

Senate Bill No. 1696

CHAPTER 495

An act to add Section 31678.2 to the Government Code, relating to county employees' retirement.

[Approved by Governor September 16, 2000. Filed with Secretary of State September 19, 2000.]

LEGISLATIVE COUNSEL'S DIGEST

SB 1696, Ortiz. County employees' retirement: retroactive benefit increases.

The existing County Employees Retirement Law of 1937 authorizes adoption of various formulae for calculation of retirement allowances and provides that a member's allowance shall be calculated under any one formula only for the period of time that the formula was in effect in the county.

This bill would (1) authorize a board of supervisors or governing body of a district to apply any formula retroactively to service credit earned during a designated period prior to the adoption of the formula and (2) subject to approval by the employee representatives, authorize collection of additional contributions attributable to that formula during the designated period, as specified.

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

SECTION 1. Section 31678.2 is added to the Government Code, to read:

31678.2. (a) Notwithstanding Section 31678 or any other provision of this chapter, a board of supervisors or a governing body of a district may, by resolution adopted by majority vote, make any section of this chapter prescribing a formula for calculation of retirement benefits applicable to service credit earned on and after the date specified in the resolution, which date may be earlier than the date the resolution is adopted.

(b) A resolution adopted pursuant to this section may, if approved in a memorandum of understanding executed by the board of supervisors and the employee representatives, require members to pay all or part of the contributions by a member or employer, or both, that would have been required if the section or sections specified in subdivision (a), as adopted by the board or governing body, had been in effect during the period of time designated in the resolution. The payment by a member shall become part of the accumulated contributions of the member.



(c) This section shall only be applicable to members who retire on or after the effective date of the resolution described in subdivision (a).

O

