

Introduced by Senator Solis

January 30, 1997

An act to add Sections 22508.5 and 70905 to the Education Code, and to add Section 20309 to the Government Code, relating to community colleges.

LEGISLATIVE COUNSEL'S DIGEST

SB 227, as introduced, Solis. Community colleges: officers and employees.

Existing law permits members of the Public Employees' Retirement System and the State Teachers' Retirement System who are subsequently employed in a position requiring membership in the other system to, upon an election made within 60 days in writing, remain in their initial retirement system.

This bill would permit certain State Teachers' Retirement System and Public Employees' Retirement System members subsequently employed by community college districts in positions that would require the individual to become a member of a different retirement system, to elect within 90 days, in writing, to remain in his or her initial retirement system.

The bill would also permit the Board of Governors of the California Community Colleges and a community college district or publicly funded community college organization to enter into an agreement for the loan or assignment of an employee to or from the chancellor's office, in accordance with specified conditions.

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 22508.5 is added to the
2 Education Code, to read:

3 22508.5. Any person who is a member of the State
4 Teachers' Retirement System employed by a community
5 college district who subsequently is employed by any
6 state agency involved with educational policy, to perform
7 duties that require membership in a different public
8 retirement system, shall be excluded from membership
9 in that different system if he or she elects, in writing, and
10 files that election in the office of the State Teachers'
11 Retirement System within 90 days after the person's
12 entry into the new position, to continue as a member of
13 the State Teachers' Retirement System.

14 This section shall apply to changes in employment
15 effected on or after January 1, 1998.

16 SEC. 2. Section 70905 is added to the Education Code,
17 to read:

18 70905. (a) The Board of Governors of the California
19 Community Colleges may enter into an agreement with
20 any district or publicly funded organization within the
21 California Community Colleges for the loan or temporary
22 assignment to the board of governors of a person
23 employed by any district or publicly funded community
24 college organization within the system. The temporary
25 assignment or loan of that employee shall not exceed two
26 years, except that an extension of two years shall be
27 authorized when the board of governors finds it necessary
28 to meet a compelling program or management need. Any
29 temporary loan or assignment shall be made only with the
30 consent of the employee, under the terms and conditions
31 agreeable to the employee.

32 (b) The board of governors may enter into an
33 agreement within any community college district for the
34 loan or temporary assignment of an employee of the
35 chancellor's office to any district within the system. The



1 temporary assignment or loan of that employee shall not
2 exceed two years, except that an extension of two years
3 shall be authorized when the district and the board of
4 governors find it necessary to meet a compelling program
5 or management need of the district, or a compelling
6 training need for the board of governors. Any temporary
7 loan or assignment shall be made only with the consent
8 of the employee, under the terms and conditions
9 agreeable to the employee.

10 SEC. 3. Section 20309 is added to the Government
11 Code, to read:

12 20309. Any person who is a member of the Public
13 Employees' Retirement System employed by the Board
14 of Governors of the California Community Colleges who
15 subsequently is employed by a community college district
16 to perform duties that require membership in a different
17 public retirement system, shall be excluded from
18 membership in the different system if he or she elects, in
19 writing, and files that election in the office of the Public
20 Employees' Retirement System within 90 days after the
21 person's entry into the new position, to continue as a
22 member of the Public Employees' Retirement System.

23 This section shall apply to changes in employment
24 effected on or after January 1, 1998.

