

Date: September 18, 2019  
To: Board of Retirement  
From: James Wilbanks, Ph.D., Executive Director  
Subject: Administrative Report

## **Board Elections**

MCERA received only one Declaration of Candidacy for both the Second and Seventh Seats on the Board. A Consent Agenda item appears on the September 17, 2019 Mendocino County Board of Supervisors Agenda to Direct the Retirement Administrator to cast a single ballot in both elections and to declare the winner of the Second Seat to be Julie Forrester and the winner of the Seventh Seat to be Quincy Cromer. Please join me in congratulating both upon their re-election.

## **Board Appointments**

It is with deep regret that I inform you that Trustee Kathryn Smith has indicated she does not intend to pursue another term on the Board. The Board of Supervisors is aware of this and hopefully will appoint a successor prior to the November 30, 2019 conclusion of her term.

## **PSPS Planning Update**

Staff has identified a backup approach to print monthly retirement benefit checks if necessary. With this, we are sufficiently prepared to maintain critical processes in the event of a Public Safety Power Shutoff (PSPS). In accordance with the direction from the Board, staff will review the BCP in the near future to determine if the delivery of monthly benefit by check should remain as a critical process.

## **Legislative Update**

Attached is the SACRS Legislative Update. The Legislative Update has now been updated.

## **SACRS Other Legislation Monday, September 16, 2019**

**AB 33** (**Bonta D**) State public retirement systems: divestiture from private prison companies.

**Introduced:** 12/3/2018

**Fiscal:** Y

**Urgency:** N

**Status:** 4/26/2019 - Failed Deadline pursuant to Rule 61(a)(2). (Last location was P.E. & R. on 1/17/2019)(May be acted upon Jan 2020)

**Location:** 4/26/2019 - A . 2 YEAR

**Summary:** Would prohibit the boards of the Public Employees' Retirement System and the State Teachers' Retirement System from making new investments or renewing existing investments of public employee retirement funds in a private prison company, as defined. This bill would require the boards to liquidate investments in private prison companies on or before July 1, 2020, and would require the boards, in making a determination to liquidate investments, to constructively engage with private prison companies to establish whether the companies are transitioning their business models to another industry.

**AB 181** (**Maienschein D**) Hazardous waste: cost reimbursement.

**Introduced:** 1/9/2019

**Last Amended:** 9/4/2019

**Fiscal:** Y

**Urgency:** N

**Status:** 9/13/2019 - Read third time. Passed. Ordered to the Assembly. In Assembly. Concurrence in Senate amendments pending. Re-referred to Com. on E.S. & T.M. pursuant to Assembly Rule 77.2. Joint Rule 62(a), file notice suspended. From committee: That the Senate amendments be concurred in. (Ayes 9. Noes 0.) (September 13). Senate amendments concurred in. To Engrossing and Enrolling.

**Location:** 9/13/2019 - A . ENROLLMENT

**Summary:** Current law, as part of the hazardous waste control laws, requires a facility handling hazardous waste to apply for and obtain a hazardous waste facilities permit from the Department of Toxic Substances Control. Current law requires a person who applies for, or requests, among other things, a hazardous waste facilities permit or a renewal of an current hazardous waste facilities permit, to enter into a written agreement with the department to reimburse the department for the costs incurred by the department in processing the application or responding to the request, as provided. Current law requires that agreement to provide for at least 25% of the reimbursement to be made in advance of the processing of the application or the response to the request. This bill would exempt from that requirement relating to advanced reimbursement an agreement entered into by a facility owned by a federal agency.

**AB 249** (**Choi R**) Public employers: employee organizations.

**Introduced:** 1/22/2019

**Fiscal:** Y

**Urgency:** N

**Status:** 6/4/2019 - Failed Deadline pursuant to Rule 61(a)(2). (Last location was P.E. & R. on 2/7/2019)(May be acted upon Jan 2020)

**Location:** 6/4/2019 - A . 2 YEAR

**Summary:** Would prohibit a public employer from deterring or discouraging a public employee or an applicant to be a public employee from opting out of becoming or remaining a member of an employee organization. The bill would prohibit a public employer from taking adverse action against a public employee or applicant to be a public employee who opts out of becoming or remaining a member of an employee organization and would specify that adverse action includes reducing a public employee's current level of pay or benefits.

**AB 287 (Voepel R) Public employees' retirement: annual audits.**

**Introduced:** 1/28/2019

**Fiscal:** Y

**Urgency:** N

**Status:** 4/26/2019 - Failed Deadline pursuant to Rule 61(a)(2). (Last location was P.E. & R. on 2/7/2019)(May be acted upon Jan 2020)

**Location:** 4/26/2019 - A . 2 YEAR

**Summary:** Current law requires each state and local public pension or retirement system, on and after the 90th day following the completion of the annual audit of the system, to provide a concise annual report on the investments and earnings of the system, as specified, to any member who makes a request and pays a fee, if required, for the costs incurred in preparation and dissemination of that report. This bill would also require each state and local pension or retirement system to post a concise annual audit of the information described above on that system's internet website no later than the 90th day following the audit's completion.

**AB 346 (Cooper D) Workers' compensation: leaves of absence.**

**Introduced:** 2/4/2019

**Fiscal:** N

**Urgency:** N

**Status:** 9/11/2019 - Enrolled and presented to the Governor at 3:30 p.m.

**Location:** 9/11/2019 - A . ENROLLED

**Summary:** Would add police officers employed by a school district, county office of education, or community college district to the list of public employees entitled to a leave of absence without loss of salary, in lieu of temporary disability payments, while disabled by injury or illness arising out of and in the course of employment.

**AB 462 (Rodriguez D) Asset management: emerging managers.**

**Introduced:** 2/11/2019

**Last Amended:** 5/21/2019

**Fiscal:** Y

**Urgency:** N

**Status:** 5/21/2019 - From committee chair, with author's amendments: Amend, and re-refer to committee. Read second time, amended, and re-referred to Com. on RLS.

**Location:** 4/23/2019 - S . RLS.

**Summary:** Would require the Board of Administration of the Public Employees' Retirement System and the Teachers' Retirement Board to each provide a report to the Legislature, commencing March 1, 2021, and annually thereafter, on the status of achieving appropriate objectives and initiatives, to be defined by the boards, regarding participation of emerging managers responsible for asset management within each system's portfolio of investments.

**AB 472 (Voepel R) Public employees' retirement.**

**Introduced:** 2/11/2019

**Fiscal:** N

**Urgency:** N

**Status:** 5/3/2019 - Failed Deadline pursuant to Rule 61(a)(3). (Last location was PRINT on 2/11/2019)(May be acted upon Jan 2020)

**Location:** 5/3/2019 - A . 2 YEAR

**Summary:** Current law, the California Public Employees' Pension Reform Act of 2013, establishes various limits on retirement benefits generally applicable to a public employee retirement system, as defined. The act prescribes, among other things, limits on service after retirement without reinstatement into the applicable retirement system. This bill would make nonsubstantive changes to that provision.

**AB 510 (Cooley D) Local government records: destruction of records.**

**Introduced:** 2/13/2019

**Fiscal:** N

**Urgency:** N

**Status:** 5/3/2019 - Failed Deadline pursuant to Rule 61(a)(3). (Last location was L. GOV. on 2/21/2019)(May be acted upon Jan 2020)

**Location:** 5/3/2019 - A . 2 YEAR

**Summary:** Current law authorizes the head of a department of a county or city, or the head of a special district to destroy recordings of telephone and radio communications maintained by that county, city, or special district after 100 days if that person receives approval from the legislative body and the written consent of the agency attorney. This bill would exempt the head of a department of a county or city, or the head of a special district from these recording retention requirements if the county, city, or special district adopts a records retention policy governing recordings of routine video monitoring and recordings of telephone and radio communications.

**AB 644 (Committee on Public Employment and Retirement) State teachers' retirement: compensation.**

**Introduced:** 2/15/2019

**Last Amended:** 3/25/2019

**Fiscal:** Y

**Urgency:** N

**Status:** 7/12/2019 - Approved by the Governor. Chaptered by Secretary of State - Chapter 96, Statutes of 2019.

**Location:** 7/12/2019 - A . CHAPTERED

**Summary:** Would revise the definition of compensation earnable for the purposes of STRS to be the sum of the average annualized pay rate, as defined, paid in a school year divided by the service credited for that school year and the remuneration paid in addition to salary or wages. The bill would make various conforming changes in accordance with the revised definition of compensation earnable.

**AB 664 (Cooper D) County employees' retirement: permanent incapacity.**

**Introduced:** 2/15/2019

**Last Amended:** 3/13/2019

**Fiscal:** N

**Urgency:** N

**Status:** 7/12/2019 - Failed Deadline pursuant to Rule 61(a)(11). (Last location was L., P.E. & R. on 5/22/2019)(May be acted upon Jan 2020)

**Location:** 7/12/2019 - S . 2 YEAR

**Summary:** Would require, for purposes of determining permanent incapacity of certain members employed as peace officers in the County of Sacramento, that those members be evaluated by the retirement system to determine if they can perform all of the usual and customary duties of a peace officer, as specified. The bill would apply to members who file applications for disability on or after the effective date of the act, except for cases on appeal at that time. The bill would require the board of retirement to develop a method of tracking the costs of providing permanent disability retirement to the members who become eligible for disability retirement pursuant to the bill's provisions. The bill would repeal these provisions on December 31, 2024.

**AB 672 (Cervantes D) Public employees' retirement: disability retirement: reinstatement.**

**Introduced:** 2/15/2019

**Fiscal:** Y

**Urgency:** N

**Status:** 7/12/2019 - Approved by the Governor. Chaptered by Secretary of State - Chapter 98, Statutes of 2019.

**Location:** 7/12/2019 - A . CHAPTERED

**Summary:** PERL authorizes a person retired for disability to be employed by any employer without reinstatement in the system if specified conditions are met, including, among others, that the person is below the mandatory age for retirement for persons in the job in which the person will be employed, the person is found by the board to not be disabled for that employment, and the position is not the position from which the person retired or a position in the same member classification from which the person retired. This bill would prohibit a person who has retired for disability from being employed by any employer without reinstatement from retirement if the position is the position from which the person retired or if the position includes duties or activities that the person was previously restricted from performing at the time of retirement, unless an exception applies.

**AB 931 (Boerner Horvath D) Local boards and commissions: representation: appointments.**

**Introduced:** 2/20/2019

**Last Amended:** 8/30/2019

**Fiscal:** Y

**Urgency:** N

**Status:** 9/13/2019 - Enrolled and presented to the Governor at 3:30 p.m.

**Location:** 9/13/2019 - A . ENROLLED

**Summary:** Current law establishes the policy of the Legislature to ensure equal access to specific information about the many local regulating and advisory boards, commissions, and committees and to ensure equal opportunity to be informed of vacancies on those boards. Current law requires each legislative body of a local agency to prepare an appointments list of all regular and ongoing boards, commissions, and committees that are appointed by the legislative body of the local agency. This bill, on and after January 1, 2030, would require, with respect to a city with a population of 50,000 or more, that the

city not appoint members of nonsalaried, nonelected boards or commissions consisting of 5 or more members such that individuals of the same gender identity comprise more than 60% of the board or commission's membership.

**AB 979 (Reyes D) Judges' Retirement System II: deferred retirement.**

**Introduced:** 2/21/2019

**Fiscal:** Y

**Urgency:** N

**Status:** 4/26/2019 - Failed Deadline pursuant to Rule 61(a)(2). (Last location was P.E. & R. on 3/4/2019)(May be acted upon Jan 2020)

**Location:** 4/26/2019 - A . 2 YEAR

**Summary:** Would authorize a judge who is a member of the Judges' Retirement System II to retire upon attaining both 63 years of age and 15 or more years of service, or when a judge who has accrued at least 5 years of service and who has not received specified discipline is defeated for reelection. The bill would authorize a judge who is not otherwise eligible to retire and who has either attained 60 years of age with a minimum of 5 years of service or accrued 15 or more years of service to leave the judge's monetary credits on deposit with the system, to retire, and upon reaching retirement age, as specified, to receive a retirement allowance, as specified.

**AB 992 (Mullin D) Open meetings: local agencies: social media.**

**Introduced:** 2/21/2019

**Last Amended:** 4/22/2019

**Fiscal:** N

**Urgency:** N

**Status:** 5/3/2019 - Failed Deadline pursuant to Rule 61(a)(3). (Last location was L. GOV. on 3/7/2019)(May be acted upon Jan 2020)

**Location:** 5/3/2019 - A . 2 YEAR

**Summary:** The Ralph M. Brown Act generally requires that the meetings of legislative bodies of local agencies be conducted openly. That act defines "meeting" for purposes of the act and prohibits a majority of the members of a legislative body, outside a meeting authorized by the act, from using a series of communications of any kind to discuss, deliberate, or take action on any item of business that is within the subject matter jurisdiction of the legislative body. This bill would provide that the prohibition described above does not apply to the participation, as defined, in an internet-based social media platform, as defined, by a majority of the members of a legislative body, provided that a majority of the members do not discuss among themselves, as defined, business of a specific nature that is within the subject matter jurisdiction of the legislative body of the local agency.

**AB 1184 (Gloria D) Public records: writing transmitted by electronic mail: retention.**

**Introduced:** 2/21/2019

**Last Amended:** 8/30/2019

**Fiscal:** Y

**Urgency:** N

**Status:** 9/10/2019 - Assembly Rule 77 suspended. Senate amendments concurred in. To Engrossing and Enrolling.

**Location:** 9/10/2019 - A . ENROLLMENT

**Summary:** Would, unless a longer retention period is required by statute or regulation, or established by the Secretary of State pursuant to the State Records Management Act, require a public agency, for purposes of the California Public Records Act, to retain and preserve for at least 2 years every public record, as defined, that is transmitted by electronic mail.

**AB 1198 (Stone, Mark D) Public employees' retirement: pension reform: excepted employees: transit workers.**

**Introduced:** 2/21/2019

**Last Amended:** 3/21/2019

**Fiscal:** Y

**Urgency:** N

**Status:** 4/26/2019 - Failed Deadline pursuant to Rule 61(a)(2). (Last location was P.E. & R. on 3/21/2019)(May be acted upon Jan 2020)

**Location:** 4/26/2019 - A . 2 YEAR

**Summary:** Would except transit workers hired before January 1, 2016, from PEPRA by removing the federal district court contingency language from the provision excepting certain transit workers from PEPRA, as specified.

**AB 1212 (Levine D) Public employees' retirement: pension fund management: in-state infrastructure.**

**Introduced:** 2/21/2019

**Last Amended:** 8/12/2019

**Fiscal:** Y

**Urgency:** N

**Status:** 9/9/2019 - Senate amendments concurred in. To Engrossing and Enrolling. (Ayes 60. Noes 17.).

**Location:** 9/9/2019 - A . ENROLLMENT

**Summary:** The California Constitution confers upon the retirement boards of public retirement systems plenary authority and fiduciary responsibility for the investment of moneys of those systems. Existing law authorizes the Board of Administration of the Public Employees' Retirement System, the Teachers' Retirement Board of the State Teachers' Retirement System, and the board of retirement or the board of investments of a retirement system established pursuant to the County Employees Retirement Law of 1937, consistent with their fiduciary duties and investment standards, to prioritize investment in an in-state infrastructure project over a comparable out-of-state infrastructure project. This bill would require a state agency that is responsible for infrastructure projects to produce a list of priority infrastructure projects for funding consideration by the retirement boards, as described above, and to provide it to them.

**AB 1320 (Nazarian D) Public employee retirement systems: prohibited investments: Turkey.**

**Introduced:** 2/22/2019

**Last Amended:** 8/30/2019

**Fiscal:** Y

**Urgency:** N

**Status:** 9/13/2019 - Senate amendments concurred in. To Engrossing and Enrolling.

**Location:** 9/13/2019 - A . ENROLLMENT

**Summary:** Current law prohibits the boards of administration of the Public Employees' Retirement System and the State Teachers' Retirement System from making investments in certain countries and in thermal coal companies, as specified, subject to the boards' plenary authority and fiduciary responsibility for investment of moneys and administration of the systems. This bill, upon the passage of a federal law that imposes sanctions on the government of Turkey for failure to officially acknowledge its responsibility for the Armenian Genocide, would prohibit the boards of administration of the Public Employees' Retirement System and the State Teachers' Retirement System from making additional or new investments, or renewing existing investments, of public employee retirement funds in an investment vehicle in the government of Turkey that is issued by the government of Turkey or that is owned by the government of Turkey.

**AB 1332 (Bonta D) Sanctuary State Contracting and Investment Act.**

**Introduced:** 2/22/2019

**Last Amended:** 4/29/2019

**Fiscal:** Y

**Urgency:** N

**Status:** 5/17/2019 - Failed Deadline pursuant to Rule 61(a)(5). (Last location was APPR. SUSPENSE FILE on 5/8/2019)(May be acted upon Jan 2020)

**Location:** 5/17/2019 - A . 2 YEAR

**Summary:** Current law requires law enforcement agencies to report to the Department of Justice annually regarding transfers of persons to immigration authorities and requires the Attorney General to publish guidance, audit criteria, and training recommendations regarding state and local law enforcement databases, for purposes of limiting the availability of information for immigration enforcement, as specified. This bill, the Sanctuary State Contracting Act, would, among other things, require the Department of Justice, commencing on January 1, 2020, and quarterly thereafter, to publish a list on its internet website, based on specified criteria, of each person or entity that, in the opinion of the Department of Justice, is providing data broker, extreme vetting, or detention facilities support to any federal immigration agency, as specified.

**AB 1452 (O'Donnell D) State teachers' retirement.**

**Introduced:** 2/22/2019

**Last Amended:** 3/26/2019

**Fiscal:** Y

**Urgency:** N

**Status:** 9/9/2019 - Read third time. Passed. Ordered to the Assembly. In Assembly. Ordered to Engrossing and Enrolling.

**Location:** 9/9/2019 - A . ENROLLMENT

**Summary:** Current law requires a person who is hired by a STRS employer to perform creditable service on a full-time basis to become a member of the Defined Benefit Program on the first day of employment, except as specified. Current law prohibits aggregating creditable service in more than one position for the purpose of determining mandatory membership as a full-time employee in this context. This bill would prohibit aggregating creditable service in more than one position for the purpose of determining mandatory membership on a part-time basis for 50% or more of the time the employer requires for a full-time position, as specified.

**AB 1819 (Committee on Judiciary) Inspection of public records: use of requester's reproduction equipment.**



**Introduced:** 3/6/2019

**Last Amended:** 8/30/2019

**Fiscal:** Y

**Urgency:** N

**Status:** 9/10/2019 - Senate amendments concurred in. To Engrossing and Enrolling.

**Location:** 9/10/2019 - A . ENROLLMENT

**Summary:** The California Public Records Act requires state and local agencies to make public records available upon receipt of a request for a copy that reasonably describes an identifiable record not otherwise exempt from disclosure, and upon payment of fees to cover costs. This bill would grant a requester who inspects a disclosable record on the premises of the agency the right to use the requester's equipment on those premises, without being charged any fees or costs, to photograph or otherwise copy or reproduce the record in a manner that does not require the equipment to make physical contact with the record, unless the means of copy or reproduction would result in damage to the record, or unauthorized access to a computer system of the agency or secured network, as specified.

**SB 53**     **(Wilk R) Open meetings.**

**Introduced:** 12/10/2018

**Last Amended:** 3/5/2019

**Fiscal:** Y

**Urgency:** Y

**Status:** 8/30/2019 - August 30 hearing: Held in committee and under submission.

**Location:** 8/14/2019 - A . APPR. SUSPENSE FILE

**Summary:** Would specify that the definition of "state body" includes an advisory board, advisory commission, advisory committee, advisory subcommittee, or similar multimember advisory body of a state body that consists of 3 or more individuals, as prescribed, except a board, commission, committee, or similar multimember body on which a member of a body serves in their official capacity as a representative of that state body and that is supported, in whole or in part, by funds provided by the state body, whether the multimember body is organized and operated by the state body or by a private corporation.

**SB 184**     **(Moorlach R) Judges' Retirement System II: deferred retirement.**

**Introduced:** 1/30/2019

**Last Amended:** 9/3/2019

**Fiscal:** Y

**Urgency:** N

**Status:** 9/10/2019 - Ordered to special consent calendar. Assembly amendments concurred in. (Ayes 40. Noes 0.) Ordered to engrossing and enrolling.

**Location:** 9/10/2019 - S . ENROLLMENT

**Summary:** Would authorize a judge who is not otherwise eligible to retire and who has either attained 60 years of age with a minimum of 5 years of service or accrued 20 or more years of service to leave the judge's monetary credits on deposit with the system, to retire, and upon reaching retirement age, as specified, to receive a retirement allowance, as provided. The bill would prescribe procedures to apply if the judge fails to elect within 30 days of separation and would authorize the board to charge an administrative fee, as specified, to a judge who elects to apply these provisions. The bill would specify the

monthly allowance provided to a surviving spouse or other beneficiary and would make other conforming changes in relation to these provisions.

**SB 266 (Leyva D) Public Employees' Retirement System: disallowed compensation: benefit adjustments.**

**Introduced:** 2/12/2019

**Last Amended:** 9/3/2019

**Fiscal:** Y

**Urgency:** N

**Status:** 9/13/2019 - Withdrawn from engrossing and enrolling. Ordered held at the Desk.

**Location:** 9/13/2019 - S . DESK

**Summary:** Would establish new procedures under PERL for cases in which PERS determines that the benefits of a member or annuitant are, or would be, based on disallowed compensation that conflicts with PEPRA and other specified laws and thus impermissible under PERL. The bill would also apply these procedures retroactively to determinations made on or after January 1, 2017, if an appeal has been filed and the employee member, survivor, or beneficiary has not exhausted their administrative or legal remedies. At the threshold, after determining that compensation for an employee member reported by the state, school employer, or a contracting agency is disallowed, the bill would require the applicable employer to discontinue the reporting of the disallowed compensation.

**SB 341 (Morrell R) Public employment and retirement.**

**Introduced:** 2/19/2019

**Fiscal:** Y

**Urgency:** N

**Status:** 3/27/2019 - March 27 set for first hearing. Failed passage in committee. (Ayes 1. Noes 3.) Reconsideration granted.

**Location:** 3/27/2019 - S . L., P.E. & R.

**Summary:** Would require the Board of Administration of the Public Employees' Retirement System to report a calculation of liabilities based on a discount rate equal to the yield on a 10-year United States Treasury note in the year prior to the report. The bill would require the Teachers' Retirement Board to provide a description of the discount rate the board uses for reporting liabilities, a calculation of liabilities based on a discount rate that is 2% below the long-term rate of return assumed by the board, and a calculation of liabilities based on a discount rate equal to the yield on a 10-year United States Treasury note in the year prior to the report.

**SB 379 (Committee on Governance and Finance) Validations.**

**Introduced:** 2/20/2019

**Fiscal:** N

**Urgency:** Y

**Status:** 7/10/2019 - Approved by the Governor. Chaptered by Secretary of State. Chapter 74, Statutes of 2019.

**Location:** 7/10/2019 - S . CHAPTERED

**Summary:** This bill would enact the First Validating Act of 2019, which would validate the organization, boundaries, acts, proceedings, and bonds of the state and counties, cities, and specified districts, agencies, and entities.

**SB 380 (Committee on Governance and Finance) Validations.**

**Introduced:** 2/20/2019

**Fiscal:** N

**Urgency:** Y

**Status:** 7/10/2019 - Approved by the Governor. Chaptered by Secretary of State. Chapter 75, Statutes of 2019.

**Location:** 7/10/2019 - S . CHAPTERED

**Summary:** This bill would enact the Second Validating Act of 2019, which would validate the organization, boundaries, acts, proceedings, and bonds of the state and counties, cities, and specified districts, agencies, and entities.

**SB 381 (Committee on Governance and Finance) Validations.**

**Introduced:** 2/20/2019

**Fiscal:** N

**Urgency:** N

**Status:** 7/10/2019 - Approved by the Governor. Chaptered by Secretary of State. Chapter 76, Statutes of 2019.

**Location:** 7/10/2019 - S . CHAPTERED

**Summary:** This bill would enact the Third Validating Act of 2019, which would validate the organization, boundaries, acts, proceedings, and bonds of the state and counties, cities, and specified districts, agencies, and entities.

**SB 430 (Wieckowski D) Public employees' retirement benefits: judges.**

**Introduced:** 2/21/2019

**Last Amended:** 5/17/2019

**Fiscal:** Y

**Urgency:** N

**Status:** 7/10/2019 - Failed Deadline pursuant to Rule 61(a)(10). (Last location was P.E. & R. on 5/30/2019)(May be acted upon Jan 2020)

**Location:** 7/10/2019 - A . 2 YEAR

**Summary:** Would grant a judge who was elected to office in 2012, but did not take office until on or after January 1, 2013, the option of making a one-time, irrevocable election to have a pre-January 1, 2013, membership status in the Judges' Retirement System II for service accrued after on and after July 1, 2020. The bill would require the election to be made during a 30-day period beginning March 1, 2020. A judge making this election would no longer be a new member under specified provisions of PEPRA.

**SB 518 (Wieckowski D) Civil actions: settlement offers.**

**Introduced:** 2/21/2019

**Last Amended:** 6/20/2019

**Fiscal:** N

**Urgency:** N

**Status:** 9/11/2019 - Assembly amendments concurred in. (Ayes 28. Noes 11.) Ordered to engrossing and enrolling.

**Location:** 9/11/2019 - S . ENROLLMENT

**Summary:** Current law, in a civil action to be resolved by trial or arbitration, authorizes a party to serve an offer in writing on any other party to the action to allow judgment to be taken or an award to be entered in accordance with the terms and conditions stated at the time. Existing law shifts specified postoffer costs to a plaintiff who does not accept a defendant's offer if the plaintiff fails to obtain a more favorable judgment or award. Current law also authorizes a court or arbitrator to order a party who does not accept the opposing party's offer and fails to obtain a more favorable judgment or award to cover the postoffer costs for the services of expert witnesses, as specified. Current law exempts certain actions from those provisions, including any labor arbitration filed pursuant to a memorandum of understanding under the Ralph C. Dills Act. This bill would also exempt from those provisions any action to enforce the California Public Records Act.

**SB 615 (Hueso D) Public records: disclosure.**

**Introduced:** 2/22/2019

**Fiscal:** Y

**Urgency:** N

**Status:** 4/26/2019 - Failed Deadline pursuant to Rule 61(a)(2). (Last location was JUD. on 3/14/2019)(May be acted upon Jan 2020)

**Location:** 4/26/2019 - S . 2 YEAR

**Summary:** The California Public Records Act, when it appears to a superior court that certain public records are being improperly withheld from a member of the public, requires the court to order the officer or person charged with withholding the records to disclose the public record or show cause why they should not do so. The act requires the court to award court costs and reasonable attorney's fees to the requester if the requester prevails in litigation filed pursuant to these provisions, and requires the court to award court costs and reasonable attorney's fees to the public agency if the court finds that the requestor's case is clearly frivolous. This bill would require a person to meet and confer in good faith with the agency in an attempt to informally resolve each issue before instituting any proceeding for injunctive or declarative relief or writ of mandate.

**SB 715 (Galgiani D) University of California retirement plans: asset managers: contracts.**

**Introduced:** 2/22/2019

**Last Amended:** 3/28/2019

**Fiscal:** N

**Urgency:** N

**Status:** 5/3/2019 - Failed Deadline pursuant to Rule 61(a)(3). (Last location was ED. on 4/10/2019)(May be acted upon Jan 2020)

**Location:** 5/3/2019 - S . 2 YEAR

**Summary:** Would prohibit the University of California from contracting for services with an asset manager for a defined contribution plan if that plan is a stand-alone optional plan that is not a complement to a defined benefit pension plan. The bill would apply this prohibition to a contract entered into on or after January 1, 2015.

**SB 749 (Durazo D) California Public Records Act: trade secrets.**

**Introduced:** 2/22/2019

**Last Amended:** 9/10/2019

**Fiscal:** Y

**Urgency:** N

**Status:** 9/13/2019 - Ordered to inactive file on request of Assembly Member Calderon.

**Location:** 9/13/2019 - A . INACTIVE FILE

**Summary:** Would provide that specified records of a private industry employer that are prepared, owned, used, or retained by a public agency are not trade secrets and are public records, including certain records relating to employment terms and conditions of employees working for a private industry employer pursuant to a contract with a public agency, records of compliance with local, state, or federal domestic content requirements, and records of a private industry employer's compliance with job creation, job quality, or job retention obligations contained in a contract or agreement with a state or local agency.

**SB 769 (Moorlach R) Public employees' retirement.**

**Introduced:** 2/22/2019

**Fiscal:** N

**Urgency:** N

**Status:** 3/14/2019 - Referred to Com. on RLS.

**Location:** 2/22/2019 - S . RLS.

**Summary:** The Public Employees' Retirement Law (PERL) establishes the Public Employees' Retirement System (PERS), which provides pension and other benefits to its members. Under PERL, membership in PERS is compulsory for specified public employees. Current law provides that those compulsory membership provisions do not apply to certain persons who are expressly excluded from PERS. This bill would make a nonsubstantive change to that provision.

**SB 783 (Committee on Labor, Public Employment and Retirement) County Employees Retirement Law of 1937.**

**Introduced:** 3/7/2019

**Fiscal:** N

**Urgency:** N

**Status:** 7/12/2019 - Failed Deadline pursuant to Rule 61(a)(11). (Last location was P.E. & R. on 5/16/2019)(May be acted upon Jan 2020)

**Location:** 7/12/2019 - A . 2 YEAR

**Summary:** The County Employees Retirement Law of 1937 (CERL) authorizes counties to establish retirement systems pursuant to its provisions for the purpose of providing pension and death benefits to county and district employees. This bill would correct several erroneous and obsolete cross-references within CERL.

*Total Measures: 35*

*Total Tracking Forms: 35*

9/16/2019 9:59:45 AM