

**ASSEMBLY BILL**

**No. 937**

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**Introduced by Assembly Member Wieckowski**

February 22, 2013

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An act to amend Section 100004 of the Government Code, relating to retirement savings.

LEGISLATIVE COUNSEL'S DIGEST

AB 937, as introduced, Wieckowski. The California Secure Choice Retirement Savings Trust.

Existing law, contingent upon the receipt of sufficient funds to make the program operative, creates the California Secure Choice Retirement Savings Trust for the purpose of promoting greater retirement savings for California private employees in a convenient, voluntary, low-cost, and portable manner.

This bill would make technical, nonsubstantive changes to these provisions.

Vote: majority. 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 100004 of the Government Code is  
2 amended to read:  
3 100004. (a) There is hereby established a retirement savings  
4 trust known as the California Secure Choice Retirement Savings  
5 Trust to be administered by the board for the purpose of promoting  
6 greater retirement savings for California private employees in a  
7 convenient, voluntary, low-cost, and portable manner. After

1 sufficient funds are made available for this title to be operative  
 2 pursuant to Section 100042, the California Secure Choice  
 3 Retirement Savings Trust, as a self-sustaining trust, shall pay all  
 4 costs of administration ~~only~~ out of moneys on deposit ~~therein~~ *in*  
 5 *the trust.*

6 (b) The board shall segregate moneys received by the California  
 7 Secure Choice Retirement Savings Trust into two funds, which  
 8 shall be identified as the program fund and the administrative fund.  
 9 Notwithstanding Section 13340, moneys in the trust are hereby  
 10 continuously appropriated, without regard to fiscal years, to the  
 11 board for the purposes of this title.

12 (c) Moneys in the program fund may be invested or reinvested  
 13 by the Treasurer, or may be invested in whole or in part under  
 14 contract with the Board of Administration of the Public Employees’  
 15 Retirement System or private money managers, or both, as  
 16 determined by the board.

17 (d) Transfers may be made from the program fund to the  
 18 administrative fund for the purpose of paying operating costs  
 19 associated with administering the trust and as required by this title.  
 20 On an annual basis, expenditures from the administrative fund  
 21 shall not exceed more than 1 percent of the total program fund.  
 22 All costs of administration of the trust shall be paid out of the  
 23 administrative fund. Operating costs associated with administering  
 24 the trust do not include the procurement of private underwriting  
 25 for the retirement savings’ return.

26 (e) Any contributions paid by employees and employers into  
 27 the trust shall be used exclusively for the purpose of paying benefits  
 28 to the participants of the California Secure Choice Retirement  
 29 Savings Program, for the cost of administration of the program,  
 30 and for investments made for the benefit of the program.