

AMENDED IN SENATE AUGUST 23, 2004  
AMENDED IN SENATE AUGUST 17, 2004  
AMENDED IN SENATE AUGUST 4, 2004  
AMENDED IN SENATE JUNE 22, 2004  
AMENDED IN ASSEMBLY MAY 20, 2004  
AMENDED IN ASSEMBLY MARCH 18, 2004

CALIFORNIA LEGISLATURE—2003–04 REGULAR SESSION

**ASSEMBLY BILL**

**No. 1852**

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**Introduced by Assembly Member Mullin**

January 29, 2004

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An act to amend ~~Section 24221~~ Sections 22714, 22714.5, 24216, 24221, and 84040.5 of the Education Code, relating to state teachers' retirement, and making an appropriation therefor.

LEGISLATIVE COUNSEL'S DIGEST

AB 1852, as amended, Mullin. State teachers' retirement.

(1) *Existing law authorizes a school district, community college district, or county office of education to grant members of the Defined Benefit Program of the State Teachers' Retirement Plan 2 additional years of service credit or, prior to January 1, 2005, an additional 2 years of service and 2 years of age, if certain conditions are satisfied and the member retires for service within a designated period. Any member granted additional credit for service or service and age under those provisions forfeits that credit if he or she is reemployed within 5 years*

after retirement by the district from which he or she retired or within two years after retirement by any other district.

This bill would instead provide that any member granted additional credit for service or service and age under those provisions would not forfeit that credit if he or she is reemployed at any time after retirement by any other district.

(2) The Teachers' Retirement Law prescribes limits on the amount of postretirement income that may be earned in specified types of employment by a retired member of the Defined Benefit Program without a reduction in the member's retirement benefits. Specifically, that limit applies to a retired member who receives 2 additional years of service credit at retirement and performs creditable service within one year after retirement for the school district from which he or she retired.

Under this bill, that limit would apply to a retired member who receives those additional years of service credit at retirement and performs creditable service within one year after retirement for any school district, community college district, or county office of education in the state.

(3) Existing law authorizes members of the Defined Benefit Program of the State Teachers' Retirement Plan who retire prior to January 1, 2011, at a specified age or at a specified age with 30 years of service, to elect to receive a specified lump-sum payment upon retirement and an actuarially reduced monthly allowance.

This bill would authorize any member who retires prior to that date to make that election. The bill would also specify the method to be used by the Teachers' Retirement Board to calculate the member's actuarially reduced monthly allowance, that results in no net actuarial impact to the program.

(2)

(4) This bill would incorporate additional changes in Section 24216 of the Education Code proposed by AB 2554 to become operative only if this and AB 2554 are both enacted on or before January 1, 2005, each bill amends Section 24216 of the Education Code, and this bill is enacted last.

(5) The bill would appropriate \$53,000 from the Teachers' Retirement Fund to the Teachers' Retirement Board to implement ~~the bill's provisions~~ a specified provision.

Vote: majority. Appropriation: yes. Fiscal committee: yes. State-mandated local program: no.



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

1 SECTION 1. *Section 22714 of the Education Code is*  
2 *amended to read:*

3 22714. (a) Whenever the governing board of a school district  
4 or a community college district or a county office of education, by  
5 formal action, determines pursuant to Section 44929 or 87488 that  
6 because of impending curtailment of or changes in the manner of  
7 performing services, the best interests of the district or county  
8 office of education would be served by encouraging certificated  
9 employees or academic employees to retire for service and that the  
10 retirement will result in a net savings to the district or county office  
11 of education, an additional two years of service credit shall be  
12 granted under this part to a member of the Defined Benefit  
13 Program if all of the following conditions exist:

14 (1) The member is credited with five or more years of service  
15 credit and retires for service under Chapter 27 (commencing with  
16 Section 24201) during a period of not more than 120 days or less  
17 than 60 days, commencing no sooner than the effective date of the  
18 formal action of the employer that shall specify the period.

19 (2) The employer transfers to the retirement fund an amount  
20 determined by the Teachers' Retirement Board to equal the  
21 actuarial equivalent of the difference between the allowance the  
22 member receives after receipt of service credit pursuant to this  
23 section and the amount the member would have received without  
24 the service credit and an amount determined by the Teachers'  
25 Retirement Board to equal the actuarial equivalent of the  
26 difference between the purchasing power protection supplemental  
27 payment the member receives after receipt of service credit  
28 pursuant to this section and the amount the member would have  
29 received without the service credit. The payment for purchasing  
30 power shall be deposited in the Supplemental Benefit Maintenance  
31 Account established by Section 22400 and shall be subject to  
32 Section 24415. The transfer to the retirement fund shall be made  
33 in a manner and a time period, not to exceed eight years, that is  
34 acceptable to the Teachers' Retirement Board. The employer shall  
35 transfer the required amount for all eligible employees who retire  
36 pursuant to this section.



1 (3) The employer transmits to the retirement fund the  
2 administrative costs incurred by the system in implementing this  
3 section, as determined by the Teachers' Retirement Board.

4 (4) The employer has considered the availability of teachers or  
5 academic employees to fill the positions that would be vacated  
6 pursuant to this section.

7 (b) (1) The school district shall demonstrate and certify to the  
8 county superintendent that the formal action taken would result in  
9 a net savings to the district.

10 (2) The county superintendent shall certify to the Teachers'  
11 Retirement Board that the result specified in paragraph (1) can be  
12 demonstrated. The certification shall include, but not be limited to,  
13 the information specified in subdivision ~~(b)~~ (c) of Section ~~14502~~  
14 *14502.1*.

15 (3) The school district shall reimburse the county  
16 superintendent for all costs to the county superintendent that result  
17 from the certification.

18 (c) (1) The county office of education shall demonstrate and  
19 certify to the Superintendent of Public Instruction that the formal  
20 action taken would result in a net savings to the county office of  
21 education.

22 (2) The Superintendent of Public Instruction shall certify to the  
23 Teachers' Retirement Board that the result specified in paragraph  
24 (1) can be demonstrated. The certification shall include, but not be  
25 limited to, the information specified in subdivision ~~(b)~~ (c) of  
26 Section ~~14502~~ *14502.1*.

27 (3) The Superintendent of Public Instruction may request  
28 reimbursement from the county office of education for all  
29 administrative costs that result from the certification.

30 (d) (1) The community college district shall demonstrate and  
31 certify to the chancellor's office that the formal action taken would  
32 result in a net savings to the district.

33 (2) The chancellor shall certify to the Teachers' Retirement  
34 Board that the result specified in paragraph (1) can be  
35 demonstrated. The certification shall include, but not be limited to,  
36 the information specified in subdivision (c) of Section 84040.5.

37 (3) The chancellor may request reimbursement from the  
38 community college district for all administrative costs that result  
39 from the certification.



1 (e) The opportunity to be granted service credit pursuant to this  
2 section shall be available to all members employed by the school  
3 district, community college district, or county office of education  
4 who meet the conditions set forth in this section.

5 (f) The amount of service credit shall be two years.

6 (g) Any member of the Defined Benefit Program who retires  
7 under this part for service under Chapter 27 (commencing with  
8 Section 24201) with service credit granted under this section and  
9 who subsequently reinstates shall forfeit the service credit granted  
10 under this section.

11 ~~(h) Any member of the Defined Benefit Program who retires  
12 under this part for service under Chapter 27 (commencing with  
13 Section 24201) with service credit granted under this section and  
14 who takes any job with any school district in the state less than one  
15 year after receiving the credit shall forfeit the ongoing benefit he  
16 or she receives from the additional service credit granted under this  
17 section.~~

18 ~~(i) Any member of the Defined Benefit Program who retires  
19 under this part for service under Chapter 27 (commencing with  
20 Section 24201) with service credit granted under this section and  
21 who takes any job with the school district, *community college  
22 district, or county office of education* that granted the member the  
23 service credit less than five years after receiving the credit shall  
24 forfeit the ongoing benefit he or she receives from the additional  
25 age and service credit granted under this section.~~

26 ~~(j)~~

27 (i) This section does not apply to any member otherwise  
28 eligible if the member receives any unemployment insurance  
29 payments arising out of employment with an employer subject to  
30 this part during a period extending one year beyond the effective  
31 date of the formal action, or if the member is not otherwise eligible  
32 to retire for service.

33 SEC. 2. Section 22714.5 of the Education Code is amended to  
34 read:

35 22714.5. (a) Notwithstanding Sections 22714, 44929, and  
36 87488, an additional two years of service and an additional two  
37 years of age shall be credited under this part to a member of the  
38 Defined Benefit Program if the following conditions exist:

39 (1) The member is credited with five or more years of service  
40 credit and retires for service under the provisions of Chapter 27



1 (commencing with Section 24201) within the period designated in  
2 the memorandum of understanding or formal action described in  
3 paragraph (6).

4 (2) The employer determines that the best interests of the  
5 *school district, community college district, or county office of*  
6 *education* would be served by encouraging certificated or  
7 academic employees to retire for service and that the retirement  
8 will result in a net savings to the district or county office of  
9 education.

10 (3) The employer transfers to the retirement fund an amount  
11 determined by the Teachers' Retirement Board to equal the  
12 actuarial equivalent of the difference between the allowance the  
13 member receives after receipt of service and age credit pursuant to  
14 this section and the amount the member would have received  
15 without the service and age credit and an amount determined by  
16 the Teachers' Retirement Board to equal the actuarial equivalent  
17 of the difference between the purchasing power protection  
18 supplemental payment the member receives after receipt of  
19 service and age credit pursuant to this section and the amount the  
20 member would have received without the service and age credit.  
21 The payment for purchasing power shall be deposited in the  
22 Supplemental Benefit Maintenance Account established by  
23 Section 22400 and shall be subject to Section 24415. The transfer  
24 to the retirement fund shall be made in a manner and time period,  
25 not to exceed eight years, that is acceptable to the Teachers'  
26 Retirement Board.

27 (4) (A) A school district shall demonstrate and certify to the  
28 county superintendent that the formal action taken would result in  
29 a net savings to the district.

30 (B) The county superintendent shall certify to the Teachers'  
31 Retirement Board that the result specified in subparagraph (A) can  
32 be demonstrated. The certification shall include, but not be limited  
33 to, the information specified in subdivision ~~(b)~~ (c) of Section  
34 ~~14502~~ 14502.1.

35 (C) The school district shall reimburse that county  
36 superintendent for all costs to the county superintendent that result  
37 from the certification.

38 (5) (A) The county office of education shall demonstrate and  
39 certify to the Superintendent of Public Instruction that the formal



1 action taken would result in a net savings to the county office of  
2 education.

3 (B) The Superintendent of Public Instruction shall certify to the  
4 Teachers' Retirement Board that the result specified in  
5 subparagraph (A) can be demonstrated. The certification shall  
6 include, but not be limited to, the information specified in  
7 subdivision ~~(b)~~ (c) of Section ~~14502~~ 14502.1.

8 (C) The Superintendent of Public Instruction may request  
9 reimbursement from the county office of education for all  
10 administrative costs that result from the certification.

11 (6) (A) A community college district shall demonstrate and  
12 certify to the chancellor's office that the formal action taken would  
13 result in a net savings to the district.

14 (B) The chancellor shall certify to the Teachers' Retirement  
15 Board that the result specified in subparagraph (A) can be  
16 demonstrated. The certification shall include, but not be limited to,  
17 the information specified in subdivision (c) of Section 84040.5.

18 (C) The chancellor may request reimbursement from the  
19 community college district for all administrative costs that result  
20 from the certification.

21 (7) This section has been made applicable to the employer and  
22 the member pursuant to a memorandum of understanding between  
23 the employer and the representative employee organization or, for  
24 members who are not represented by a representative employee  
25 organization, this section has been made applicable to all of the  
26 members employed by the school district, community college  
27 district, or county office of education, pursuant to a formal action  
28 of the governing board. The employer shall transfer the required  
29 amount for all eligible employees who retire pursuant to this  
30 section.

31 (8) The employer transmits to the retirement fund the  
32 administrative costs incurred by the system in implementing this  
33 section, as determined by the Teachers' Retirement Board.

34 (b) The amount of additional service credit and additional age  
35 shall each be two years regardless of credited service or age. A  
36 member of the Defined Benefit Program who is credited with  
37 additional age and service under this section may not be credited  
38 with additional service under Section 22714.

39 (c) Any member of the Defined Benefit Program who is  
40 credited with additional age and service under this section and who



1 subsequently reinstates from retirement shall forfeit the additional  
 2 age and service credit granted under this section.

3 ~~(d) Any member of the Defined Benefit Program who retires~~  
 4 ~~under this part for service under Chapter 27 (commencing with~~  
 5 ~~Section 24201) with age and service credit granted under this~~  
 6 ~~section and who takes any job with any school district in the state~~  
 7 ~~less than one year after receiving the credit shall forfeit the~~  
 8 ~~ongoing benefit he or she receives from the additional age and~~  
 9 ~~service credit granted under this section.~~

10 ~~(e)~~ Any member of the Defined Benefit Program who retires  
 11 under this part for service under Chapter 27 (commencing with  
 12 Section 24201) with age and service credit granted under this  
 13 section and who takes any job with the school district, *community*  
 14 *college district, or county office of education* that granted the  
 15 member the age and service credit less than five years after  
 16 receiving the credit shall forfeit the ongoing benefit he or she  
 17 receives from the additional age and service credit granted under  
 18 this section.

19 ~~(f)~~

20 *(e)* This section is not applicable to any member otherwise  
 21 eligible if the member receives any unemployment insurance  
 22 payments arising out of employment with an employer subject to  
 23 this part during a period extending one year beyond the effective  
 24 date of the memorandum of understanding or formal action, or if  
 25 the member is not otherwise eligible to retire for service without  
 26 the additional age or service credit available under this section.

27 ~~(g)~~

28 *(f)* This section shall become operative on January 1, 2004, or  
 29 120 days after Assembly Bill No. 1207 of the 2003–04 Regular  
 30 Session is chaptered, whichever is later, and remain in effect only  
 31 until January 1, 2005, and as of that date is repealed, unless a later  
 32 enacted statute, that is enacted before January 1, 2005, deletes or  
 33 extends that date.

34 *SEC. 3. Section 24216 of the Education Code is amended to*  
 35 *read:*

36 24216. (a) (1) A member retired for service under this part  
 37 who is appointed as a trustee or administrator by the  
 38 Superintendent of Public Instruction pursuant to Section 41320.1,  
 39 or a member retired for service who is assigned by a county  
 40 superintendent of schools pursuant to Article 2 (commencing with



1 Section 42120) of Chapter 6 of Part 24, shall be exempt from  
2 subdivisions (d) and (f) of Section 24214 for a maximum period  
3 of two years.

4 (2) The period of exemption shall commence on the date the  
5 member retired for service is appointed or assigned and shall end  
6 no more than two calendar years from that date, after which the  
7 limitation specified in subdivisions (d) and (f) of Section 24214  
8 shall apply.

9 (3) An exemption under this subdivision shall be granted by the  
10 system providing that the Superintendent of Public Instruction or  
11 the county superintendent of schools submits documentation  
12 required by the system to substantiate the eligibility of the member  
13 retired for service for an exemption under this subdivision.

14 (b) (1) A member retired for service under this part who is  
15 employed by an employer to perform creditable service in an  
16 emergency situation to fill a vacant administrative position  
17 requiring highly specialized skills shall be exempt from the  
18 provisions of subdivisions (d) and (f) of Section 24214 for  
19 creditable service performed up to one-half of the full-time  
20 equivalent for that position, if the vacancy occurred due to  
21 circumstances beyond the control of the employer. The limitation  
22 specified in subdivisions (d) and (f) of Section 24214 shall apply  
23 to creditable service performed beyond the specified exemption.

24 (2) An exemption under this subdivision shall be granted by the  
25 system subject to the following conditions:

26 (A) The recruitment process to fill the vacancy on a permanent  
27 basis is expected to extend over several months.

28 (B) The employment is reported in a public meeting of the  
29 governing body of the employer.

30 (C) The employer submits documentation required by the  
31 system to substantiate the eligibility of the member retired for  
32 service for an exemption under this subdivision.

33 (c) This section does not apply to any person who has received  
34 additional service credit pursuant to Section 22715 or 22716.

35 (d) A person who has received additional service credit  
36 pursuant to Section 22714 or 22714.5 shall be ineligible for one  
37 year from the effective date of retirement for the exemption  
38 provided in this section for service performed in ~~the district from~~  
39 ~~which he or she retired~~ *any school district, community college*  
40 *district, or county office of education in the state.*



1 (e) This section shall become operative on January 1, 2001, and  
 2 shall remain in effect only until January 1, 2008, and as of that date  
 3 is repealed, unless a later enacted statute, which is enacted before  
 4 January 1, 2008, deletes or extends that date.

5 *SEC. 3.5. Section 24216 of the Education Code is amended to*  
 6 *read:*

7 24216. (a) (1) A member retired for service under this part  
 8 who is appointed as a trustee or administrator by the  
 9 Superintendent of Public Instruction pursuant to Section 41320.1,  
 10 or a member retired for service who is assigned by a county  
 11 superintendent of schools pursuant to Article 2 (commencing with  
 12 Section ~~42120~~ 42122) of Chapter 6 of Part 24, shall be exempt  
 13 from subdivisions (d) and (f) of Section 24214 for a maximum  
 14 period of two years.

15 (2) The period of exemption shall commence on the date the  
 16 member retired for service is appointed or assigned and shall end  
 17 no more than two calendar years from that date, after which the  
 18 limitation specified in subdivisions (d) and (f) of Section 24214  
 19 shall apply.

20 (3) An exemption under this subdivision shall be granted by the  
 21 system providing that the Superintendent of Public Instruction or  
 22 the county superintendent of schools submits documentation  
 23 required by the system to substantiate the eligibility of the member  
 24 retired for service for an exemption under this subdivision.

25 (b) (1) A member retired for service under this part who is  
 26 employed by an employer to perform creditable service in an  
 27 emergency situation to fill a vacant administrative position  
 28 requiring highly specialized skills shall be exempt from the  
 29 provisions of subdivisions (d) and (f) of Section 24214 for  
 30 creditable service performed up to one-half of the full-time  
 31 equivalent for that position, if the vacancy occurred due to  
 32 circumstances beyond the control of the employer. ~~The limitation~~  
 33 ~~specified in subdivisions (d) and (f) of Section 24214 shall apply~~  
 34 ~~to creditable service performed beyond the specified exemption.~~

35 (2) *The period of exemption shall commence on the date the*  
 36 *member retired for service is appointed or assigned and shall end*  
 37 *no more than two calendar years from that date, after which the*  
 38 *limitation specified in subdivisions (d) and (f) of Section 24214*  
 39 *shall apply.*



1 (3) An exemption under this subdivision shall be granted by the  
2 system subject to the following conditions:

3 (A) The recruitment process to fill the vacancy on a permanent  
4 basis is expected to extend over several months.

5 (B) The employment is reported in a public meeting of the  
6 governing body of the employer.

7 (C) The employer submits documentation required by the  
8 system to substantiate the eligibility of the member retired for  
9 service for an exemption under this subdivision.

10 (c) This section does not apply to any person who has received  
11 additional service credit pursuant to Section 22715 or 22716.

12 (d) A person who has received additional service credit  
13 pursuant to Section 22714 or 22714.5 shall be ineligible for one  
14 year from the effective date of retirement for the exemption  
15 provided in this section for service performed in ~~the district from~~  
16 ~~which he or she retired~~ *any school district, community college*  
17 *district, or county office of education in the state.*

18 (e) This section ~~shall become operative on January 1, 2001, and~~  
19 shall remain in effect only until January 1, 2008, and as of that date  
20 is repealed, unless a later enacted statute, which is enacted before  
21 January 1, 2008, deletes or extends that date.

22 *SEC. 4.* Section 24221 of the Education Code is amended to  
23 read:

24 24221. (a) A member who retires for service prior to January  
25 1, 2011, may elect, on a form prescribed by the system, to receive  
26 a lump-sum payment and an actuarially reduced monthly  
27 allowance pursuant to this section in lieu of the monthly  
28 unmodified allowance that would otherwise be payable to the  
29 member pursuant to this chapter. The election under this section  
30 shall be made at the time the member files his or her application  
31 for service retirement allowance as provided in Section 24204.

32 (b) A member who makes the election described in subdivision  
33 (a) shall receive a one-time, lump-sum payment in an amount that  
34 equals or does not exceed the lesser of the following amounts:

35 (1) The actuarial present value of the amount by which (A) the  
36 monthly unmodified allowance payable to the member pursuant to  
37 this chapter exceeds (B) an amount equal to 2 percent of the  
38 member's final compensation multiplied by the number of years  
39 of credited service and divided by 12.



1 (2) Fifteen percent of the actuarial present value of the monthly  
2 unmodified allowance payable to the member under this chapter.

3 (c) Notwithstanding any other provision of this part, a member  
4 who makes the election described in subdivision (a) shall receive  
5 a monthly unmodified allowance, pursuant to this chapter, that  
6 shall be actuarially reduced to reflect the lump-sum amount paid  
7 under subdivision (b). The actuarial reduced unmodified  
8 allowance may be modified pursuant to Section 24300.

9 (d) A member may not apply a lump-sum payment made  
10 pursuant to this section for the purposes of redepositing previously  
11 refunded retirement contributions pursuant to Chapter 19  
12 (commencing with Section 23200) or purchasing service credit  
13 pursuant to Chapter 14 (commencing with Section 22800),  
14 Chapter 14.2 (commencing with Section 22820) or Chapter 14.5  
15 (commencing with Section 22850). The Legislature hereby finds  
16 and declares that if a member who elects to receive a partial  
17 lump-sum payment also elects to redeposit previously refunded  
18 retirement contributions or purchase service credit as a result of the  
19 receipt of the lump-sum payment, the Defined Benefit Program  
20 may experience a net actuarial impact.

21 (e) An election pursuant to subdivision (a) may have no net  
22 actuarial impact to the Defined Benefit Program. The board shall  
23 adopt present value factors to establish a corresponding actuarially  
24 reduced monthly allowance, that results in no net actuarial impact  
25 to the Defined Benefit Program. The Legislature reserves the right  
26 to modify the provisions of this section to further the objective of  
27 permitting eligible members to receive a lump-sum distribution of  
28 a portion of their benefits, with a corresponding actuarial  
29 reduction in their monthly allowance, so that there is no net  
30 actuarial impact to the Defined Benefit Program.

31 ~~SEC. 2.~~

32 *SEC. 5. Section 84040.5 of the Education Code is amended to*  
33 *read:*

34 84040.5. (a) The board of governors, in cooperation with,  
35 and upon approval by, the Department of Finance, shall prescribe  
36 the statements and other information to be included in the audit  
37 reports filed with the state and shall develop audit procedures for  
38 carrying out the purposes of this section. The Department of  
39 Finance may make audits, surveys, and reports which, in the  
40 judgment of the department will serve the best interest of the state.



1 (b) A review of existing audit procedures, statements, and other  
2 information required to be included in the audit reports shall be  
3 conducted periodically by the board of governors, in cooperation  
4 with the Department of Finance. Standards shall be updated  
5 periodically.

6 (c) For the audit of community colleges electing to take formal  
7 action pursuant to Sections 22714, ~~and~~ 22714.5, 87488, and  
8 87488.1, the audit standards shall require ~~such~~ any information as  
9 is prescribed by the chancellor, including, but not limited to, the  
10 following:

11 (1) The number and type of positions being vacated.

12 (2) The age and service credit of the retirees receiving the  
13 additional service credit provided by Sections 22714 and 87488.

14 (3) A comparison of the salary and benefits of each retiree  
15 receiving the additional service credit with the salary and benefits  
16 of the replacement employee, if any.

17 (4) The resulting retirement costs, including interest, if any,  
18 and postretirement healthcare benefits costs, incurred by the  
19 employer.

20 (d) The chancellor shall annually prepare a cost analysis, based  
21 upon the information included in the audit reports for the prior  
22 fiscal year, to determine the net savings or costs resulting from  
23 formal actions taken by community college districts pursuant to  
24 Sections 22714 ~~and~~, 22714.5, 87488, and 87488.1, and shall  
25 report the results of the cost analysis to the Governor and the  
26 Legislature by April 1 of each year.

27 (e) All costs incurred by the board of governors to implement  
28 subdivision (c) shall be absorbed by the board of governors.

29 (f) At the request of the Department of Finance, each  
30 community college district that elects to take formal action  
31 pursuant to Sections 22714, 22714.5, 87488, and ~~87488~~ 87488.1  
32 shall reimburse the Department of Finance for any related  
33 administrative costs incurred by the Department of Finance.

34 *SEC. 6. Section 3.5 of this bill incorporates amendments to*  
35 *Section 24216 of the Education Code proposed by both this bill*  
36 *and AB 2554. It shall only become operative if (1) both bills are*  
37 *enacted and become effective on or before January 1, 2005, (2)*  
38 *each bill amends Section 24216 of the Education Code, and (3)*  
39 *this bill is enacted after AB 2554, in which case Section 3 of this*  
40 *bill shall not become operative.*



1     *SEC. 7.* The sum of fifty-three thousand dollars (\$53,000) is  
2 hereby appropriated from the Teachers' Retirement Fund to the  
3 Teachers' Retirement Board to implement ~~the provisions~~ *Section*  
4 *4* of this act.

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