

Assembly Bill No. 419

CHAPTER 346

An act to amend Section 21252 of the Government Code, relating to the Public Employees' Retirement System.

[Approved by Governor September 7, 2000. Filed with Secretary of State September 8, 2000.]

LEGISLATIVE COUNSEL'S DIGEST

AB 419, Firebaugh. Public Employees' Retirement System: benefits.

The Public Employees' Retirement Law prescribes the effective date of service retirement for purposes of accrual of allowances.

This bill would prescribe the effective date of disability retirement under specified circumstances.

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

SECTION 1. Section 21252 of the Government Code is amended to read:

21252. Retirement shall be effective and the retirement allowance shall begin to accrue as of the date designated in the member's application as the effective date of retirement, or upon the day following the last day for which salary is payable if that day postdates the day designated by the person as the effective date or if the member has not designated an effective date. In no event shall the retirement become effective or the retirement allowance begin to accrue earlier than the first day of the month in which the member's application is received at an office of the board or by an employee of this system designated by the board, or, if the member has been incompetent to act on his or her own behalf continuously from the last day for which salary was payable, one year prior to the month in which an application by the guardian of his or her estate is so received. In the case of an application for retirement for disability submitted by a member who was physically or mentally incapacitated to perform duties from the date of the discontinuance of state service to the time of the application, and who files his or her retirement application with the board within nine months after discontinuance of state service, the application shall be deemed to have been filed on the last day for which the salary was payable. In the case of an application for retirement for disability filed with the board more than nine months after discontinuance of the member's state service, the effective date of the application shall be determined in accordance with Section 20160. An application for retirement may



only be filed by or for a member who is living on the date the application is actually received by this system.

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