

**Introduced by Senator Walters**

February 21, 2014

An act to amend Section 20300 of the Government Code, relating to public employees' retirement.

LEGISLATIVE COUNSEL'S DIGEST

SB 1423, as introduced, Walters. Public Employees' Retirement System.

The Public Employees' Retirement Law (PERL) prescribes a comprehensive set of rights and duties for members of the Public Employees' Retirement System (PERS) and provides those members with a defined benefit based upon age, service credit, and final compensation. PERL excludes certain persons from membership in PERS.

This bill would make nonsubstantive changes in the provisions excluding certain persons from membership in PERS.

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 20300 of the Government Code is
- 2 amended to read:
- 3 20300. The following persons are excluded from membership
- 4 in this system:
- 5 (a) Inmates of state or public agency institutions who are allowed
- 6 compensation for the service they are able to perform.
- 7 (b) Independent contractors who are not employees.

1 (c) Persons employed as student assistants in the state colleges  
2 and persons employed as student aides in the special schools of  
3 the State Department of Education and in the public schools of the  
4 state.

5 (d) Persons employed as teacher assistants pursuant to Section  
6 44926 of the Education Code.

7 (e) Participants, other than staff officers and employees, in the  
8 California Conservation Corps.

9 (f) Persons employed as participants in a program of, and whose  
10 wages are paid in whole or in part by, federal funds in accordance  
11 with, Section 1501 et seq. of Title 29 of the United States Code.  
12 This subdivision does not apply with respect to persons employed  
13 in job classes that provide eligibility for patrol or safety  
14 membership or to the career staff employees of an employer.

15 (g) All persons who are members in ~~any~~ a teachers' retirement  
16 system, as to the service in which they are members of ~~any~~ a  
17 teachers' retirement system.

18 (h) Except as otherwise provided in this part, persons rendering  
19 professional legal services to a city, other than the person holding  
20 the office of city attorney, the office of assistant city attorney, or  
21 an established position of deputy city attorney.

22 (i) A person serving the university as a teacher in university  
23 extension, whose compensation for that service is established on  
24 the basis of class enrollment, either actual or estimated, with respect  
25 to that service.

26 (j) A person serving a California State University as a teacher  
27 in extension service, whose compensation for that service is  
28 established on the basis of class enrollment, either actual or  
29 estimated, with respect to that service.

30 (k) A teacher or academic employee of the university or ~~any~~ a  
31 California State University who is otherwise fully employed and  
32 who serves as a teacher or in an academic capacity in any summer  
33 session or intersession, for which he or she receives compensation  
34 specifically attributable to that service in summer session or  
35 intersession, with respect to that service.

36 (l) A person who is employed under the California Senate  
37 Fellows, the Assembly Fellowship, the Judicial Administration  
38 Fellowship, or the Executive Fellowship programs.

- 1 (m) Board members of the State Compensation Insurance Fund,
- 2 including those appointed by the Governor.

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