

AMENDED IN ASSEMBLY MAY 2, 2002

CALIFORNIA LEGISLATURE—2001–02 REGULAR SESSION

ASSEMBLY BILL

No. 2063

Introduced by Assembly Member Reyes
(Coauthor: Senator Costa)

February 19, 2002

An act to add Sections ~~31664.21 and 31676.20~~ 31621.31, 31621.32, 31639.27, 31639.28, 31664.21, 31676.20, 31727.11, and 31727.21 to the Government Code, relating to county employees' retirement.

LEGISLATIVE COUNSEL'S DIGEST

AB 2063, as amended, Reyes. County employees' retirement: benefits.

Under the County Employees Retirement Law of 1937, service retirement benefits for safety members are based on a 2% at age 50 formula, and those benefits for nonsafety members are based on one of several specified formulas adopted by the county board of supervisors.

This bill would authorize the board of supervisors in Fresno County to adopt a 2.5% at age 50 formula for safety members and a 2.5% at age 55 formula for nonsafety members in that county, *to adopt corresponding contribution rates or to apply a single rate of contributions, and to establish nonservice-connected disability retirement allowances for those members, as specified.*

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 31621.31 is added to the Government*
2 *Code, to read:*

3 31621.31. (a) *In adopting Section 31676.20, the normal*
4 *rates of contribution, except for members covered by Article 6.8*
5 *(commencing with Section 31639) of this chapter, shall be rates*
6 *that provide an average annuity at age 55 years equal to the*
7 *fraction of one-one hundred sixtieth of the final compensation of*
8 *members not covered by Article 6.8, according to the tables*
9 *adopted by the board of supervisors, for each year of service*
10 *rendered after entering this system.*

11 (b) *This system may be made applicable in a county on the first*
12 *day of the month after the board of supervisors of the county*
13 *adopts, by majority vote, a resolution adopting this section.*

14 (c) *This section shall only apply to a county of the 12th class,*
15 *as provided by Sections 28020 and 28033.*

16 SEC. 2. *Section 31621.32 is added to the Government Code,*
17 *to read:*

18 31621.32. *Instead of the normal rates of contribution required*
19 *by Section 31621.31, the board of supervisors may, upon actuarial*
20 *advice, establish a single rate of contributions applicable to all*
21 *persons becoming members after this section is made operative in*
22 *that county by the board of supervisors. However, this rate shall be*
23 *established to provide the average annuity described in Section*
24 *31621.31.*

25 SEC. 3. *Section 31639.27 is added to the Government Code,*
26 *to read:*

27 31639.27. *The normal rates of contribution shall be rates that*
28 *will provide an average annuity at age 50 years equal to the*
29 *fraction of one-one hundred sixtieth of the final compensation of*
30 *safety members, according to the table adopted by the board of*
31 *supervisors, for each year of service rendered after entering the*
32 *system.*

33 SEC. 4. *Section 31639.28 is added to the Government Code,*
34 *to read:*

35 31639.28. *Instead of the normal rate of contribution required*
36 *by Section 31639.27, the board of supervisors may, upon actuarial*
37 *advice, establish a single rate of contribution applicable to all*
38 *persons becoming members after this section is made operative in*



1 that county by the board of supervisors. However, this rate shall be
2 established to provide the average annuity described in Section
3 31639.27.

4 SEC. 5. Section 31664.21 is added to the Government Code,
5 to read:

6 31664.21. (a) Notwithstanding any other provisions of this
7 chapter, the current service pension or the current service pension
8 combined with the prior service pension is an additional pension
9 for safety members purchased by the contributions of the county
10 or district sufficient when added to the service retirement annuity
11 to equal the fraction of one-fortieth of the member's final
12 compensation set forth opposite his or her age at retirement taken
13 to the preceding completed quarter year in the following table,
14 multiplied by the number of years of current service or years of
15 current and prior service with which the member is entitled to be
16 credited at retirement, but in no event shall the total retirement
17 allowance exceed the limitation of the safety member's final
18 compensation as set forth in Section 31676.1 as it now reads or
19 may hereafter be amended to read:

20	21	Age at Retirement	Fraction
22	41	.....	.6258
23	41 ¹ / ₄	.....	.6350
24	41 ¹ / ₂	.....	.6442
25	41 ³ / ₄	.....	.6533
26	42	.....	.6625
27	42 ¹ / ₄	.....	.6720
28	42 ¹ / ₂	.....	.6814
29	42 ³ / ₄	.....	.6909
30	43	.....	.7004
31	43 ¹ / ₄	.....	.7102
32	43 ¹ / ₂	.....	.7200
33	43 ³ / ₄	.....	.7299
34	44	.....	.7397
35	44 ¹ / ₄	.....	.7499
36	44 ¹ / ₂	.....	.7601
37	44 ³ / ₄	.....	.7703
38	45	.....	.7805
39	45 ¹ / ₄	.....	.7910
40	45 ¹ / ₂	.....	.8016



1	45 ³ / ₄ .....	.8021
2		.8121
3	46 .....	.8226
4	46 ¹ / ₄ .....	.8339
5	46 ¹ / ₂ .....	.8452
6	46 ³ / ₄ .....	.8586
7		.8565
8	47 .....	.8678
9	47 ¹ / ₄ .....	.8780
10	47 ¹ / ₂ .....	.8882
11	47 ³ / ₄ .....	.8983
12	48 .....	.9085
13	48 ¹ / ₄ .....	.9194
14	48 ¹ / ₂ .....	.9304
15	48 ³ / ₄ .....	.9413
16	49 .....	.9522
17	49 ¹ / ₄ .....	.9641
18	49 ¹ / ₂ .....	.9761
19	49 ³ / ₄ .....	.9880
20	50	1.0000
21	50 ¹ / ₄	1.0130
22	50 ¹ / ₂	1.0259
23	50 ³ / ₄	1.0387
24	51	1.0516
25	51 ¹ / ₄	1.0656
26	51 ¹ / ₂	1.0796
27	51 ³ / ₄	1.0937
28	52	1.1078
29	52 ¹ / ₄	1.1231
30	52 ¹ / ₂	1.1384
31	52 ³ / ₄	1.1538
32	53	1.1692
33	53 ¹ / ₄	1.1859
34	53 ¹ / ₂	1.2028
35	53 ³ / ₄	1.2195
36	54	1.2336
37	54 ¹ / ₄	1.2547
38	54 ¹ / ₂	1.2730



1	54 ³ / ₄	1.2915
2	55 and over	1.3099

3
 4 (b) The fractions herein set forth shall be used until adjusted by
 5 ~~each~~ *the* board for its retirement system in accordance with the
 6 interest and mortality tables adopted by ~~such~~ *the* board.

7 (c) Contributions ~~shall~~ *may* not be made by safety members
 8 having credit for 30 years of continuous service.

9 (d) This section shall apply to Fresno County only and ~~shall~~
 10 *may* not be operative in that county until the board of supervisors,
 11 by resolution, makes this section applicable.

12 ~~SEC. 2.~~

13 *SEC. 6.* Section 31676.20 is added to the Government Code,
 14 to read:

15 31676.20. (a) This section may be made applicable in any
 16 county on the first day of the month after the board of supervisors
 17 of the county adopts, by majority vote, a resolution providing that
 18 this section shall become applicable in the county.
 19 Notwithstanding any other provisions of this chapter, the current
 20 service pension or the current service pension combined with the
 21 prior service pension is an additional pension for members
 22 purchased by the contributions of the county or district sufficient,
 23 when added to the service retirement annuity, to equal the fraction
 24 of one-fortieth of the member's final compensation set forth
 25 opposite the member's age at retirement, taken to the preceding
 26 completed quarter year, in the following table multiplied by the
 27 number of years of current service or years of current and prior
 28 service with which the member is entitled to be credited at
 29 retirement, but in no event shall the total retirement allowance
 30 exceed the member's final compensation.

31	Age at Retirement	Fraction
32	50 .....	.7454
33	50 ¹ / ₄ .....	.7561
34	50 ¹ / ₂ .....	.7668
35	50 ³ / ₄ .....	.7775
36	51 .....	.7882
37	51 ¹ / ₄ .....	.7998
38	51 ¹ / ₂ .....	.8114
39	51 ³ / ₄ .....	.8230
40		



1	52	.....	.8346
2	52 ^{1/4}	.....	.8472
3	52 ^{1/2}	.....	.8598
4	52 ^{3/4}	.....	.8724
5	53	.....	.8850
6	53 ^{1/4}	.....	.8987
7	53 ^{1/2}	.....	.9125
8	53 ^{3/4}	.....	.9262
9	54	.....	.9399
10	54 ^{1/4}	.....	.9549
11	54 ^{1/2}	.....	.9699
12	54 ^{3/4}	.....	.9849
13	55	.....	1.0000
14	55 ^{1/4}	.....	1.0111
15	55 ^{1/2}	.....	1.0223
16	55 ^{3/4}	.....	1.0335
17	56	.....	1.0447
18	56 ^{1/4}	.....	1.0597
19	56 ^{1/2}	.....	1.0747
20	56 ^{3/4}	.....	1.0898
21	57	.....	1.1048
22	57 ^{1/4}	.....	1.1207
23	57 ^{1/2}	.....	1.1367
24	57 ^{3/4}	.....	1.1526
25	58	.....	1.1686
26	58 ^{1/4}	.....	1.1855
27	58 ^{1/2}	.....	1.2025
28	58 ^{3/4}	.....	1.2195
29	59	.....	1.2365
30	59 ^{1/4}	.....	1.2547
31	59 ^{1/2}	.....	1.2729
32	59 ^{3/4}	.....	1.2911
33	60 and over	.....	1.3093

34
35 (b) In any county operating under this section any limitations
36 in any provisions of this chapter upon the amount of compensation
37 used for computing rates of contributions shall be disregarded.

38 (c) Wherever in this chapter reference is made to survivorship
39 benefits and rights under Section 31676.1, the same shall apply to
40 this section.



1 (d) This section shall apply to Fresno County only and shall not
2 be operative in that county until the board of supervisors, by
3 resolution, makes this section applicable.

4 *SEC. 7. Section 31727.11 is added to the Government Code,*
5 *to read:*

6 *31727.11. In counties adopting Section 31676.20, upon*
7 *retirement for nonservice connected disability, a member who has*
8 *attained the age of 62 years shall receive a service retirement*
9 *allowance.*

10 *The nonservice connected disability retirement pension for a*
11 *member under the age of 62 years shall be an amount that, with the*
12 *portion of the member's annuity provided by his or her*
13 *accumulated normal contributions, will make his or her disability*
14 *retirement allowance equal to:*

15 *(a) Ninety percent of one-fortieth of his or her final*
16 *compensation multiplied by the number of years of service credited*
17 *to him or her, if either the member must rely upon service in another*
18 *retirement system in order to be eligible to retire, or the disability*
19 *retirement allowance exceeds one-third of his or her final*
20 *compensation.*

21 *(b) If the member is eligible to retire without relying upon*
22 *service in another retirement system and the disability retirement*
23 *allowance computed under subdivision (a) does not exceed*
24 *one-third of his or her final compensation, 90 percent of*
25 *one-fortieth of his or her final compensation multiplied by the*
26 *number of years of service which would be creditable to him or her*
27 *if his or her service continued until the age of 62 years, but in that*
28 *case the retirement allowance may not exceed one-third of his or*
29 *her final compensation.*

30 *SEC. 8. Section 31727.21 is added to the Government Code,*
31 *to read:*

32 *31727.21. In counties adopting Section 31664.21, the*
33 *nonservice connected disability retirement pension for a safety*
34 *member shall be an amount that with the portion of his or her*
35 *annuity provided by his or her accumulated normal contributions*
36 *will make his or her disability retirement allowance equal to:*

37 *(a) Ninety percent of one-fortieth of his or her final*
38 *compensation multiplied by the number of years of service credited*
39 *to him or her, if either the member must rely upon service in another*
40 *retirement system in order to be eligible to retire, or the disability*



1 *retirement allowance exceeds one-third of his or her final*
2 *compensation.*

3 *(b) If the member is eligible to retire without relying upon*
4 *service in another retirement system and the disability retirement*
5 *allowance computed under subdivision (a) does not exceed*
6 *one-third of his or her final compensation, 90 percent of*
7 *one-fortieth of his or her final compensation multiplied by the*
8 *number of years of service which would be creditable to him or her*
9 *if his or her service continued until the age of 55 years, but in that*
10 *case the retirement allowance may not exceed one-third of his or*
11 *her final compensation.*

