

Assembly Bill No. 2711

CHAPTER 268

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

[Approved by Governor August 23, 2004. Filed with Secretary of State August 23, 2004.]

LEGISLATIVE COUNSEL'S DIGEST

AB 2711, 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.

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

SECTION 1. Section 20589 is added to the Government Code, to read:

20589. (a) Notwithstanding any other provision of this article, the board may enter into an agreement with the board of retirement of the San Francisco City and County Employees' Retirement System, for termination of participation of a public agency whose contract has been in effect for at least five years in this system or the state with respect to certain safety members who have ceased to be employed by the public agency or the state and have been employed by the city and county, fire authority, or district as a result of a transfer of firefighting or law enforcement functions from the public agency or the state to the city and



county, fire authority, or district and inclusion of the former public agency employees in that retirement system.

(b) The agreement shall contain provisions the board finds necessary to protect the interests of this system, including provisions for determination of the amount, time, and manner of transfer of cash or securities, or both, to be transferred to the city and county system representing the actuarial value of the interests in the retirement fund of the public agency or the state and the transferred employees by reason of accumulated contributions credited to that public agency or the state and the employees transferred. The agreement may also contain any other provisions that the board deems necessary to address issues related to the transfer, including, but not limited to, benefits subject to an outstanding domestic relations order and benefits subject to a lien. The agreement shall apply only to employees who are employed by the city and county or district on the effective date of the agreement.

(c) All liability of this system with respect to the members transferred under that agreement shall cease and shall become the liability of the San Francisco City and County Employees' Retirement System as of the date of transfer specified in the agreement. Liability of the city and county retirement system shall be for payment of benefits to transferred employees.

(d) Any member transferred who becomes a member of the city and county retirement system upon that transfer date shall be subject to provisions of this part and the provisions of the San Francisco City Charter and Administrative Code extending rights to a member or subjecting him or her to limitations because of membership in another retirement system to the same extent that he or she would have been had he or she been a member of the city and county retirement system during his or her membership in this system.

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

