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SB-1240 Public Employees' Retirement System: contracting agencies: consolidation. (2023-2024)

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Senate Bill No. 1240

CHAPTER 888

An act to add Section 20508.3 to the Government Code, relating to public employees' retirement, and declaring the urgency thereof, to take effect immediately.

[Approved by Governor September 28, 2024. Filed with Secretary of State September 28, 2024.]

LEGISLATIVE COUNSEL'S DIGEST

SB 1240, Alvarado-Gil. Public Employees' Retirement System: contracting agencies: consolidation.

Existing law, the Public Employees' Retirement Law (PERL), establishes the Public Employees' Retirement System (PERS), which provides a defined benefit to members of the system based on final compensation, credited service, and age at retirement, subject to certain variations. PERL authorizes any public agency to make its employees members of PERS by contract. Under existing law, when a contracting agency is succeeded by another agency, the successor agency may become a contracting agency of PERS. Existing law provides that if the successor agency contracts with PERS, the contract of the former agency shall merge with the contract of the succeeding agency. Existing law authorizes specified successor agencies to provide employees the defined benefit plan or formula that those employees received from their respective contracting agency employer prior to the consolidation.

This bill would authorize a successor agency for the El Dorado County Fire Protection District and the Diamond Springs-El Dorado Fire Protection District to provide employees the defined benefit plan or formula that those employees received from their respective employer prior to the annexation.

This bill would make legislative findings and declarations as to the necessity of a special statute for the County of El Dorado.

This bill would declare that it is to take effect immediately as an urgency statute.

Vote: 2/3 Appropriation: no Fiscal Committee: yes Local Program: no

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

SECTION 1. Section 20508.3 is added to the Government Code, to read:

20508.3. A successor agency, pursuant to Section 20508, for the El Dorado County Fire Protection District and the Diamond Springs-El Dorado Fire Protection District may provide employees the defined benefit plan or formula that those employees received from their respective employer prior to the annexation.

SEC. 2. The Legislature finds and declares that a special statute is necessary and that a general statute cannot be made applicable within the meaning of Section 16 of Article IV of the California Constitution because of the unique need to consolidate

fire protection districts in the County of El Dorado to remove redundancies while continuing fire and emergency response services.

SEC. 3. This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the California Constitution and shall go into immediate effect. The facts constituting the necessity are:

In order to facilitate the consolidation of the El Dorado County Fire Protection District and the Diamond Springs-El Dorado Fire Protection District, which will lead to enhanced public safety and protection through efficient fire services, and to protect the benefits of those individuals risking their lives as firefighters, as soon as possible, it is necessary that this act take effect immediately.