

Introduced by Senator AshburnFebruary 17, 2010

An act to amend Section 20896 of the Government Code, relating to public employees' retirement.

LEGISLATIVE COUNSEL'S DIGEST

SB 1081, as introduced, Ashburn. Retirement: military service.

Existing law prohibits a member of the Public Employees' Retirement System who receives military retirement pay based on 20 or more years of active duty in the armed forces from also receiving service credit under the system for that military service. However, that prohibition does not apply to credit toward military retirement pay that is earned for active and nonactive reserve duty and that is payable only upon attainment of a specified age.

This bill would make a technical, nonsubstantive change to that provision.

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

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

- 1 SECTION 1. Section 20896 of the Government Code is
- 2 amended to read:
- 3 20896. A member who is receiving military retirement pay
- 4 based on 20 or more years of active duty with the armed forces
- 5 shall be deemed to have received credit in a publicly supported
- 6 retirement system for all service performed with the armed forces.
- 7 Credit toward military retirement pay that is earned by a
- 8 combination of active duty and nonactive duty with a reserve

- 1 component of the armed forces ~~and~~ *subject to a condition* where
- 2 the retirement pay is payable only upon the attainment of a
- 3 specified age shall not be deemed credit in a publicly supported
- 4 retirement system.