

**Senate Bill No. 1137**

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Passed the Senate      April 29, 2004

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*Secretary of the Senate*

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Passed the Assembly      August 17, 2004

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*Chief Clerk of the Assembly*

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This bill was received by the Governor this \_\_\_\_\_ day of  
\_\_\_\_\_, 2004, at \_\_\_\_\_ o'clock \_\_M.

\_\_\_\_\_  
*Private Secretary of the Governor*



## CHAPTER \_\_\_\_\_

An act to amend Section 22200 of the Education Code, relating to state teachers' retirement.

## LEGISLATIVE COUNSEL'S DIGEST

SB 1137, Burton. Teachers' Retirement System: retirement board.

Existing law, the Teachers' Retirement Law, provides for the election of 3 members of the Teachers' Retirement Board, at elections conducted by the board. Existing law also provides for the appointment to the board of either a retired member of the Defined Benefit Program or a retired participant of the Cash Balance Benefit Program of the State Teachers' Retirement Plan.

This bill would, as of January 1, 2006, provide that the appointed retired member of the board shall instead be elected by the retired members of the Defined Benefit Program, retired participants of the Cash Balance Benefit Program, and members who are receiving a disability allowance, as specified.

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

SECTION 1. Section 22200 of the Education Code is amended to read:

22200. (a) The plan and the system are administered by the Teachers' Retirement Board. On and after January 1, 2006, the members of the board are as follows:

- (1) The Superintendent of Public Instruction.
- (2) The Controller.
- (3) The Treasurer.
- (4) The Director of Finance.

(5) Four persons who are either members of the Defined Benefit Program or participants in the Cash Balance Benefit Program, as follows:

(A) One person who, at the time of election, is an active member of the Defined Benefit Program or an active participant of the Cash Balance Benefit Program employed by a school district that provides instruction for grades K to 12, inclusive, or a county office of education, in a position other than a school administrator



that requires a services credential with a specialization in administrative services. This member shall be elected by the active members of the Defined Benefit Program and active participants of the Cash Balance Benefit Program who are employed by a school district that provides instruction for grades K to 12, inclusive, or county office of education, pursuant to regulations adopted by the board, for a four-year term commencing on January 1, 2004.

(B) One person who, at the time of election, is an active member of the Defined Benefit Program or an active participant of the Cash Balance Benefit Program employed by a school district that provides instruction for grades K to 12, inclusive, or a county office of education. This member shall be elected by the active members of the Defined Benefit Program and active participants of the Cash Balance Benefit Program who are employed by a school district that provides instruction for grades K to 12, inclusive, or a county office of education, pursuant to regulations adopted by the board, for a four-year term commencing on January 1, 2004.

(C) One person who, at the time of election, is a community college instructor and an active member of the Defined Benefit Program or an active participant of the Cash Balance Benefit Program employed by a community college district, who shall be elected by the active community college members of the Defined Benefit Program and the active community college participants of the Cash Balance Benefit Program, pursuant to regulations adopted by the board, for a four-year term commencing on January 1, 2004.

(D) One person who, at the time of the election, is a retired member of the Defined Benefit Program, a member of the Defined Benefit Program receiving a disability allowance, or a participant receiving an annuity under the Cash Balance Benefit Program. This member shall be elected by the retired members of the Defined Benefit Program, the members of the Defined Benefit Program receiving a disability allowance, and the participants receiving an annuity under the Cash Balance Benefit Program, pursuant to regulations adopted by the board, for a four-year term commencing on January 1, 2006.

(6) Four persons appointed by the Governor for a term of four years, subject to confirmation by the Senate, as follows:



(A) One person who, at the time of appointment, is a member of the governing board of a school district or a community college district.

(B) Three persons representing the public, whose terms shall be staggered by varying the first terms of these members, as follows:

- (i) One person to a term expiring December 31, 2005.
- (ii) One person to a term expiring December 31, 2006.
- (iii) One person to a term expiring December 31, 2007.

(b) A person who is employed to perform creditable service by a community college district and either a school district that provides instruction for grades K to 12, inclusive, or a county office of education may only be elected to the position on the board that corresponds to the position in which they accrued the most service credit during the prior school year.

(c) The members of the board shall annually elect a chairperson and vice chairperson.

SEC. 2. The term of the person appointed on January 1, 2004, to serve on the Teachers' Retirement Board pursuant to subparagraph (B) of paragraph (6) of subdivision (a) of Section 22200 of the Education Code and the term of the first of the three persons appointed on January 1, 2004, to serve on the Teachers' Retirement Board pursuant to subparagraph (C) of paragraph (6) of subdivision (a) of Section 22200 of the Education Code shall expire on December 31, 2005.

SEC. 3. Section 1 of this act shall become operative on January 1, 2006.



Approved \_\_\_\_\_, 2004

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*Governor*

