

Senate Bill No. 1294

Passed the Senate August 21, 2012

Secretary of the Senate

Passed the Assembly August 16, 2012

Chief Clerk of the Assembly

This bill was received by the Governor this _____ day
of _____, 2012, at _____ o'clock ____M.

Private Secretary of the Governor

CHAPTER _____

An act to add Section 22900 to the Government Code, relating to public employee benefits.

LEGISLATIVE COUNSEL'S DIGEST

SB 1294, Berryhill. Public employee health benefits: Mariposa County.

Existing law requires the Board of Administration of the Public Employees' Retirement System to administer the Public Employees' Medical and Hospital Care Act. Existing law requires a contracting agency and a public employee or annuitant to contribute a portion of the cost of the employee's or annuitant's health benefits coverage. Under existing law, the employee's or annuitant's contribution is the total cost per month of coverage less the portion contributed by the employer. Existing law prescribes a minimum level for the employer's contribution toward the employee's or annuitant's health benefits coverage.

This bill would authorize the County of Mariposa and the employees' exclusive representative to enter into an agreement providing that the employer's health benefit coverage contribution is subject to a memorandum of understanding if agreed upon through collective bargaining, or by a resolution adopted by a majority of the board of supervisors for employees not represented by a bargaining unit. This bill would provide that the employer contribution under a memorandum of understanding or resolution could be higher than that required by statute. The bill would also authorize an agreement between the employees' exclusive representative and the County of Mariposa that permits higher employer contribution for annuitants than for employees, except as specified.

This bill would make legislative findings and declarations as to the necessity of a special statute for the County of Mariposa.

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

SECTION 1. Section 22900 is added to the Government Code, to read:

22900. (a) Notwithstanding any other provision of this part, the County of Mariposa and the employees' exclusive representative may agree that the employer contribution for health coverage shall be subject to the following:

(1) In the case of employees represented by a bargaining unit, a memorandum of understanding regarding health coverage, mutually agreed upon through collective bargaining, or, in the case of employees not represented by a bargaining unit, a resolution adopted by a majority of the county board of supervisors, providing as follows:

(A) Establishing the amount of its employer contribution for its annuitants or employees at any amount equal to or above that of the adjusted employer contribution required by subdivision (b) of Section 22892.

(B) Providing an employer contribution amount for annuitants that is higher than the employer contribution provided for employees, except that any employer contribution may not be less than the adjusted employer contribution required by subdivision (b) of Section 22892. This subparagraph shall only apply to an employee who retired before the effective date of the memorandum of understanding or resolution adopted pursuant to subdivision (a). If the memorandum of understanding or resolution establishes a retroactive effective date, this subparagraph shall apply only prospectively, and any employee who retires before the memorandum of understanding is signed or the resolution is adopted shall be subject to this subparagraph.

(2) This subdivision shall not affect the obligations or benefits of either the annuitants or the county that exist at the time of the enactment of this section.

(b) The County of Mariposa shall provide, in the manner prescribed by the board, a notification of the agreement established pursuant to this section and any additional information necessary to implement this section.

SEC. 2. The Legislature finds and declares that a special law is necessary and that a general law cannot be made applicable within the meaning of Section 16 of Article IV of the California Constitution because of the unique circumstances in the County of Mariposa with respect to public employer and employee contributions to health coverage.

Approved _____, 2012

Governor