

Introduced by Senator Walters

February 1, 2013

An act to amend Section 20300 of the Government Code, relating to public employees' retirement.

LEGISLATIVE COUNSEL'S DIGEST

SB 165, as introduced, Walters. Public Employees' Retirement System: membership: exclusions.

The Public Employees' Retirement Law (PERL) creates the Public Employees' Retirement System (PERS), which provides a defined benefit to its members based on age at retirement, service credit, and final compensation. Existing law defines "member" for purposes of PERL and excludes certain people from membership in PERS.

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 20300 of the Government Code is
- 2 amended to read:
- 3 20300. The following persons are excluded from membership
- 4 in this system:
- 5 (a) Inmates of state or public agency institutions who are allowed
- 6 compensation for the service they are able to perform.
- 7 (b) Independent contractors who are not employees.
- 8 (c) Persons employed as student assistants in the state colleges
- 9 and persons employed as student aides in the special schools of

1 the State Department of Education and in the public schools of the
2 state.

3 (d) Persons employed as teacher assistants pursuant to Section
4 44926 of the Education Code.

5 (e) Participants, other than staff officers and employees, in the
6 California Conservation Corps.

7 (f) Persons employed as participants in a program of, and whose
8 wages are paid in whole or in part by federal funds in accordance
9 with, Section 1501 et seq. of Title 29 of the United States Code.
10 This subdivision does not apply with respect to persons employed
11 in job classes that provide eligibility for patrol or safety
12 membership or to the career staff employees of an employer.

13 (g) All persons who are members in ~~any~~ a teachers' retirement
14 system, as to the service in which they are members of ~~any~~ a
15 teachers' retirement system.

16 (h) Except as otherwise provided in this part, persons rendering
17 professional legal services to a city, other than the person holding
18 the office of city attorney, the office of assistant city attorney, or
19 an established position of deputy city attorney.

20 (i) A person serving the university as a teacher in university
21 extension, whose compensation for that service is established on
22 the basis of class enrollment, either actual or estimated, with respect
23 to that service.

24 (j) A person serving a California State University as a teacher
25 in extension service, whose compensation for that service is
26 established on the basis of class enrollment, either actual or
27 estimated, with respect to that service.

28 (k) A teacher or academic employee of the university or any
29 California State University who is otherwise fully employed and
30 who serves as a teacher or in an academic capacity in ~~any~~ a summer
31 session or intersession, for which he or she receives compensation
32 specifically attributable to that service in summer session or
33 intersession, with respect to that service.

34 (l) A person who is employed under the California Senate
35 Fellows, the Assembly Fellowship, the Judicial Administration
36 Fellowship, or the Executive Fellowship programs.

37 (m) Board members of the State Compensation Insurance Fund,
38 including those appointed by the Governor.

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