IN ASSEMBLY MARCH 29, 2012  
CALIFORNIA LEGISLATURE—2011–12 REGULAR SESSION

**ASSEMBLY BILL**

**No. 1819**

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**Introduced by Assembly Member Ammiano**

February 21, 2012

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An act to amend Section 47611 of the Education Code, relating to charter schools.

LEGISLATIVE COUNSEL'S DIGEST

AB 1819, as amended, Ammiano. Charter schools: State Teachers' Retirement Plan.

Existing law provides that all employees of a charter school who perform creditable service are entitled to have that service covered under the Defined Benefit Program of the State Teachers' Retirement Plan, if the charter school elects to make that plan available. Existing law further requires a charter school that elects to make that or another plan available to inform all applicants for employment of the retirement options for employees of the charter school, as specified.

This bill would require charter schools to make the State Teachers' Retirement Plan and the Public Employees' Retirement Plan available to its employees, as specified, and makes corresponding changes to the information charter schools are required to provide regarding retirement options. *The bill would provide that these provisions shall not apply to the extent they would cause the State Teachers' Retirement System or the Public Employees' Retirement System or their members to incur adverse tax consequences under federal law.*

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 47611 of the Education Code is amended  
2 to read:  
3 47611. (a) A charter school shall make the State Teachers'  
4 Retirement Plan available, and all employees of the charter school  
5 who perform creditable service shall be entitled to have that service  
6 covered under the plan's Defined Benefit Program or Cash Balance  
7 Benefit Program. All provisions of Part 13 (commencing with  
8 Section 22000) and Part 14 (commencing with Section 26000) of  
9 Division 1 of Title 1 shall apply in the same manner as the  
10 provisions apply to other public schools in the school district that  
11 granted the charter.  
12 (b) A charter school shall offer its employees coverage by the  
13 Public Employees' Retirement System, and shall inform all  
14 applicants for positions within that charter school of the retirement  
15 system options for employees of the charter school.  
16 (c) *This section shall not apply to the extent it would cause the*  
17 *State Teachers' Retirement System or the Public Employees'*  
18 *Retirement System or their members to incur adverse tax*  
19 *consequences under the Internal Revenue Code of 1986 (Title 26*  
20 *of the United States Code).*