

**Legislative Report  
September 2022**

**The current Legislative Session ended on August 31, 2022.**

**Any bill shown as dead in the last report has been deleted**

**AB 826 (Irwin)** seeks to include a flexible credit allowance provided under a cafeteria plan, and which includes in-kind benefits, in compensation earnable for legacy employees, subject to meeting certain criteria. The bill applies only to Ventura County. **After having been in “inactive” status since September 9, 2021, It was removed from the inactive file on August 3 and amended to apply only to Legacy employees who have retired or retire between July 30, 2020 and December 31, 2025. The bill passed out of the Sen on August 20 (60-13) and was referred to the Asm PE & R Comm. It passed out of that committee on August 31 (6-0) and the Asm concurred in the Sen amendments on the same date (64-10). The bill is now on the Governor’s desk.**

**AB 1667 (Cooper)** initially stated the intent of the Legislature to enact legislation related to the State Teachers’ Retirement System, including, among other things, in connection with employer liability for system errors in payments, guidance provided by the system later determined to be erroneous, changes to interpretations of creditable compensation laws by the system, and system audits. It was amended on March 24 to include provisions consistent with the stated intent. **The bill passed out of the Sen Appr. Comm. on August 11 (7-0) and was amended on the Sen floor on August 25. It passed out of the Sen on August 29 (38-0) and the Asm concurred in the Sen amendments on August 30 (79-0). The bill is now on the Governor’s desk.**

**AB 1722 (Cooper)** would delete the termination provision in the PERL providing that a state safety member of PERS who retires for industrial disability receive a retirement benefit equal to the greatest amount resulting from 3 possible calculations thereby making them operative in perpetuity. **The bill passed out of Sen Appr. Comm. on August 11 (7-0) and out of the Sen on August 23 (39-0). It is now on the Governor’s desk.**

**AB 1824 (Asm PE & R Comm.)** is the annual technical clean-up bill for all public Retirement systems established by state law. It includes a number of amendments to CERL recommended by SACRS. **It was amended by the author on August 1 and ordered to Consent on August 8. The bill passed out of the Sen on August 11 (37-0). The Asm concurred in the Sen amendments on August 18 (77-0). The Governor signed it on September 2 and is now Chapter 231, Stats. of 2022.**

**AB 1971 (Cooper)** is a SACRS sponsored bill containing a number of CERL amendments considered to be more than technical amendments. It was amended on April 18 to delete sections 1, 6, and 8 of the bill which applied to Board of Supervisors approval of regulations adopted by a retirement board, how to handle a retiree who received a disability retirement but was later found to be no longer incapacitated, and to

prevent a retiree who retires from more than one public retirement system from receiving a disability allowance greater than the amount the retiree would have received had all the retiree's service been with only one entity. It was amended on June 30 in the Sen L, PE & R Comm, and passed out on the same date (5-0). The amendment revised the provision allowing a retiree to serve if elected or appointed to a part-time board or commission operating under a participating agency of the same county retirement system by changing the allowable compensation from \$60K to the amount of any per diem that is authorized to be paid to all members of the board or commission. **The bill passed out of the Sen on August 8 (36-0) and the Asm concurred in the Sen amendments on August 22 (68-0). It is now on the Governor's desk.**

**AB 2443 (Cooley) initially** prescribed the method by which benefits are to be reduced when federal law requires aggregation of benefits from different state plans administered by CalPERS and federal limits on benefits are reached. **It was gutted and amended on June 22 in the Sen to apply to Judges' healthcare benefits and Judges' retirement. It underwent a number of refining amendments thereafter. The bill passed out of the Sen on August 30 (40-0) and the Asm concurred in the Sen amendments on August 31 (78-0). The bill is now on the Governor's desk.**

**AB 2449 (B. Rubio)** is similar to AB 1944 and would authorize a local agency to use teleconferencing if at least a quorum of the members of the legislative body participates in person from multiple locations clearly identified on the agenda that is open to the public and situated within the local agency's jurisdiction. The bill would impose prescribed requirements relating to notice, agendas, the means and manner of access, and procedures for dealing with disruptions preventing broadcasting the meeting. The bill would also require the legislative body to implement a procedure for receiving and swiftly resolving requests for reasonable accommodation for individuals with disabilities, consistent with federal law. **As you may recall, I thought it was interesting that this non-fiscal bill was sent to the Sen Appr Comm. It was withdrawn from that committee on August 1 and amended on August 8. The bill passed out of the Sen on August 24 (36-3) and the Asm concurred in the Sen amendments on August 25 (67-2). It is now on the Governor's desk.**

**AB 2493 (Chen) was amended on August 17 and passed out of the Sen on August 31 (40-0). It was never brought up in the Asm for concurrence in the Sen amendments, so it is dead.**

**SB 868 (Cortese)** would prescribe additional benefits to be paid quarterly from the CalSTRS Supplemental Benefit Maintenance Account, beginning July 1, 2023, for the purpose of restoring the purchasing power of the allowances of retired members and nonmember spouses, disabled members, and beneficiaries. **It passed out of the Asm Appr Comm. on August 11 (13-1) and out of the Asm on August 18 (62-2). It is now on the Governor's desk.**

**SB 1168 (Cortese)** would require the PERS board to determine the average benefit paid to a beneficiary under various PERS provisions upon the death of a member, and would

require the board, beginning on July 1, 2023, to increase the beneficiary payment annually in a specified amount until the beneficiary payment reaches the average benefit paid, as calculated by the board. **It passed out the Asm Appr Comm. on August 3 (15-0) and out of Asm on August 11 (76-0). The bill was signed by the Governor on August 26 and is now Chapter 193, Stats. of 2022.**

**My next report will be after September 30, the deadline for the Governor sign, veto, or allow a bill to become law without signature.**