



March 1<sup>st</sup>, 2024

TO: State Association of County Retirement Systems

FROM: Edelstein Gilbert Robson & Smith, LLC

RE: **Legislative Update – March 2024**

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The bill introduction deadline was February 16<sup>th</sup> and there were several pieces of legislation of interest to SACRS. Assemblymember Lackey introduced the SACRS sponsored legislation, AB 2474, which would amend the County Employees Retirement Law to allow retirement benefits to be deposited into prepaid accounts. There was also a flurry of spot bills introduced in this legislative session, two of which we noted for SACRS: AB 2183 and AB 3025. The deadline to amend spot bills is March 20<sup>th</sup>, and so we expect subsequent language changes.

Public records continued to be an issue of import to the Legislature. SB 1034, authored by Senator Seyarto, would amend the California Public Records Act to allow for an extension of time limits for responding to public record requests during a state of emergency declared by the Governor, due to decreased staffing or closure of agency facilities. AB 2153, authored by Assemblymember Lowenthal, would require public agencies to notify their employees before disclosing any personnel, medical, or similar records, or any record revealing an employee's identity related to their work duties, in response to a public records request. Finally, SB 908, authored by Senator Cortese, would prohibit elected or appointed officials and employees of public agencies, as well as Members of the Legislature and legislative officers, from creating or sending public or legislative records using nonofficial electronic messaging systems unless a copy is sent to an official electronic messaging system.

There were additionally many other bills introduced this session that we have highlighted for SACRS below:

- **AB 2284** – allows a retirement system to define "grade" as a grouping of employees with similar job characteristics for the purpose of determining compensation earnable under the County Employees Retirement Law of 1937, provided it has not been defined already.

- **SB 1499** – aligns the Personal Income Tax Law with federal law by adjusting catch-up limits for retirement contributions based on age and increasing contribution limits for simple plans, while also requiring additional information for any bill authorizing a new tax expenditure.
- **SB 1379** – exempts retired members hired by the City of Vallejo or the County of Solano for specific roles within law enforcement or administrative functions from the 960-hour employment limit imposed by the Public Employees' Retirement Law and the California Public Employees' Pension Reform Act of 2013, with provisions set to expire on January 1, 2029, and declares the bill as an urgency statute.
- **AB 2421** – prohibits public employers from questioning employees or their representatives about confidential communications made in connection with representation by an employee organization.
- **SB 1189** – expands the authority of the County Employees Retirement Law of 1937 (CERL) to allow the board of retirement to appoint a chief technology officer in addition to existing appointed positions.
- **AB 2770** – sets a deadline for members of the State Teachers' Retirement System to sign and return documents for purchasing service credit or redepositing retirement contributions, changes the deadline for redeposit requests, extends the repeal date related to post-traumatic stress disorder, removes return receipt requirements for payment of accumulated contributions, and makes technical changes to the Judges' Retirement Law.
- **SB 1240** – allows a successor agency for the El Dorado County Fire Protection District and the Diamond Springs Fire Protection District to offer employees the same defined benefit plan they had before annexation and makes legislative findings regarding the necessity of this special statute for the County of El Dorado, effective immediately as an urgency statute.
- **SB 1260** – establishes the Office of the Inspector General for the Public Employees' Retirement System (PERS), appointing an Inspector General with Senate confirmation, tasked with overseeing internal investigations, disciplinary processes, and receiving reports of potential improper activities, with duties including conducting audits and reviews and reporting findings to relevant authorities, while ensuring transparency by making certain reports public.
- **AB 2715** – amends the Ralph M. Brown Act to allow local legislative bodies to hold closed sessions to consider cybersecurity matters, with any resulting actions required to be taken in open session, supported by legislative findings to comply with constitutional requirements for public access to meetings and records.