

Assembly Bill No. 1598

CHAPTER 223

An act to amend Sections 31581.2, 31630, 31639.85, and 31685.5 of the Government Code, relating to county employees.

[Approved by Governor August 4, 1997. Filed with Secretary of State August 4, 1997.]

LEGISLATIVE COUNSEL'S DIGEST

AB 1598, Committee on Public Employees, Retirement and Social Security. County employees retirement.

The County Employees Retirement Law of 1937 authorizes boards of supervisors and district governing boards, on recommendation of the board of retirement, to pay any portion of member contributions.

This bill would delete the board of retirement recommendation requirement.

Existing law conditions nonmember retirement upon the amount of member credited service on the date of marriage dissolution or legal separation.

This bill would condition that eligibility upon the member's credited service on the date of the nonmember's retirement.

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

SECTION 1. Section 31581.2 of the Government Code is amended to read:

31581.2. The board of supervisors or the governing body of the district may agree to pay any portion of the contributions required to be paid by a member. All payments shall be in lieu of wages and shall be reported simply as normal contributions and shall be credited to member accounts.

The enactment of a resolution pursuant to this section shall not create vested rights in any member. The board of supervisors or the governing body of the district may amend or repeal the resolution at any time, subject to the provisions of Sections 3504 and 3505, or any similar rule or regulation of the county or district.

SEC. 2. Section 31630 of the Government Code is amended to read:

31630. Notwithstanding any other provisions in this chapter, the South Coast Air Quality Management District and in any county which has adopted Section 31676.1, 31676.11, 31676.12, 31676.13, 31676.14, 31676.15, or 31751, the board of supervisors or district board, as the case may be, may agree to pay any portion of the members' normal contributions to the system. All the contributions paid by the



county or district, as the case may be, shall remain its contributions, and no right therein shall accrue to any employee prior to the employee's election to take a regular, deferred, or disability retirement.

Any contributions paid by the board of supervisors or the district board on behalf of the members shall be as determined by upon actuarial advice, and approved by the board of retirement.

SEC. 3. Section 31639.85 of the Government Code is amended to read:

31639.85. Notwithstanding any other provisions in this chapter, in any county which has adopted Section 31676.1, 31676.11, 31676.12, 31676.13, 31676.14, or 31676.15 the board of supervisors may agree to pay any portion of the safety members' normal contributions to the system. All contributions paid by the county shall remain county contributions, and no right therein shall accrue to any employee prior to the employee's election to take a regular, deferred or disability retirement.

Any contributions paid by the board of supervisors on behalf of the safety members shall be as determined upon actuarial advice, and approved by the board of retirement.

SEC. 4. Section 31685.5 of the Government Code is amended to read:

31685.5. A nonmember shall be retired upon his or her written application to the board if all of the following conditions are met:

(a) The member or nonmember has attained the minimum age prescribed by the applicable service retirement formula of the member.

(b) On the date of retirement, the member had sufficient credited service to retire for service, notwithstanding any service credit awarded to the nonmember.

