

AMENDED IN ASSEMBLY AUGUST 7, 2000

SENATE BILL

No. 1694

Introduced by Senator Ortiz

February 22, 2000

An act to amend Section 22508 of the Education Code and to amend Section 20309 of the Government Code, relating to retirement.

LEGISLATIVE COUNSEL'S DIGEST

SB 1694, as amended, Ortiz. Public employees' retirement: membership election.

Under existing law, members of the State Teachers' Retirement System or the Public Employees' Retirement System, who become employed by any of a list of other public employers to perform service that requires membership in a different public retirement system, may elect to be excluded from membership in that different system and continue to have their service subject to their existing system.

This bill would make this election available to (1) members of the State Teachers' Retirement System who become employed by the ~~state~~ *State Department of Education, as specified*, and (2) members of the Public Employees' Retirement System employed by the ~~state~~ *State Department of Education* who are subsequently employed to perform service ~~subject to coverage by that requires membership in~~ the State Teachers' Retirement System.

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 22508 of the Education Code is
2 amended to read:

3 22508. (a) A member who becomes employed by the
4 same or a different school district or community college
5 district, a county superintendent, or the ~~state~~ *State*
6 *Department of Education* to perform service that
7 requires membership in a different public retirement
8 system, *and who is not excluded from membership in that*
9 *public retirement system*, may elect to have that service
10 subject to coverage by the Defined Benefit Program of
11 this plan and excluded from coverage by the other public
12 retirement system. The election shall be made in writing
13 on a form prescribed by this system within 60 days from
14 the date of hire in the position requiring membership in
15 the other public retirement system. If that election is
16 made, the service performed for the employer after the
17 date of hire shall be considered creditable service for
18 purposes of this part.

19 (b) A member of the Public Employees' Retirement
20 System who is employed by a school district, community
21 college district, a county superintendent, or the ~~state~~
22 *State Department of Education* and who is subsequently
23 employed to perform creditable service subject to
24 coverage by the Defined Benefit Program of this plan
25 may elect to have that subsequent service subject to
26 coverage by the Public Employees' Retirement System
27 and excluded from coverage by the Defined Benefit
28 Program pursuant to Section 20309 of the Government
29 Code.

30 (c) An election made by a member pursuant to this
31 section shall be irrevocable.

32 SEC. 2. Section 20309 of the Government Code is
33 amended to read:

34 20309. (a) A member of the system who is employed
35 by a school ~~district, community college district, a county~~
36 ~~superintendent~~ *employer*, the Board of Governors of the
37 California Community Colleges, or the ~~state~~ *State*
38 *Department of Education* and who subsequently is



1 employed to perform service ~~subject to coverage by that~~
2 *requires membership in* the Defined Benefit Program of
3 the State Teachers' Retirement Plan, may elect to retain
4 coverage by this system for that subsequent service. An
5 election to retain coverage under this system shall be
6 submitted in writing by the member to the system on a
7 form prescribed by the system, and a copy of the election
8 shall be submitted to the State Teachers' Retirement
9 System, ~~within 60 days of the date the member's change~~
10 ~~in employment is effective.~~ *within 60 days after the*
11 *member's date of hire to perform service that requires*
12 *membership in the Defined Benefit Program of the State*
13 *Teachers' Retirement Plan. A member who elects to*
14 *retain coverage under this system pursuant to this section*
15 *shall be deemed to be a school member while employed*
16 *by a school employer.*

17 (b) Any election made pursuant to this section shall
18 become ~~effective as of the first day of employment in the~~
19 ~~position that qualified the member to make an election.~~
20 *effective as of the date the election is filed with the*
21 *system.*

