

AMENDED IN ASSEMBLY SEPTEMBER 10, 1999

AMENDED IN ASSEMBLY JULY 8, 1999

AMENDED IN ASSEMBLY JUNE 14, 1999

AMENDED IN SENATE APRIL 14, 1999

**SENATE BILL**

**No. 339**

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**Introduced by Senator Baea Burton**  
(Coauthor: Assembly Member Villaraigosa)

February 9, 1999

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~~An act to amend Sections 21362, 21363, 21369, and 21370 of, and to add Section 21389 to, the Government Code, relating to the Public Employees' Retirement System. An act to make an appropriation in augmentation of Items 9800-001-0001, 9800-001-0494, and 9800-001-0988 of Section 2.00 of the Budget Act of 1999, relating to state employees, to take effect immediately as an appropriation for the usual and current expenses of the state.~~

LEGISLATIVE COUNSEL'S DIGEST

SB 339, as amended, ~~Baea Burton. Public Employees' Retirement System: local safety members~~ *State employees: compensation.*

*The Budget Act of 1999 appropriated \$113,500,000 from the General Fund, \$97,100,000 from unallocated special funds, and \$97,100,000 from unallocated nongovernmental cost funds for expenditure to augment state employee compensation.*

*This bill would appropriate \$601,220,000, as scheduled, in augmentation of these Budget Act appropriations.*

*This bill would declare that it is to take effect immediately as a statute providing an appropriation for the usual and current expenses of the state.*

~~The Public Employees' Retirement Law limits retirement allowances of local safety members to 75% of final compensation.~~

~~This bill would increase that limit to 85% for local safety members who retire on and after January 1, 2000.~~

Vote: majority <sup>2</sup>/<sub>3</sub>. Appropriation: ~~no~~ yes. Fiscal committee: yes. State-mandated local program: no.

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

1 ~~SECTION 1. Section 21362 of the Government Code~~  
2 *SECTION 1. The sum of six hundred one million two*  
3 *hundred twenty thousand dollars (\$601,220,000) is*  
4 *hereby appropriated for expenditure in the 1999-2000*  
5 *fiscal year in augmentation and for the purposes of state*  
6 *employee compensation and the state employer's health*  
7 *benefit costs as provided in Items 9800-001-0001,*  
8 *9800-001-0494, and 9800-011-0988 of Section 2.00 of the*  
9 *Budget Act of 1999 (Chapter 50 of the Statutes of 1999),*  
10 *in accordance with the following schedule:*

11 *(a) Three hundred forty-one million five hundred*  
12 *thirty-eight thousand dollars (\$341,538,000) payable from*  
13 *the General Fund in augmentation of state employee*  
14 *compensation as provided in Item 9800-001-0001.*

15 *(b) One hundred twenty-nine million eight hundred*  
16 *forty-one thousand dollars (\$129,841,000) payable from*  
17 *unallocated special funds in augmentation of state*  
18 *employee compensation as provided in Item*  
19 *9800-001-0494.*

20 *(c) One hundred twenty-nine million eight hundred*  
21 *forty-one thousand dollars (\$129,841,000) payable from*  
22 *unallocated nongovernmental cost funds in*  
23 *augmentation of state employee compensation as*  
24 *provided in Item 9800-001-0988.*

25 *SEC. 2. This act makes an appropriation for the usual*  
26 *and current expenses of the state within the meaning of*



1 Article IV of the California Constitution and shall go into  
2 immediate effect.

3 is amended to read:

4 21362. (a) ~~The current service pension for patrol  
5 members and the combined current and prior service  
6 pensions for local safety members with respect to local  
7 safety service rendered to a contracting agency that is  
8 subject to this section is a pension derived from the  
9 contributions of the employer sufficient when added to  
10 the service retirement annuity that is derived from the  
11 accumulated normal contributions of the patrol member  
12 at the date of his or her retirement to equal the fraction  
13 of one fiftieth of his or her final compensation set forth  
14 opposite his or her age at retirement taken to the  
15 preceding completed quarter year, in the following table,  
16 multiplied by the number of years of patrol service and  
17 local safety service subject to this section with which he  
18 or she is credited at retirement.~~

19	20 — Age at		21 Fraction
22	23 — 50 .....		1.0000
24	25 — 50 1/4 .....		1.0175
26	27 — 50 1/2 .....		1.0350
28	29 — 50 3/4 .....		1.0525
30	31 — 51 .....		1.0700
32	33 — 51 1/4 .....		1.0875
34	35 — 51 1/2 .....		1.1050
36	37 — 51 3/4 .....		1.1225
38	39 — 52 .....		1.1400
40	— 52 1/4 .....		1.1575
	— 52 1/2 .....		1.1750
	— 52 3/4 .....		1.1925
	— 53 .....		1.2100
	— 53 1/4 .....		1.2275
	— 53 1/2 .....		1.2450
	— 53 3/4 .....		1.2625
	— 54 .....		1.2800
	— 54 1/4 .....		1.2975
	— 54 1/2 .....		1.3150



1	<del>— 54 <sup>3</sup>/<sub>4</sub> .....</del>	<del>1.3325</del>
2	<del>— 55 and over .....</del>	<del>1.3500</del>

3

4 ~~(b) In no event shall the current service pension and~~  
5 ~~the combined current and prior service pensions under~~  
6 ~~this section for all service to all employers exceed an~~  
7 ~~amount that, when added to the service retirement~~  
8 ~~annuity related to that service, equals 75 percent of final~~  
9 ~~compensation. For state members who retire on or after~~  
10 ~~January 1, 1995, and with respect to service for all state~~  
11 ~~employers under this section, the benefit shall not exceed~~  
12 ~~80 percent of final compensation. For local members who~~  
13 ~~retire on or after January 1, 2000, the benefit shall not~~  
14 ~~exceed 85 percent of final compensation. If the pension~~  
15 ~~relates to service to more than one employer and would~~  
16 ~~otherwise exceed that maximum, the pension payable~~  
17 ~~with respect to each employer shall be reduced in the~~  
18 ~~same proportion as the allowance based on service to that~~  
19 ~~employer bears to the total allowance computed as~~  
20 ~~though there were no limit, so that the total of the~~  
21 ~~pensions shall equal the maximum. Where a state or local~~  
22 ~~member retiring on or after January 1, 1995, has service~~  
23 ~~under this section with both state and local agency~~  
24 ~~employers, the higher maximum shall apply and the~~  
25 ~~additional benefit shall be funded by increasing the~~  
26 ~~member's pension payable with respect to the employer~~  
27 ~~for whom the member performed the service subject to~~  
28 ~~the higher maximum.~~

29 ~~(c) This section shall not apply to any contracting~~  
30 ~~agency, unless and until the agency elects to be subject to~~  
31 ~~the provisions of this section by amendment to its~~  
32 ~~contract made in the manner prescribed for approval of~~  
33 ~~contracts or, in the case of contracts made after the date~~  
34 ~~this section is operative, by express provision in the~~  
35 ~~contract making the contracting agency subject to the~~  
36 ~~provisions of this section.~~

37 ~~(d) This section shall supersede Section 21363, 21366,~~  
38 ~~21368, 21369, or 21370, whichever is then applicable, with~~  
39 ~~respect to patrol and local safety members who retire~~



1 after the date this section becomes applicable to their  
2 respective employers.

3 (e) This section shall not apply to state safety or state  
4 peace officer/firefighter members.

5 (f) The Legislature reserves, with respect to any  
6 member subject to this section, the right to provide for  
7 the adjustment of industrial disability retirement  
8 allowances because of earnings of a retired person and  
9 modification of the conditions and qualifications required  
10 for retirement for disability as it may find appropriate  
11 because of the earlier ages of service retirement made  
12 possible by the benefits under this section.

13 SEC. 2. Section 21363 of the Government Code is  
14 amended to read:

15 21363. (a) The combined current and prior service  
16 pensions for state peace officer/firefighter members  
17 subject to this section with respect to state peace  
18 officer/firefighter service and the combined current and  
19 prior service pensions for local safety members with  
20 respect to local safety service rendered to a contracting  
21 agency that is subject to this section is a pension derived  
22 from the contributions of the employer sufficient when  
23 added to the service retirement annuity that is derived  
24 from the accumulated normal contributions of the state  
25 peace officer/firefighter member at the date of his or her  
26 retirement to equal the fraction of one-fiftieth of his or  
27 her final compensation set forth opposite his or her age  
28 at retirement taken to the preceding completed quarter  
29 year, in the following table, multiplied by the number of  
30 years of state peace officer/firefighter service subject to  
31 this section with which he or she is credited at retirement.

32	33	34
35	36	37
38	39	40
— Age at		
— Retirement		Fraction
— 50 .....		1.0000
— 50 1/4 .....		1.0125
— 50 1/2 .....		1.0250
— 50 3/4 .....		1.0375
— 51 .....		1.0500
— 51 1/4 .....		1.0625



1	— 51 1/2 .....	1.0750
2	— 51 3/4 .....	1.0875
3	— 52 .....	1.1000
4	— 52 1/4 .....	1.1125
5	— 52 1/2 .....	1.1250
6	— 52 3/4 .....	1.1375
7	— 53 .....	1.1500
8	— 53 1/4 .....	1.1625
9	— 53 1/2 .....	1.1750
10	— 53 3/4 .....	1.1875
11	— 54 .....	1.2000
12	— 54 1/4 .....	1.2125
13	— 54 1/2 .....	1.2250
14	— 54 3/4 .....	1.2375
15	— 55 and over .....	1.2500

16

17 ~~(b) In no event shall the current service pension and~~  
18 ~~the combined current and prior service pensions under~~  
19 ~~this section for all service to all employers exceed an~~  
20 ~~amount that, when added to the service retirement~~  
21 ~~annuity related to that service, equals 75 percent of final~~  
22 ~~compensation. For state members who retire on or after~~  
23 ~~January 1, 1995, and with respect to service for all state~~  
24 ~~employers under this section except as provided in~~  
25 ~~Sections 21363.5 and 21363.6, the benefit shall not exceed~~  
26 ~~80 percent of final compensation. For local members who~~  
27 ~~retire on or after January 1, 2000, the benefit shall not~~  
28 ~~exceed 85 percent of final compensation. If the pension~~  
29 ~~relates to service to more than one employer, or this~~  
30 ~~section and Section 21369, and would otherwise exceed~~  
31 ~~that maximum, the pension payable with respect to each~~  
32 ~~section or employer shall be reduced in the same~~  
33 ~~proportion as the allowance bears to the total allowance~~  
34 ~~computed as though there were no limit, so that the total~~  
35 ~~of the pensions shall equal the maximum. Where a state~~  
36 ~~or local member retiring on or after January 1, 1995, has~~  
37 ~~service under this section with both state and local agency~~  
38 ~~employers including, but not limited to, service subject to~~  
39 ~~Section 21363.5 or 21363.6, the higher maximum shall~~  
40 ~~apply and the additional benefit, if any, shall be funded~~



1 by increasing the member's pension payable with respect  
2 to the employer for whom the member performed the  
3 service subject to the higher maximum.

4 (e) The Legislature reserves, with respect to any  
5 member subject to this section, the right to provide for  
6 the adjustment of industrial disability retirement  
7 allowances because of earnings of a retired person and  
8 modification of the conditions and qualifications required  
9 for retirement for disability as it may find appropriate  
10 because of the earlier age of service retirement made  
11 possible by the benefits under this section.

12 (d) This section may be applied to related supervisory  
13 classes or confidential positions for the respective  
14 bargaining units specified in this section.

15 (e) (1) This section shall be operative with respect to  
16 state peace officer/firefighter members in Corrections  
17 Bargaining Unit No. 6, Protective Services and Public  
18 Safety Bargaining Unit No. 7, or Firefighters Bargaining  
19 Unit No. 8, in accordance with a memorandum of  
20 understanding reached between the state and the  
21 exclusive bargaining agent in the respective unit  
22 pursuant to Chapter 10.3 (commencing with Section  
23 3512) of Division 4 of Title 1. This section also shall be  
24 operative with respect to the state peace  
25 officer/firefighter members employed by a California  
26 State University police department who are in Public  
27 Safety Unit No. 8 in accordance with a memorandum of  
28 understanding reached between the Trustees of the  
29 California State University and the recognized employee  
30 organization pursuant to Chapter 12 (commencing with  
31 Section 3560) of Division 4 of Title 1.

32 (2) This section shall also be operative with respect to  
33 a "state peace officer/firefighter member" defined in  
34 subdivision (a) of Section 20396 if authorized by, and in  
35 accordance with, a memorandum of understanding  
36 reached between the Trustees of the California State  
37 University and the recognized employee organization  
38 pursuant to Chapter 12 (commencing with Section 3560)  
39 of Division 4 of Title 1.



1 ~~(3) Nothing in this section or in any other provision of~~  
2 ~~law affected by Chapter 1320 of the Statutes of 1984 or~~  
3 ~~Chapter 234 of the Statutes of 1986 shall be construed as~~  
4 ~~authorizing any future negotiation with respect to~~  
5 ~~whether or not any bargaining unit specified in this~~  
6 ~~section whose memorandum of understanding was~~  
7 ~~previously approved by the Legislature pursuant to law~~  
8 ~~and this section, shall continue to remain within the state~~  
9 ~~peace officer/firefighter membership category.~~

10 ~~(4) The operative date of this section with respect to~~  
11 ~~members in each of the bargaining units specified in this~~  
12 ~~section shall be as provided for in the memorandum of~~  
13 ~~understanding.~~

14 ~~(f) This section shall not apply to a person whose~~  
15 ~~effective date of retirement is prior to the operative date~~  
16 ~~of this section with respect to the bargaining unit of the~~  
17 ~~person.~~

18 ~~(g) This section shall be known as, and may be cited as~~  
19 ~~the State Peace Officers' and Fire Fighters' Retirement~~  
20 ~~Act.~~

21 ~~(h) The Legislature reserves the right to subsequently~~  
22 ~~modify or amend this part in order to completely~~  
23 ~~effectuate the intent and purposes of this section and the~~  
24 ~~right to not provide any new comparable advantages if~~  
25 ~~disadvantages to employees result from any modification~~  
26 ~~or amendment.~~

27 ~~(i) This section shall not apply to a contracting agency~~  
28 ~~nor its employees until, first, it is agreed to in a written~~  
29 ~~memorandum of understanding entered into by an~~  
30 ~~employer and representatives of employees and, second,~~  
31 ~~the contracting agency elects to be subject to it by~~  
32 ~~amendment to its contract made in the manner~~  
33 ~~prescribed for approval of contracts or in the case of a~~  
34 ~~new contract, by express provision of the contract. The~~  
35 ~~operative date of this section with respect to a local safety~~  
36 ~~member shall be the effective date of the amendment to~~  
37 ~~his or her employer's contract electing to be subject to~~  
38 ~~this section.~~

39 ~~SEC. 3. Section 21369 of the Government Code is~~  
40 ~~amended to read:~~



1 21369. (a) The combined prior and current service  
 2 pension for a state safety member, and a local safety  
 3 member with respect to service to a contracting agency  
 4 subject to this section, upon retirement after attaining  
 5 age 55, is a pension derived from contributions of an  
 6 employer sufficient, when added to that portion of the  
 7 service retirement annuity that is derived from the  
 8 accumulated normal contributions of the member at the  
 9 date of his or her retirement, to equal one-fiftieth of his  
 10 or her final compensation multiplied by the number of  
 11 years of state safety, police, fire, or county peace officer  
 12 service that is credited to him or her as a state safety  
 13 member or a local safety member subject to this section  
 14 at retirement. Notwithstanding the preceding sentence,  
 15 this section shall apply to the current and prior service  
 16 pension for any other state safety member based on  
 17 service to which it would have applied had the member,  
 18 on July 1, 1971, been in employment described in Section  
 19 20403 or 20404.

20 (b) Upon retirement for service prior to attaining age  
 21 55, the percentage of final compensation payable for each  
 22 year of credited service that is subject to this section shall  
 23 be the product of 2 percent multiplied by the factor set  
 24 forth in the following table for his or her actual age at  
 25 retirement:

If the retirement age occurs at:	The percent for each year of credited service
	is:
31 — 50 .....	0.713
32 — 50 1/4 .....	0.725
33 — 50 1/2 .....	0.737
34 — 50 3/4 .....	0.749
35 — 51 .....	0.761
36 — 51 1/4 .....	0.775
37 — 51 1/2 .....	0.788
38 — 51 3/4 .....	0.801
39 — 52 .....	0.814
40 — 52 1/4 .....	0.828



1	<del>52 1/2</del> .....	0.843
2	<del>52 3/4</del> .....	0.857
3	<del>53</del> .....	0.871
4	<del>53 1/4</del> .....	0.886
5	<del>53 1/2</del> .....	0.902
6	<del>53 3/4</del> .....	0.917
7	<del>54</del> .....	0.933
8	<del>54 1/4</del> .....	0.950
9	<del>54 1/2</del> .....	0.966
10	<del>54 3/4</del> .....	0.983

11  
12 ~~(e) In no event shall the total pension for all service~~  
13 ~~under this section exceed an amount that, when added to~~  
14 ~~the service retirement annuity related to that service,~~  
15 ~~equals 75 percent of final compensation. For state~~  
16 ~~members who retire on or after January 1, 1995, and with~~  
17 ~~respect to service for all state employers under this~~  
18 ~~section, the benefit shall not exceed 80 percent of final~~  
19 ~~compensation. For local members who retire on or after~~  
20 ~~January 1, 2000, the benefit shall not exceed 85 percent of~~  
21 ~~final compensation. If the pension relates to service to~~  
22 ~~more than one employer and would otherwise exceed~~  
23 ~~that maximum, the pension payable with respect to each~~  
24 ~~employer shall be reduced in the same proportion as the~~  
25 ~~allowance based on service to that employer bears to the~~  
26 ~~total allowance computed as though there were no limit,~~  
27 ~~so that the total of those pensions shall equal the~~  
28 ~~maximum. Where a state or local member retiring on or~~  
29 ~~after January 1, 1995, has service under this section with~~  
30 ~~both state and local agency employers, the higher~~  
31 ~~maximum shall apply and the additional benefit shall be~~  
32 ~~funded by increasing the member's pension payable with~~  
33 ~~respect to the employer for whom the member~~  
34 ~~performed the service subject to the higher maximum.~~

35 ~~(d) This section shall not apply to a person whose~~  
36 ~~effective date of retirement is prior to July 1, 1971.~~

37 ~~(e) The Legislature reserves, with respect to any~~  
38 ~~member subject to this section, the right to provide for~~  
39 ~~the adjustment of industrial disability retirement~~  
40 ~~allowances because of earnings of a retired person and~~



1 ~~modification of the conditions and qualifications required~~  
2 ~~for retirement for disability as it may find appropriate~~  
3 ~~because of the earlier age of service retirement made~~  
4 ~~possible by the benefits under this section.~~

5 ~~(f) The percentage of final compensation provided in~~  
6 ~~this section shall be reduced by one third as applied to~~  
7 ~~that part of the member's final compensation that does~~  
8 ~~not exceed four hundred dollars (\$400) per month for~~  
9 ~~service after the effective date of coverage of a member~~  
10 ~~under the federal system. This paragraph shall not apply~~  
11 ~~to a member who retires after the date upon which~~  
12 ~~coverage under the federal system of persons in his or her~~  
13 ~~employment terminates. It shall not apply to a local safety~~  
14 ~~member employed by a contracting agency electing to be~~  
15 ~~subject to this section after March 7, 1973, unless the~~  
16 ~~agency elects to be subject to this paragraph by~~  
17 ~~amendment to its contract or by appropriate provision of~~  
18 ~~a contract entered into after this provision is effective and~~  
19 ~~as to any member, the reduction in the percentage of final~~  
20 ~~compensation shall apply to all local safety service to the~~  
21 ~~agency, if any of the local safety service has been included~~  
22 ~~in the federal system.~~

23 ~~(g) This section shall not apply to a contracting agency~~  
24 ~~nor its employees until the agency elects to be subject to~~  
25 ~~it by amendment to its contract made in the manner~~  
26 ~~prescribed for approval of contracts or in the case of a~~  
27 ~~new contract, by express provision of the contract. The~~  
28 ~~operative date of this section with respect to a local safety~~  
29 ~~member shall be the effective date of the amendment to~~  
30 ~~his or her employer's contract electing to be subject to~~  
31 ~~this section.~~

32 ~~SEC. 4. Section 21370 of the Government Code is~~  
33 ~~amended to read:~~

34 ~~21370. (a) The combined prior and current service~~  
35 ~~pension for local safety members with respect to service~~  
36 ~~to a contracting agency subject to this section, upon~~  
37 ~~retirement after attaining 56 years of age, is a pension~~  
38 ~~derived from contributions of an employer sufficient,~~  
39 ~~when added to that portion of the service retirement~~  
40 ~~annuity that is derived from the accumulated normal~~



1 ~~contributions of the member at the date of his or her~~  
 2 ~~retirement, to equal one fiftieth of his or her final~~  
 3 ~~compensation set forth opposite his or her age at~~  
 4 ~~retirement taken to the preceding completed quarter~~  
 5 ~~year in the following table, multiplied by the number of~~  
 6 ~~years of service credited to him or her as a local safety~~  
 7 ~~member subject to this section at retirement.~~

8 Upon retirement for service prior to attaining 56 years  
 9 of age, the percentage of final compensation payable for  
 10 each year of credited service that is subject to this section  
 11 shall be the product of 2 percent multiplied by the factor  
 12 set forth in the following table for the actual age at  
 13 retirement:

14	15	16	17
		The percent for	
		each year of	
		credited service	
18	If retirement occurs at age:	is:	
19	— 50 .....	.8565	
20	— 50 1/4 .....	.8650	
21	— 50 1/2 .....	.8740	
22	— 50 3/4 .....	.8830	
23	— 51 .....	.8920	
24	— 51 1/4 .....	.9020	
25	— 51 1/2 .....	.9120	
26	— 51 3/4 .....	.9222	
27	— 52 .....	.9330	
28	— 52 1/4 .....	.9410	
29	— 52 1/2 .....	.9490	
30	— 52 3/4 .....	.9570	
31	— 53 .....	.9650	
32	— 53 1/4 .....	.9675	
33	— 53 1/2 .....	.9700	
34	— 53 3/4 .....	.9725	
35	— 54 .....	.9750	
36	— 54 1/4 .....	.9810	
37	— 54 1/2 .....	.9870	
38	— 54 3/4 .....	.9935	
39	— 55 .....	1.0000	
40	— 55 1/4 .....	1.0435	



1	<del>55 1/2 .....</del>	<del>1.0870</del>
2	<del>55 3/4 .....</del>	<del>1.1310</del>
3	<del>56 .....</del>	<del>1.1750</del>

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~~(b) This section shall apply only to local police officers and county peace officers who are local safety members.~~

~~(c) This section shall not apply to persons whose effective date of retirement is prior to January 1, 1985.~~

~~(d) The Legislature reserves, with respect to any member subject to this section, the right to provide for the adjustment of industrial disability retirement allowances because of earnings of a retired person and modification of the conditions and qualifications required for retirement for disability as it may find appropriate because of the earlier age of service retirement made possible by the benefits under this section.~~

~~(e) The percentage of final compensation provided in this section shall be reduced by one-third as applied to that part of the member's final compensation that does not exceed four hundred dollars (\$400) per month for service after the effective date of coverage of a member under the federal system. This paragraph shall not apply to a member who retires after the date upon which coverage under the federal system of persons in his or her employment terminates.~~

~~(f) For members who retire prior to January 1, 2000, in no event shall the total pension for all service under this section exceed an amount that, when added to the service retirement annuity related to the service, equals 75 percent of final compensation. For members who retire on or after January 1, 2000, the allowance shall not exceed 85 percent of final compensation. If the pension relates to service for more than one employer and would otherwise exceed the maximum, the pension payable with respect to each employer shall be reduced in the same proportion as the allowance based on service to the employer bears to the total allowance computed as though there were no limit, so that the total of the pensions shall equal the maximum.~~



1 ~~(g) This section shall only apply as an optional~~  
2 ~~contributory retirement formula for this system local~~  
3 ~~safety groups whose group participated in Federal Old~~  
4 ~~Age and Survivors' Insurance provisions of the Social~~  
5 ~~Security Act on April 1983.~~

6 ~~(h) This section shall not apply to a contracting agency~~  
7 ~~nor its employees until the agency and the representative~~  
8 ~~employee organization agree by memorandum of~~  
9 ~~understanding to be subject to it by amendment to its~~  
10 ~~contract made in the manner prescribed for approval of~~  
11 ~~contracts. It shall also be required that the representative~~  
12 ~~employee organizations agree to be subject to this~~  
13 ~~provision.~~

14 ~~(i) The operative date of this section with respect to a~~  
15 ~~local safety member shall be the effective date of the~~  
16 ~~amendment to the employer's contract electing to be~~  
17 ~~subject to this section.~~

18 ~~SEC. 5. Section 21389 is added to the Government~~  
19 ~~Code, to read:~~

20 ~~21389. Notwithstanding Sections 21362, 21363, 21369,~~  
21 ~~and 21370, for local safety members who retire on or after~~  
22 ~~January 1, 2000, and with respect to all local safety service~~  
23 ~~rendered to a contracting agency that is subject to any of~~  
24 ~~those sections, the benefit limit shall be 85 percent rather~~  
25 ~~than 75 percent of final compensation.~~

