

ASSEMBLY BILL

No. 2140

Introduced by Assembly Member Lara

February 23, 2012

An act to amend and repeal Section 20677.7 of the Government Code, relating to public employees' retirement.

LEGISLATIVE COUNSEL'S DIGEST

AB 2140, as introduced, Lara. Public employees' retirement: State Bargaining Unit 5: contribution rates.

The Public Employees' Retirement Law (PERL) provides a comprehensive set of rights and benefits based upon age, service credit, and final compensation for members of the Public Employees' Retirement System. PERL provides that the contribution rate for state miscellaneous members and specified state industrial members who are represented by State Bargaining Unit 5 (Highway Patrol) is 11% of compensation in excess of \$317 per month paid to a member whose service is not included in the federal system and 10% of compensation in excess of \$513 per month paid to that member whose service has been included in the federal system.

This bill would reduce the contribution rates of state miscellaneous and state industrial members, who are represented by State Bargaining Unit 5, by 3%.

The bill would also make technical changes, including deleting an identical provision.

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 20677.7 of the Government Code, as
 2 added by Section 13 of Chapter 162 of the Statutes of 2010, is
 3 amended to read:

4 20677.7. (a) Notwithstanding Section 20677.4, effective with
 5 the beginning of the September 2010 pay period, the normal rate
 6 of contribution for state miscellaneous or state industrial members
 7 who are represented by State Bargaining ~~Units 5 and~~ Unit 8, shall
 8 be:

9 (1) Eleven percent of the compensation in excess of three
 10 hundred seventeen dollars (\$317) per month paid to a member
 11 whose service is not included in the federal system.

12 (2) Ten percent of compensation in excess of five hundred
 13 thirteen dollars (\$513) per month paid to that member whose
 14 service has been included in the federal system.

15 (b) *Notwithstanding Section 20677.4, effective with the*
 16 *beginning of the September 2010 pay period, the normal rate of*
 17 *contribution for state miscellaneous or state industrial members*
 18 *who are represented by State Bargaining Unit 5 shall be:*

19 (1) *Eight percent of the compensation in excess of three hundred*
 20 *seventeen dollars (\$317) per month paid to a member whose*
 21 *service is not included in the federal system.*

22 (2) *Seven percent of compensation in excess of five hundred*
 23 *thirteen dollars (\$513) per month paid to that member whose*
 24 *service has been included in the federal system.*

25 ~~(b)~~

26 (c) If the provisions of this section are in conflict with the
 27 provisions of a memorandum of understanding reached pursuant
 28 to Section 3517.5, the memorandum of understanding shall be
 29 controlling without further legislative action, except that if the
 30 provisions of a memorandum of understanding require the
 31 expenditure of funds, the provisions shall not become effective
 32 unless and until approved by the Legislature in the annual Budget
 33 Act.

34 ~~(e)~~

35 (d) Consistent with the normal rate of contribution for all
 36 members identified in this subdivision, the Director of the
 37 Department of Personnel Administration may exercise his or her
 38 discretion to establish the normal rate of contribution for a related

1 state employee who is excepted from the definition of “state
2 employee” in subdivision (c) of Section 3513, and an officer or
3 employee of the executive branch of state government who is not
4 a member of the civil service.

5 SEC. 2. Section 20677.7 of the Government Code, as added
6 by Section 13 of Chapter 163 of the Statutes of 2010, is repealed.

7 ~~20677.7. (a) Notwithstanding Section 20677.4, effective with
8 the beginning of the September 2010 pay period, the normal rate
9 of contribution for state miscellaneous or state industrial members
10 who are represented by State Bargaining Units 5 and 8, shall be:~~

11 ~~(1) Eleven percent of the compensation in excess of three
12 hundred seventeen dollars (\$317) per month paid to a member
13 whose service is not included in the federal system.~~

14 ~~(2) Ten percent of compensation in excess of five hundred
15 thirteen dollars (\$513) per month paid to that member whose
16 service has been included in the federal system.~~

17 ~~(b) If the provisions of this section are in conflict with the
18 provisions of a memorandum of understanding reached pursuant
19 to Section 3517.5, the memorandum of understanding shall be
20 controlling without further legislative action, except that if the
21 provisions of a memorandum of understanding require the
22 expenditure of funds, the provisions shall not become effective
23 unless and until approved by the Legislature in the annual Budget
24 Act.~~

25 ~~(c) Consistent with the normal rate of contribution for all
26 members identified in this subdivision, the Director of the
27 Department of Personnel Administration may exercise his or her
28 discretion to establish the normal rate of contribution for a related
29 state employee who is excepted from the definition of “state
30 employee” in subdivision (c) of Section 3513, and an officer or
31 employee of the executive branch of state government who is not
32 a member of the civil service.~~