

**Introduced by Senator Burton**

January 25, 2001

An act to amend Section 20028 of the Government Code, relating to public employees' retirement.

LEGISLATIVE COUNSEL'S DIGEST

SB 128, as introduced, Burton. Public employees' retirement: employees.

Existing law, the Public Employees' Retirement Law, defines "employee" for purposes of determining eligibility for membership in, and benefits under, the Public Employees' Retirement System.

This bill would make a technical, nonsubstantive change to that definition.

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 20028 of the Government Code is  
2 amended to read:  
3 20028. "Employee" means:  
4 (a) Any person in the employ of the state ~~(etc, as in stats)~~, a  
5 county superintendent of schools, or the university whose  
6 compensation, or at least that portion of his or her compensation  
7 that is provided by the state, a county superintendent of schools,  
8 or the university, is paid out of funds directly controlled by the  
9 state, a county superintendent of schools, or the university,  
10 excluding all other political subdivisions, municipal, public and  
11 quasi-public corporations. "Funds directly controlled by the



1 state” includes funds deposited in and disbursed from the State  
2 Treasury in payment of compensation, regardless of their source.

3 (b) Any person in the employ of any contracting agency.

4 (c) City employees who prior to the effective date of the  
5 contract with the hospital are assigned to a hospital that became a  
6 contracting agency because of subdivision (p) of Section 20057  
7 shall be deemed hospital employees from and after the effective  
8 date of the contract with the hospital for retirement purposes. City  
9 employees who after the effective date of the contract with the  
10 hospital become employed by the hospital, shall be considered as  
11 new employees of the hospital for retirement purposes.

12 (d) Any person in the employ of a school employer.

13 (e) Public health department or district employees who were  
14 employees prior to the date of assumption of the contract by the  
15 governing body of a county of the 15th class shall be deemed  
16 public health department or district employees from and after the  
17 effective date of assumption of the contract for retirement  
18 purposes. Employees who after the effective date of assumption of  
19 the contract become employed by the public health department or  
20 district shall be considered as new employees for retirement  
21 purposes.

