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**GOVERNMENT CODE - GOV**

**TITLE 3. GOVERNMENT OF COUNTIES [23000 - 33205]** ( Title 3 added by Stats. 1947, Ch. 424. )

**DIVISION 4. EMPLOYEES [31000 - 33017]** ( Division 4 added by Stats. 1947, Ch. 424. )

**PART 3. RETIREMENT SYSTEMS [31200 - 33017]** ( Part 3 added by Stats. 1947, Ch. 424. )

**CHAPTER 3. County Employees Retirement Law of 1937 [31450 - 31898]** ( Chapter 3 added by Stats. 1947, Ch. 424. )

**ARTICLE 4.5. Big Bear Fire Agencies Pension Consolidation Act of 2018 [31570 - 31573]** ( Article 4.5 added by Stats. 2018, Ch. 72, Sec. 1. )

**31570.** It is the intent of the Legislature that this article authorize the Big Bear Fire Authority to assume all of the revenues, debts, obligations, and liabilities of the City of Big Bear Lake's safety plan, which covers the employees of the Big Bear Lake Fire Protection District.

(Added by Stats. 2018, Ch. 72, Sec. 1. (AB 2004) Effective July 9, 2018.)

**31571.** This article shall be known, and may be cited, as the Big Bear Fire Agencies Pension Consolidation Act of 2018.

(Added by Stats. 2018, Ch. 72, Sec. 1. (AB 2004) Effective July 9, 2018.)

**31572.** For purposes of this article, the following definitions apply:

(a) "Authority" means the Big Bear Fire Authority, which is a joint powers authority established by the Big Bear City Community Services District and the Big Bear Lake Fire Protection District pursuant to the Joint Exercise of Powers Act (Chapter 5 (commencing with Section 6500) of Division 7 of Title 1) in 2012.

(b) "City" means the City of Big Bear Lake.

(c) "City safety plan" means that portion of the city's retirement plan through the San Bernardino County Employees' Retirement Association that covers the safety employees of the fire protection district.

(d) "Fire protection district" means the Big Bear Lake Fire Protection District.

(Added by Stats. 2018, Ch. 72, Sec. 1. (AB 2004) Effective July 9, 2018.)

**31573.** (a) On and after the effective date of a resolution of the Board of Retirement of the San Bernardino County Employees' Retirement Association consenting to membership of the authority's employees pursuant to subdivision (b) of Section 31557, all safety employees currently employed by the fire protection district as of that date shall be deemed to be employees of the authority, and all duties and obligations of the fire protection district in the employment relationship shall be assumed by the authority. The status of each employee deemed to be an employee of the authority pursuant to this section, with respect to membership in the retirement system, shall, in all respects, be as if the employee had remained a member of the retirement system without any break in service or change of employer. The authority shall be deemed to be a "district," as defined in this chapter, and shall, in all respects, assume all of the rights, obligations, and status previously occupied by the city, with regard to the city safety plan, as a participating district in the retirement system, including, but not limited to, all of the following: the payment of employer contributions, the payment of unfunded actuarial liability, the withholding of employee contributions, the reporting of compensation earnable and pensionable compensation, record retention and audit compliance, the enrollment of eligible employees as members of the retirement system, compliance with restrictions on the employment of retired persons, and the pickup of employee contributions pursuant to Section 414(h)(2) of the Internal Revenue Code and any agreement or resolution implementing that section.

(b) The termination of the city safety plan shall not trigger withdrawal liability pursuant to Section 31564.2. The authority shall assume the prior obligations of the city safety plan for the payment of unfunded actuarial liability, which shall continue to be included in contribution rates calculated and approved pursuant to this chapter, including, but not limited to, Sections 31453, 31453.5, 31454, 31581, and 31585, as if no change in the participating employer had occurred.

(c) The authority shall succeed to the rights, duties, and obligations of the city safety plan with respect to its replacement benefits program pursuant to Chapter 3.9 (commencing with Section 31899). The rights of each member of the retirement system to participate in the replacement benefits program, as those rights exist at the time of the transfer of rights, duties, and obligations to the authority pursuant to this section, whether the member is actively employed, deferred, or retired, shall continue as if there had been no change in the status of the employer. The transfer of rights, duties, and responsibilities shall not be deemed to be the creation of a new replacement benefit program and the continuation of employees' rights pursuant to this section shall not be deemed the offering of a new plan to any employee for purposes of Section 7522.43 or subdivision (c) of Section 31899.

*(Added by Stats. 2018, Ch. 72, Sec. 1. (AB 2004) Effective July 9, 2018.)*