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AB-1243 Public Employees' Retirement System: replacement benefits plan. (2017-2018)

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Assembly Bill No. 1243

CHAPTER 277

An act to amend Section 21761 of the Government Code, relating to public employees' retirement, and making an appropriation therefor.

[Approved by Governor September 25, 2017. Filed with Secretary of State September 25, 2017.]

LEGISLATIVE COUNSEL'S DIGEST

AB 1243, Arambula. Public Employees' Retirement System: replacement benefits plan.

Existing law requires the Board of Administration of the Public Employees' Retirement System to establish a plan of replacement benefits for members and their survivors or beneficiaries whose retirement benefits are limited by specified federal law. Existing law requires an agency participating in this replacement benefit plan to deposit its contributions as the board directs into the Replacement Benefit Custodial Fund, which is continuously appropriated to carry out purposes related to the plan of replacement benefits.

Existing law establishes in the treasury of each county the county school service fund, for use by the county superintendent of schools to pay all the charges against the fund and to provide for additional apportionments to school districts or community districts under his or her jurisdiction for various expenses.

This bill would authorize a county superintendent of schools, on an annual basis or as otherwise directed by the board, for the purpose of paying necessary contributions to the replacement benefit plan, to draw requisitions against the county school service fund and the funds of the respective school districts or other local educational agencies in amounts equal to the total of the contributions required to be paid pursuant to replacement benefit plan provisions. By authorizing the use of new amounts for payment into a continuously appropriated fund, this bill would make an appropriation.

Vote: majority Appropriation: yes Fiscal Committee: yes Local Program: no

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 21761 of the Government Code is amended to read:

21761. The state, school employers, as defined in Section 20063, and all contracting agencies under this system shall be deemed to have elected to contract with the board for administration of the replacement benefit plan pursuant to this part. A participating agency may contract with the board for administration to participate in the replacement benefit plan administered by the board, as follows:

(a) A participating agency shall deposit its replacement benefit contributions into the Replacement Benefit Custodial Fund, as the board directs.

(b) At the request of the board, the participating agency shall furnish any data concerning its members the board requires to direct the payment of replacement benefit contributions.

(c) A public agency that intends to contract under this section and become a participating agency shall do so only pursuant to the procedure set forth in Sections 20469 to 20471, inclusive.

(d) The ordinance or resolution by which a public agency approves a contract under this section shall be filed with the board. A participating agency under this section shall not maintain any other replacement benefit plan, except upon the express approval of the board.

(e) A contract entered into under this section may be amended pursuant to the procedure set forth in Section 20472.

(f) For the purpose of paying necessary contributions to the replacement benefit plan, the county superintendent of schools may, on an annual basis or as otherwise directed by the board pursuant to this section, draw requisitions against the county school service fund and the funds of the respective school districts or other local educational agencies in amounts equal to the total of contributions required to be paid pursuant to this part.