

## Assembly Bill No. 288

### CHAPTER 7

An act to add Section 31461.4 to, the Government Code, relating to county employee retirement, and declaring the urgency thereof, to take effect immediately.

[Approved by Governor March 24, 1999. Filed with  
Secretary of State March 24, 1999.]

#### LEGISLATIVE COUNSEL'S DIGEST

AB 288, Wesson. County employee retirement: benefits.

The County Employees Retirement Law of 1937 prescribes the definition of "compensation" and "compensation earnable" for purposes of calculating retirement benefits for certain Los Angeles County employees.

This bill would authorize the board of supervisors to elect to exclude specified cafeteria or flexible benefit plan contributions from these definitions.

The bill would declare that it is to take effect immediately as an urgency statute.

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

SECTION 1. Section 31461.4 is added to the Government Code, to read:

31461.4. (a) This section applies only to a county of the first class, as defined by Section 28020, as amended by Chapter 1204 of the Statutes of 1971, and Section 28022, as amended by Chapter 43 of the Statutes of 1961.

(b) Notwithstanding Sections 31460 and 31461, neither "compensation" nor "compensation earnable" shall include any increase, made on or after January 1, 1996, in cafeteria or flexible benefit plan contributions for any member represented by a certified employee organization, nor shall they include any increase in cafeteria or flexible benefit plan contributions made on or after January 1, 1995, for any member not represented by a certified employee organization, provided that the nonrepresented member waives the applicability of Sections 31460 and 31461 in writing prior to receiving any cash payment based on the increase.

(c) This section shall not be operative in the county until the time as the board of supervisors shall, by resolution adopted by a majority vote, make the provisions of this section applicable in the county.

SEC. 2. This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning



of Article IV of the Constitution and shall go into immediate effect. The facts constituting the necessity are:

In order for negotiated benefit increases to be received in the current fiscal year, the act will take effect immediately.

O

