

ASSEMBLY BILL

No. 2711

Introduced by Assembly Member Leno

February 20, 2004

An act to add Section 20589 to the Government Code, relating to public employees' retirement.

LEGISLATIVE COUNSEL'S DIGEST

AB 2711, as introduced, Leno. Public employees' retirement system: transfer agreements.

Existing law authorizes the Board of Administration of the Public Employees' Retirement System to enter into an agreement with the board of retirement of specified county retirement systems subject to the County Employees Retirement Law of 1937 for the transfer of assets and liabilities from the Public Employees' Retirement System to the county retirement system with respect to safety members who have ceased to be employed by a public agency or the state and who have been employed by a county, fire authority, or district as a result of a transfer of firefighting or law enforcement functions.

This bill would authorize the Board of Administration of the Public Employees' Retirement System to enter into such an agreement with the retirement board of the San Francisco City and County Employees' Retirement System with respect to safety members who are now employed by the city and county or the local fire authority or district as a result of a transfer of firefighting or law enforcement functions.

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

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

1 SECTION 1. Section 20589 is added to the Government
2 Code, to read:
3 20589. (a) Notwithstanding any other provision of this
4 article, the board may enter into an agreement with the board of
5 retirement of the San Francisco City and County Employees'
6 Retirement System, for termination of participation of a public
7 agency whose contract has been in effect for at least five years in
8 this system or the state with respect to certain safety members who
9 have ceased to be employed by the public agency or the state and
10 have been employed by the city and county, fire authority, or
11 district as a result of a transfer of firefighting or law enforcement
12 functions from the public agency or the state to the city and county,
13 fire authority, or district and inclusion of the former public agency
14 employees in that retirement system.
15 (b) The agreement shall contain provisions the board finds
16 necessary to protect the interests of this system, including
17 provisions for determination of the amount, time, and manner of
18 transfer of cash or securities, or both, to be transferred to the city
19 and county system representing the actuarial value of the interests
20 in the retirement fund of the public agency or the state and the
21 transferred employees by reason of accumulated contributions
22 credited to that public agency or the state and the employees
23 transferred. The agreement may also contain any other provisions
24 that the board deems necessary to address issues related to the
25 transfer, including, but not limited to, benefits subject to an
26 outstanding domestic relations order and benefits subject to a lien.
27 The agreement shall apply only to employees who are employed
28 by the city and county or district on the effective date of the
29 agreement.
30 (c) All liability of this system with respect to the members
31 transferred under that agreement shall cease and shall become the
32 liability of the San Francisco City and County Employees'
33 Retirement System as of the date of transfer specified in the
34 agreement. Liability of the city and county retirement system shall
35 be for payment of benefits to transferred employees.
36 (d) Any member transferred who becomes a member of the city
37 and county retirement system upon that transfer date shall be
38 subject to provisions of this part and the provisions of the San



1 Francisco City Charter and Administrative Code extending rights
2 to a member or subjecting him or her to limitations because of
3 membership in another retirement system to the same extent that
4 he or she would have been had he or she been a member of the city
5 and county retirement system during his or her membership in this
6 system.

7 (e) This section shall apply only in the City and County of San
8 Francisco.

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