



California Public Employees' Retirement System
External Affairs Branch • Office of Public Affairs
400 Q Street, Sacramento, CA 95811
(916) 795-3991 phone • (916) 795-3507 fax
www.calpers.ca.gov

FACTS AT A GLANCE: LEGISLATION

MAY 2011

Facts at a Glance is a monthly compilation of information of interest to Board Members, staff, and the general public. Information is current as of May 2, 2011, unless otherwise noted. Every effort has been made to verify the accuracy of the information, which is intended for general use only. Please direct any general questions and comments to the Public Affairs Office at (916) 795-3991, and questions regarding legislation to the Office of Governmental Affairs at (916) 795-3689.

SECTION A — SPONSORED BILLS

BILL N^o/VERSION: AB 782 I-02/17/2011

AUTHOR: Brownley

POSITION: Sponsor

STATUS: 04/14/2011 — Senate Rules Committee

SUMMARY: **Recovery of Additional Audit Expenses.** Would allow, but not require, CalPERS to recover its additional administrative expenses when the time necessary to complete an employer audit exceeds estimates provided to the employer.

BILL N^o/VERSION: AB 1028 I-02/18/2011

AUTHOR: Assembly Public Employees, Retirement and Social Security Committee

POSITION: Sponsor

STATUS: 04/14/2011 — Senate Rules Committee

SUMMARY: **CalPERS 2011 Omnibus Bill.** Would make minor policy and technical changes to the Public Employees' Retirement Law (PERL).

BILL N^o/VERSION: AB 1042 A-03/31/2011

AUTHOR: Allen

POSITION: Sponsor

STATUS: 04/13/2011—Assembly Appropriations Committee

SUMMARY: **Compensation of Key Employees.** Would add chief financial officer to the list of key positions under which the Board has authority to set compensation and terms and conditions of employment, including performance standards, and are subject to more stringent conflict of interest provisions.

BILL N^o/VERSION: SB 350 I-02/15/2011

AUTHOR: Negrete McLeod

POSITION: Sponsor

STATUS: 04/11/2011—Senate Appropriations Committee; suspense file.

SUMMARY: **1959 Survivor Benefit-Public Agency Pools.** Would merge the members and assets in the 1st, 2nd and 3rd levels of the 1959 Survivor Benefit Program for Public Agencies into a single pool paying the 3rd level benefit. In addition, the \$2.00 required monthly employee premium would be waived as long as the pool has surplus assets in excess of 200 percent of the total liabilities of the pool.

SECTION B — OTHER BILLS

BILL N^o/VERSION: AB 7 I-12/06/2010

AUTHOR: Portantino

POSITION: Oppose, unless amended

STATUS: 04/13/2011 — Assembly Appropriations Committee; suspense file.

SUMMARY: **State Employees: Executive Salary Freeze.** Prohibits State employees whose base salaries are greater than \$150,000 per year from receiving a salary increase while employed in the same position or classification. The bill would exempt persons whose compensation is governed by an operative memorandum of understanding, who have been exempted by executive order of the Governor or whose salaries are set pursuant to the California Constitution. This prohibition would remain in effect until January 1, 2014.

BILL N^o/VERSION: AB 17 I-12/06/2010

AUTHOR: Davis

POSITION:

STATUS: 04/29/2011 — Assembly Appropriations Committee

SUMMARY: **Emerging Investment Managers and Brokerage Firms.** Requires the CalPERS Board of Administration to annually report to the Legislature on the ethnicity and gender of its external investment managers and external firms that provide brokerage services. It would also require the Board to develop and include in the report plans and strategies to increase the participation of emerging investment managers and emerging brokerage firms, as defined.

BILL N^o/VERSION: AB 36 C-04/07/2011

AUTHOR: Perea

POSITION: Support

STATUS: 04/07/2011—Chaptered by the Secretary of State, Chapter No. 17, Statutes of 2011

SUMMARY: **State Tax Conformity for Dependent Care Coverage up to Age 26.** This bill conforms to federal tax law by excluding from an employee’s gross income for State personal income tax purposes, the value of employer-provided health coverage for a child who, at the end of the taxable year, has not attained age 27. It also allows parents to exclude from their gross income, any reimbursements for medical expenses made under a flexible spending arrangement. If enacted, this tax measure would take effect immediately.

BILL N^o/VERSION: AB 52 A-03/25/2011

AUTHOR: Feuer

POSITION:

STATUS: 04/26/2011—Assembly Appropriations Committee

SUMMARY: **Health Care Coverage: Unreasonable Increases.** This bill provides the Department of Managed Health Care (DMHC) and the Department of Insurance (CDI) with regulatory authority to approve, deny or modify excessive rate changes requests by health plans and insurers. It requires plans and insurers to submit explanatory information, allows the departments to hold public hearings and receive public comment on proposed rate changes. The bill also prohibits insurers from proposing rate changes on any product more than once a year.

BILL N^o/VERSION: AB 72 A-04/04/2011

AUTHOR: Eng

POSITION:

STATUS: 04/26/2011 — Assembly Health Committee

SUMMARY: **Health Care Coverage: Acupuncture.** This bill would require every health care service plan, except a plan that enters exclusively into contracts that accident-only, specified disease, hospital indemnity, Medicare supplement, or specialized health care service plan contracts, and every disability insurer issuing policies on a groupwide basis, to cover provide acupuncture services.

BILL N^o/VERSION: AB 89 A-04/14/2011

AUTHOR: Hill

POSITION: Support, if amended

STATUS: 04/25/2011 — Assembly Public Employees, Retirement and Social Security Committee

SUMMARY: **Retirement Calculation Compensation Limit.** Would require all public retirement systems in California to adhere to the federal compensation limit under Internal Revenue Code, Section 401(a)(17) when calculating retirement benefits for members who first join the retirement system on or after January 1, 2012 and prohibit a public employer from making contributions to any qualified public retirement plan based on any portion of compensation that exceeds that amount.

BILL N^o/VERSION: AB 92 A-02/28/2011

AUTHOR: Blumenfield

POSITION:

STATUS: 03/01/2011 — Assembly Budget Committee

SUMMARY: **2011-12 Budget Act.** Makes appropriations for support of State government for the 2011-12 fiscal year. As a budget bill, it would take effect immediately.

BILL N^o/VERSION: AB 102 A-03/14/2011

AUTHOR: Assembly Budget Committee

POSITION:

STATUS: 03/16/2011—Senate Third Reading

SUMMARY: **Budget Trailer Bill: Administration of Justice.** Grandfathers certain employees of the Office of the Inspector General of the California Department of Corrections and Rehabilitation as PO/FF members.

BILL N^o/VERSION: AB 104 A-03/14/2011

AUTHOR: Assembly Budget Committee

POSITION:

STATUS: 03/16/2011—Senate Third Reading

SUMMARY: **Budget Trailer Bill: State Government.** Requires the Board to negotiate with health benefit carriers to add a Core Health Plan Option to its existing portfolio of health plans, and/or implement measures to achieve ongoing cost savings beginning in the 2012-13 fiscal year.

BILL N^o/VERSION: AB 154 A-03/24/2011

AUTHOR: Beall

POSITION:

STATUS: 04/13/2011—Assembly Appropriations Committee; suspense file.

SUMMARY: **Health Care Coverage: Mental Health Services.** Would expand coverage for certain health plans and health insurance policies which are issued, amended, or renewed on or after January 1, 2012, to include the diagnosis and treatment of mental illness as defined in the "Diagnostic and Statistical Manual of Mental Disorders IV" (including substance abuse but excluding nicotine dependence and other specified diagnoses). This requirement would not apply to CalPERS health plans, contracts, or health insurance policies unless the Board elects to purchase a plan/contract/policy providing mental health coverage.

BILL N^o/VERSION:	AB 171 A-04/06/2011
AUTHOR:	Beall
POSITION:	
STATUS:	04/26/2011—Assembly Appropriations Committee
SUMMARY:	Health Care Coverage: Autism Spectrum Disorder. Requires health care service plan contracts and health insurance policies to provide coverage for the screening, diagnosis, and treatment of autism spectrum disorder.

BILL N^o/VERSION:	AB 344 A-04/25/2011
AUTHOR:	Furutani
POSITION:	Support
STATUS:	04/26/2011—Assembly Public Employees, Retirement and Social Security Committee
SUMMARY:	Final Compensation and Post Retirement Employment. Would prohibit exceptions for members and school members not in a group or class that allow recognition of increases in compensation earnable beyond increases reported for all employees in the same membership classification and also prohibit a retired annuitant from serving on a temporary or emergency basis without reinstatement beyond the 960 hour per year limit.

BILL N^o/VERSION:	AB 369 I-02/14/2011
AUTHOR:	Huffman
POSITION:	
STATUS:	04/27/2011—Assembly Appropriations Committee
SUMMARY:	Health Care Coverage: Prescription Drugs. This bill would impose specified requirements on health care service plans or health insurers that restrict medications for the treatment of pain pursuant to step therapy or fail first protocol. The bill would authorize the duration of any step therapy or fail first protocol to be determined by the prescribing physician and would prohibit a health care service plan or health insurer from requiring that a patient try and fail on more than two pain medications before allowing the patient access to other pain medication prescribed by the physician, as specified.

BILL N°/VERSION: AB 428 A-04/27/2011

AUTHOR: Portantino

POSITION:

STATUS: 04/28/2011— Assembly Health Committee

SUMMARY: **Health Care Coverage: Fertility Preservation.** Would require a health insurance companies to provide fertility preservation coverage for patients undergoing treatments known to cause infertility.

BILL N°/VERSION: AB 617 I-02/16/2011

AUTHOR: Davis

POSITION:

STATUS: 03/03/2011— Assembly Public Employees, Retirement and Social Security Committee

SUMMARY: **Retired School Member Death Benefits.** Would increase the retired school member lump sum death benefit from \$2,000 to \$6,163.

BILL N°/VERSION: AB 738 I-02/17/2011

AUTHOR: Hagman

POSITION:

STATUS: 03/07/2011— Assembly Public Employees, Retirement and Social Security Committee

SUMMARY: **Pension Ban for Elected Officials.** Would prohibit a person who is elected to public office, on or after January 1, 2012, from becoming a member of a retirement system by virtue of that service or acquiring any retirement right or benefit for serving in that elective office. This prohibition would not apply to an elected official who obtained membership by virtue of holding office prior to January 2012, and remains in, or is reelected to that office.

BILL N^o/VERSION: AB 769 I-02/17/2011

AUTHOR: Hueso

POSITION:

STATUS: 03/07/2011— Assembly Public Employees, Retirement and Social Security Committee

SUMMARY: **Pension Ban for Appointed State Board and Commission Members.** Among other things, would prohibit a person who is appointed to any State board or commission, on or after January 1, 2012, from becoming a member of CalPERS or CalSTRS, earning service credit by virtue of that service, or acquiring any other retirement right or benefit for serving on that State board or commission. This prohibition would not apply to a State board or commission member that obtained membership in CalPERS or CalSTRS by virtue of their service prior to January 2012, and remains in, or is reappointed to that position.

BILL N^o/VERSION: AB 870 A-03/31/2011

AUTHOR: Grove

POSITION:

STATUS: 04/04/2011— Assembly Public Employees, Retirement and Social Security Committee

SUMMARY: **Hybrid Retirement Plans for New CalPERS Members.** Would require CalPERS to establish a hybrid retirement plan for public employees who become members on or after January 1, 2012. The hybrid plan would be required to provide a defined contribution plan and defined benefit plan for retirement for service and a defined benefit for retirement for disability or death. The bill would also prohibit those plans from creating a vested property right for the member with respect to any employer contributions before retirement.

BILL N^o/VERSION: AB 873 A-04/14/2011

AUTHOR: Furutani

POSITION: Support, if amended

STATUS: 04/26/2011 — Assembly Elections and Redistricting Committee

SUMMARY: **Post-Separation Employment for State Retirement System Board and Staff.** Prohibits CalPERS and CalSTRS Board Members and executive employees from representing another entity before CalPERS or CalSTRS to influence specified actions for a period of four years after leaving service. The bill would also prohibit those individuals from assisting a business entity, for a period of two years after leaving service, to perform, implement, or execute a contract if the individuals participated in awarding, negotiating, or administering a contract of greater than \$10 million with that business entity within two years prior to leaving service. In addition, the bill would prohibit those individuals from accepting compensation for providing services as a placement agent, for a period of ten years after leaving service.

BILL N^o/VERSION: AB 875 A-03/31/2011

AUTHOR: Donnelly

POSITION:

STATUS: 04/04/2011 — Assembly Public Employees, Retirement and Social Security Committee

SUMMARY: **Final Compensation.** Would prohibit public employees first hired on and after January 1, 2012, from using credit for accrued leave or overtime for purposes of determining final compensation.

BILL N^o/VERSION: AB 933 A-04/07/2011

AUTHOR: Allen

POSITION:

STATUS: 04/11/2011— Assembly Public Employees, Retirement and Social Security Committee

SUMMARY: **State Safety Member Classification.** This bill would extend increased industrial death or disability benefits to State miscellaneous members employed by a State hospital, if the member's death or disability resulted from an injury on or after January 1, 2012, and was a direct consequence of a violent act perpetrated on his or her person by a patient or client of a State hospital where more than 50 percent of the patients or clients have been committed by a court if at the time of injury, and other specified conditions are met.

BILL N^o/VERSION: AB 1151 A-04/14/2011

AUTHOR: Feuer

POSITION:

STATUS: 04/26/2011— Assembly Public Employees, Retirement and Social Security Committee

SUMMARY: **Fiduciary Determinations for Iran Divestment.** Imposes additional procedural requirements if either CalPERS or CalSTRS invokes fiduciary responsibilities (described in Section 17 of Article XVI of the California Constitution) as the reason to continue investments in companies with specified dealings in Iran's energy sector. These new requirements include adopting findings that demonstrate how divestment disadvantages Fund beneficiaries, indicating that any feasible investment alternatives would yield a lower rate of return with commensurate degrees of risk, or create a higher degree of risk with commensurate rates of return.

BILL N°/VERSION: AB 1184 A-04/25/2011

AUTHOR: Gatto

POSITION:

STATUS: 04/25/2011— Assembly Public Employees, Retirement and Social Security Committee

SUMMARY: **Contracting Agency Liability for Excessive Compensation and Closure of the Replacement Benefits Plan for New Employees.** Would require the contracting agency from which a non-represented CalPERS member retires, or otherwise has his or her final compensation calculated, to pay that portion of the liability for creditable service performed for a prior contracting agency that exceeds 115 percent of the last salary paid by that agency, as adjusted for actuarially assumed salary increases. It would also close the CalPERS Replacement Benefit Plan and prohibit contracting agencies from establishing their own plans for individuals that first become CalPERS members on or after January 1, 2013.

BILL N°/VERSION: AB 1247 A-04/25/2011

AUTHOR: Fletcher

POSITION:

STATUS: 04/26/2011— Assembly Public Employees, Retirement and Social Security Committee

SUMMARY: **Public Employee Retirement Systems: Financial and Investment Reporting Requirements.** This bill would require the Board of Administration of CalPERS to submit an annual report describing the investment return assumptions, discount rates, and amortization periods used to calculate contribution rates and revise the adjustments of the investment return assumptions and discount rates utilized by the Board any time it calculates the contribution rates. Specifically, the report must include a calculation of the contribution rates utilizing an investment return assumption of two percentage points above and two percentage points below the investment return assumption utilized by the Board. The bill would delete the requirement that the Treasurer express his or her opinion of the reasonableness of the Board's calculation of the contribution rates. It also deletes the requirement of the Board to provide the Legislature with a revised calculation of the forecasted contribution rates utilizing a specified investment rate assumption.

BILL N^o/VERSION: AB 1255 A-04/26/2011

AUTHOR: Perez, V. Manuel

POSITION:

STATUS: 04/27/2011— Assembly Appropriations Committee

SUMMARY: **Investments: Corporate Board Candidate Registry Information.** This bill requires the Secretary of State to post, on the next regular Internet website update after January 1, 2012, a link to the Internet Web pages of the California Public Employees' Retirement System, the California State Teachers' Retirement System, or both, that provide information on registries of potential qualified corporate board candidates.

BILL N^o/VERSION: AB 1320 I-02/18/2011

AUTHOR: Allen

POSITION:

STATUS: 03/21/2011— Assembly Public Employees, Retirement and Social Security Committee

SUMMARY: **Retirement System Employer Risk Prevention Accounts.** Among other things, it would establish a Taxpayer Adverse Risk Prevention Account for each CalPERS employer, whose assets would be invested with other CalPERS assets, and be available to pay employer retirement contributions that exceed the normal cost of benefits, or, for other specified transfers. Employer contributions to such accounts would be required when the employer contribution rate is less than the normal cost of benefits, and would cease when account assets exceeds 50 percent of the employer's other assets for retirement benefits. This bill also establishes similar accounts for public employers that participate in 1937 Act County Retirement Systems.

BILL N°/VERSION: AB 1379 A-03/14/2011

AUTHOR: Bradford

POSITION:

STATUS: 04/13/2011—Assembly Appropriations Committee

SUMMARY: **Reports on California and Emerging Domestic Market Investments.** This bill requests, but does not require, State and local pension systems with assets over \$4 billion to report to the State Controller on their California and emerging domestic market investments, and include estimates of the number of jobs created and retained as a result of their investment activity. It also expresses legislative intent that retirement systems with sufficiently diversified portfolios, consistent with their plenary authority and their fiduciary responsibilities, adopt emerging domestic market investment policies. The bill requires the State Controller to develop, in consultation with the affected funds, streamlined and cost-effective methods for identifying investments within their portfolios that meet the definitions of California investment and emerging domestic market investments by June 1, 2012, to be updated at least every 5 years.

BILL N°/VERSION: ABX1 1 I-12/06/2010

AUTHOR: Portantino

POSITION:

STATUS: 12/07/2010—From printer.

SUMMARY: **State Employees: Executive Salary Freeze.** Would prohibit State employees whose base salaries are greater than \$150,000 per year from receiving a salary increase while employed in the same position or classification. The bill would exempt persons whose compensation is governed by an operative memorandum of understanding, who have been exempted by executive order of the Governor or whose salaries are set pursuant to the California Constitution. This prohibition would remain in effect until January 1, 2014.

BILL N^o/VERSION: SB 27 A-03/03/2011

AUTHOR: Simitian

POSITION: Support, with suggested amendments

STATUS: 04/11/2011—Senate Appropriations Committee; suspense file.

SUMMARY: **Pension Spiking and Return to Work Limits.** Among other things, would provide, effective July 1, 2012, that any change in salary, compensation, or remuneration principally for the purpose of enhancing the benefits of a CalPERS or CalSTRS member would not be included in the calculation of the member's final compensation for purposes of determining their defined benefit. It would also prohibit any CalPERS or CalSTRS member that retires on or after January 1, 2013 from performing services for any employer covered by their retirement system until the member has been separated from service for at least 180 days.

BILL N^o/VERSION: SB 68 A-02/28/2011

AUTHOR: Leno

POSITION:

STATUS: 02/28/2011—Senate Budget and Fiscal Review Committee

SUMMARY: **2011-2012 Budget Act.** Makes appropriations for support of State government for the 2011-2012 fiscal year. As a budget bill, it would take effect immediately.

BILL N^o/VERSION: SB 69 E-03/18/2011

AUTHOR: Leno

POSITION:

STATUS: 03/18/2011—Enrolled text released.

SUMMARY: **2011-2012 Budget Act.** Makes appropriations for support of State government for the 2011-2012 fiscal year. As a budget bill, it would take effect immediately.

BILL N^o/VERSION: SB 78 C-03/24/2011

AUTHOR: Senate Budget and Fiscal Review Committee

POSITION:

STATUS: 03/24/2011—Chaptered by the Secretary of State, Chapter No. 10, Statutes of 2011

SUMMARY: **Budget Trailer Bill: Administration of Justice.** Grandfathers certain employees of the Office of the Inspector General of the California Department of Corrections and Rehabilitation as PO/FF members.

BILL N^o/VERSION: SB 80 C-03/24/2011

AUTHOR: Senate Budget and Fiscal Review Committee

POSITION:

STATUS: 03/24/2011—Chaptered by the Secretary of State, Chapter No. 11, Statutes of 2011

SUMMARY: **Budget Trailer Bill: State Government.** Requires the Board to negotiate with health benefit carriers to add a Core Health Plan Option to its existing portfolio of health plans, and/or implement measures to achieve ongoing cost savings beginning in the 2012-13 fiscal year.

BILL N^o/VERSION: SB 115 A-04/13/2011

AUTHOR: Strickland

POSITION:

STATUS: 04/13/2011—Senate Public Employment and Retirement Committee

SUMMARY: **Public Employee Retirement Benefit Forfeiture.** Would require a public officer or employee who is convicted of any felony for conduct arising directly out of his or her official duties on or after January 1, 2012 to forfeit all rights and benefits under any public retirement system in which he or she is a member, effective on the date of conviction. Forfeiture would be limited to only that portion of a public employees' rights and benefits that accrued on or after January 1, 2012.

BILL N^o/VERSION: SB 151 A-04/14/2011

AUTHOR: Correa

POSITION:

STATUS: 04/26/2011—To Assembly.

SUMMARY: **State Employees: Memoranda of Understanding.** This bill would approve memoranda of understanding (MOU) between the State and Bargaining Units 2, 6, 7, 9, 10, and 13, and would approve addenda to memoranda of understanding between the State and Bargaining Units 1, 3, 4, 11, 12, 14, 15, 16, 17, 18, 19, 20, and 21. Among other things, it would increase the contribution rates by five percent for State miscellaneous, State industrial, or State safety members who are represented by State Bargaining Unit 13, by three percent for State miscellaneous, State industrial, or State safety members who are represented by State Bargaining Unit 2, 6, 7, 9, or 10, by three percent for State peace officer/firefighter members who are represented by State Bargaining Unit 6, by two percent for State peace officer/firefighter members who are represented by Bargaining Unit 7, and reduce the contribution rates by one percent for excluded State miscellaneous or State

industrial members related to Bargaining Unit 2.

BILL N^o/VERSION: SB 166 A-04/04/2011

AUTHOR: Steinberg

POSITION:

STATUS: 04/28/2011—Senate Health Committee

SUMMARY: **Health Care Coverage: Mental Illness: Autism Spectrum Disorders.** This bill establishes a definition and criteria for behavioral intervention therapy for pervasive developmental disorder or autism that are consistent with established “best practices” and medical treatment standards. Furthermore, this bill requires coverage for behavioral therapy services that meet these standards.

BILL N^o/VERSION: SB 252 A-04/14/2011

AUTHOR: Vargas

POSITION:

STATUS: 04/27/2011—Senate Appropriations Committee

SUMMARY: **Government Oversight and Fiscal Accountability Review Act.** Among other things, requires any State agency that enters into an agreement or combination or series of agreements for a private contractor to provide services with a value of \$100,000 or more, that are substantially similar to services provided by civil service employees of the agency to report to the Department of General Services regarding those contracts, who would then compile, publish, and make these reports available to the public. The bill also specifies that any subcontract executed under a privatization contract is a public record subject to reporting and inspection pursuant to the Public Records Act. In addition, State agencies would be required to provide specified information relating to their use of private contractors as part of their annual budget requests, and makes these contracts subject to review by the Bureau of State Audits.

BILL N^o/VERSION: SB 253 I-02/10/2011

AUTHOR: Alquist

POSITION:

STATUS: 02/24/2011—Senate Health Committee

SUMMARY: **Brain Injury Treatment.** Would prohibit health care service plan contracts and health insurance policies from denying coverage for medically necessary treatment of acquired brain injuries at any facilities that are properly licensed and

accredited, as specified. Would also prohibit denial of coverage because the treating facility is not in or near the home of the enrollee or insured.

BILL N^o/VERSION: SB 294 A-03/24/2011

AUTHOR: Price

POSITION:

STATUS: 04/27/2011— Senate Public Employment and Retirement Committee

SUMMARY: **Emerging Investment Managers: Five Year Plan.** This bill would require the Board of Administration of the Public Employees' Retirement System and the Teachers' Retirement Board to each provide a 5-year strategic plan to expand the participation of emerging investment managers across all asset classes. The bill would require each of the boards to submit an annual report to the Legislature, until January 1, 2018, with benchmarks regarding the progress of the strategic plan. The bill would require the boards to define "emerging investment manager" for purposes of these provisions by regulation.

BILL N^o/VERSION: SB 321 A-03/17/2011

AUTHOR: Negrete McLeod

POSITION:

STATUS: 03/24/2011—Senate Public Employment and Retirement Committee

SUMMARY: **State Employees: Ratification of MOUs.** Among other things, provides legislative ratification for memoranda of understanding between the administration and State Bargaining Unit 2, California Attorneys, Administrative Law Judges and Hearing Officers in State Government.

BILL N^o/VERSION: SB 322 I-02/14/2011

AUTHOR: Negrete McLeod

POSITION:

STATUS: 04/28/2011— Assembly Public Employees, Retirement and Social Security Committee

SUMMARY: **Benefit Limits for Members Employed by Multiple CalPERS Employers.** Would clarify that a member who receives benefits based on credited service with multiple employers cannot exceed the annual federal limit on retirement benefit payments pursuant to Section 415 of the Internal Revenue Code.

BILL N°/VERSION: SB 398 A-03/24/2011

AUTHOR: Hernandez

POSITION: Support

STATUS: 04/13/2011—Senate Elections and Constitutional Amendments Committee

SUMMARY: **Investments: External Managers.** Would clarify definitions of "external manager" in the Political Reform Act and other parts of the Government Code with regard to external investment managers retained by public retirement systems.

BILL N°/VERSION: SB 439 A-03/23/2011

AUTHOR: Negrete McLeod

POSITION: Support

STATUS: 03/23/2011—Senate Elections and Constitutional Amendments Committee

SUMMARY: **CalPERS and CalSTRS Gift Limits.** Would prohibit all CalPERS and CalSTRS governing Board Members and designated employees from accepting gifts valued in excess of \$50 from any single individual or entity doing business or seeking to do business with the System in a calendar year. In addition, the bill would establish sanctions for vendors and contractors that make gifts in violation of this restriction two separate times, more than 60 days apart, in any consecutive five-year period.

BILL N°/VERSION: SB 503 I-02/17/2011

AUTHOR: Vargas

POSITION: Neutral

STATUS: 04/11/2011—Senate Appropriations Committee

SUMMARY: **Judges' Retirement System II Service Credit Purchases.** Would allow a member of the Judges' Retirement System II to make a one-time written election to purchase and receive service credit for any number of whole years, or the entire time he or she served as a full-time subordinate judicial officer.

BILL N°/VERSION: SB 520 A-03/21/2011

AUTHOR: Walters

POSITION:

STATUS: 03/24/2011—Senate Public Employment and Retirement Committee

SUMMARY: **Hybrid Retirement Plans for New CalPERS Members.** Would require CalPERS to establish a hybrid retirement plan for public employees who become members on or after January 1, 2012. The hybrid plan would be required to provide a defined contribution plan and defined benefit plan for retirement for service and a defined benefit for disability or death. The bill would also prohibit those plans from creating a vested property right for the member with respect to any employer contributions before retirement.

BILL N°/VERSION: SB 522 A-03/22/2011

AUTHOR: Walters

POSITION:

STATUS: 03/22/2011—Senate Public Employment and Retirement Committee

SUMMARY: **Prohibition on CalPERS, CalSTRS and 37 Act Additional Retirement Service Credit Purchases.** Would repeal an existing provision of the Public Employees Retirement Law (PERL) that allows vested members to purchase up to five years of additional retirement service credit. Also repeals similar provisions for members of CalSTRS and the 1937 Act County Retirement Systems.

BILL N°/VERSION: SB 523 A-03/22/2011

AUTHOR: Walters

POSITION:

STATUS: 03/22/2011—Senate Public Employment and Retirement Committee

SUMMARY: **Pension Ban for Local Elected Officials.** Would prohibit a person who is elected to local public office, on or after January 1, 2012, from becoming a member of a retirement system by virtue of that service or acquiring any retirement right or benefit for serving in that local elective office. This prohibition would not apply to a local elected official that obtained membership by virtue of holding office prior to January 2012, and that remains in, or is reelected to, that local office.

BILL N°/VERSION: SB 524 A-03/22/2011

AUTHOR: Walters

POSITION:

STATUS: 03/22/2011—Senate Public Employment and Retirement Committee

SUMMARY: **Public Employees' Retirement: Reinstatement.** Would prohibit public employee organizations from negotiating for the retroactive application of pension benefit increases. It would also specify that any adjustments to the formula used to calculate retirement benefits that would yield an increase in benefits apply only to service performed after the operative date of the adjustment, and would prohibit the retroactive application of that adjustment.

BILL N°/VERSION: SB 525 A-03/21/2011

AUTHOR: Walters

POSITION:

STATUS: 03/24/2011—Senate Public Employment and Retirement Committee

SUMMARY: **Minimum Retirement Age.** Prohibits a State employee who becomes a CalPERS member after January 1, 2012, and who is not a State patrol member, State safety member, or State peace officer/firefighter member, from being eligible for service retirement prior to reaching age 55.

BILL N^o/VERSION: SB 526 A-03/21/2011

AUTHOR: Walters

POSITION:

STATUS: 03/24/2011—Senate Public Employment and Retirement Committee

SUMMARY: **Final Compensation.** Would specify that for purposes of determining a defined benefit for public employees first hired on or after January 1, 2012, final compensation means the highest annual average compensation earnable by the person during a consecutive 36-month period of membership in a public retirement system. The bill would also prohibit the addition of compensation for accrued leave or overtime work in the calculation of final compensation.

BILL N^o/VERSION: SB 528 A-03/22/2011

AUTHOR: Walters

POSITION:

STATUS: 03/22/2011—Senate Public Employment and Retirement Committee

SUMMARY: **CalPERS Board of Administration: Gubernatorial Appointment of Members.** Subject to voter approval, would replace the six members of the CalPERS Board of Administration elected directly by CalPERS members, with 6 members appointed by the Governor. It also requires a special election be held to determine the matter, and consolidated with a statewide election held in 2011.

BILL N^o/VERSION: SB 689 A-04/26/2011

AUTHOR: Harman

POSITION:

STATUS: 04/26/2011—Senate Public Employment and Retirement Committee

SUMMARY: **Retirement System Reporting Requirements.** This bill would require CalPERS, CalSTRS and the University of California, on or before July 1, 2012, each to establish and maintain a public Internet website with information about retired members who receive a pension of \$100,000 or more, and information regarding the costs of postretirement health care benefits.

BILL N^o/VERSION: SB 751 I-02/18/2011

AUTHOR: Gaines

POSITION:

STATUS: 03/03/2011—Senate Health Committee

SUMMARY: **Health Care Provider Contracts: Transparency.** This bill would prohibit contracts between health care plans or insurers and licensed hospitals or other specified facilities from restricting the plan or insurer to furnish information to subscribers, enrollees or insureds concerning the cost range of procedures at the hospital or facility or the quality of services performed.

BILL N^o/VERSION: SB 810 I-02/18/2011

AUTHOR: Leno

POSITION:

STATUS: 03/10/2011—Senate Health Committee

SUMMARY: **Single-Payer Health Care Coverage.** Makes all California residents eligible for specified health care benefits under the newly created California Healthcare System, which would, on a single-payer basis, negotiate for or set fees for health care services provided through the system and pay claims for those services. Prohibits the issuance of health plan contracts for services covered by the system. Creates the California Healthcare Premium Commission (Commission) to determine the cost of the California Healthcare System and develop a premium structure. Requires the Commission to recommend a premium structure to the Governor and Legislature on or before January 1, 2011, and to make a draft recommendation to the Governor, the Legislature and the public 90 days before submitting its final premium structure recommendation. Requires that the system be operative within two years of the Secretary of Health and Human Services notifying the Legislature that sufficient funds exist.

BILL N^o/VERSION: SB 820 A-03/21/2011

AUTHOR: Walters

POSITION:

STATUS: 03/24/2011—Senate Public Employment and Retirement Committee

SUMMARY: **CalPERS Employer Contribution Rates: Calculation and Reporting.** Among other things, would replace existing requirements that CalPERS, when adopting contribution rates for State and public agency employers, report to the Legislature alternative data regarding its investment returns, amortization periods, and discount rates using specific analytical guidelines, and instead require an annual report whose scope is limited to the State retirement plans. The bill would also delete the reference to the 10-year United States Treasury Bond, and instead require a calculation of liabilities using discount rates equal to the average rate of investment return since the establishment of the fund, and since January 1, 1984.

BILL N^o/VERSION: SB 903 I-02/18/2011

AUTHOR: Anderson

POSITION:

STATUS: 03/10/2011—Senate Judiciary Committee

SUMMARY: **Fiduciary Determinations for Iran Divestment.** Existing law allows the CalPERS Board of Administration to suspend action as described in the California Public Divest from Iran Act (Act) if it determines such action would be inconsistent with its fiduciary duties as described in the California Constitution. This bill replaces that authorization with the requirement that the Board determine in a properly-noticed public meeting that a specific action described in the Act would be a breach of its fiduciary responsibilities in order suspend action.
