

AMENDED IN SENATE APRIL 15, 1999

AMENDED IN SENATE APRIL 5, 1999

SENATE BILL

No. 833

Introduced by Senators Ortiz and Speier
~~(Coauthor: Assembly Member Torlakson)~~
(Coauthors: Senators Baca and Karnette)
(Coauthors: Assembly Members Alquist and Torlakson)

February 25, 1999

An act to add Sections 24203.7 and 24209.5 to the Education Code, relating to the State Teachers' Retirement System.

LEGISLATIVE COUNSEL'S DIGEST

SB 833, as amended, Ortiz. State Teachers' Retirement System: benefits.

The State Teachers' Retirement Law prescribes the method of determining the retirement benefits of members who reinstate and are eligible to receive multiple service or disability allowances. ~~Existing law exempts retired members who are reemployed by districts to meet the objectives of the Class Size Reduction Program from compensation limitation provisions.~~

This bill would prescribe the method of determining the benefits of those members with service after January 1, 1999, whose credited service equals or exceeds 30 years.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 24203.7 is added to the
2 Education Code, to read:

3 24203.7. A member who retired for service with an
4 effective date for which the first allowance was payable
5 on or after January 1, 1998, but with an effective date prior
6 to January 1, 1999, shall, effective July 1, 1999, have the
7 allowance increased to the level that would have been
8 received if Section 22717, as amended by Chapter 1006,
9 Statutes of 1998, and Sections 24202.5 and 24203.5 had
10 been in effect on the effective date of retirement.

11 SEC. 2. Section 24209.5 is added to the Education
12 Code, to read:

13 24209.5. (a) Notwithstanding Section 24209, a
14 member who (1) retires for service on or after January 1,
15 1999, (2) had retired for service prior to January 1, ~~1999~~
16 1998, subsequently reinstated to active status and earned
17 at least one year of credited service after reinstating to
18 active status, (3) and had earned a total amount of
19 credited service, other than pursuant to Sections 22714,
20 22715, 22717, and 22826, equal to or greater than 30 years,
21 shall receive a service retirement allowance equal to the
22 sum of both of the following:

23 (1) An amount equal to the monthly allowance the
24 member would have been receiving immediately
25 preceding the most recent termination of the retirement
26 allowance if Section 24203.5 had been in effect on the
27 effective date of the retirement and, for purposes of
28 Section 24203.5 only, the member had 30 or more years of
29 credited service on the effective date of the retirement,
30 and inclusive of any amounts payable pursuant to Section
31 22714 or 22715, increased by the improvement factor that
32 would have been applied to the allowance if the member
33 had not terminated the retirement allowance.

34 (2) An amount calculated pursuant to Sections
35 24202.5, 24203, 24203.5, and 24206 on service credited
36 subsequent to the most recent termination of the
37 retirement allowance, the member's age at retirement,
38 and final compensation.



1 (b) The total amount of credited service accrued
2 while a member, other than that accrued pursuant to
3 Sections 22714, 22715, 22717, and 22826, shall be used to
4 determine whether the member meets the credited
5 service requirements of Section 24203.5 for purposes of
6 this section.

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