

NOTICE OF MEETING AND AGENDA

**SPECIAL MEETING OF THE INSURANCE, BENEFITS & LEGISLATIVE COMMITTEE
and
BOARD OF RETIREMENT***

LOS ANGELES COUNTY EMPLOYEES RETIREMENT ASSOCIATION

**300 NORTH LAKE AVENUE, SUITE 810
PASADENA, CA 91101**

THURSDAY, MAY 5, 2016 - 9:00 A.M.**

*The Committee may take action on any item on the agenda,
and agenda items may be taken out of order.*

COMMITTEE MEMBERS:

Les Robbins, Chair
William de la Garza, Vice Chair
Vivian H. Gray
Shawn R. Kehoe
Ronald Okum, Alternate

I. APPROVAL OF THE MINUTES

A. Approval of the minutes of the special meeting of April 6, 2016

II. PUBLIC COMMENT

III. ACTION ITEMS

A. Recommendation as submitted by Barry W. Lew, Legislative Affairs Officer:
That the Committee recommend the Board of Retirement adopt a "Watch"
position on Assembly Bill 241, which provides for the disclosure of retiree
information to a retiree organization. (Memorandum dated April 26, 2016)

B. Recommendation as submitted by Barry W. Lew, Legislative Affairs Officer:
That the Committee recommend the Board of Retirement adopt a "Watch"
position on Assembly Bill 1707, which requires a public agency to identify the
type of record being withheld and the specific exemption that justifies the
withholding. (Memorandum dated April 25, 2016)

III. ACTION ITEMS (Continued)

- C. Recommendation as submitted by Barry W. Lew, Legislative Affairs Officer: That the Committee recommend the Board of Retirement adopt a That the Insurance, Benefits and Legislative Committee recommend that the Board of Retirement adopt a “Watch” position on Assembly Bill 2628, which relates to statements of economic interests and postgovernmental employment. (Memorandum dated April 26, 2016)
- D. Recommendation as submitted by Barry W. Lew, Legislative Affairs Officer: That the Committee recommend the Board of Retirement adopt a “Watch” position on Senate Bill 897, which provides an additional year of leave of absence with salary to the one-year period provided by Labor Code Section 4850. (Memorandum dated April 25, 2016)
- E. Recommendation as submitted by Barry W. Lew, Legislative Affairs Officer: That the Committee recommend the Board of Retirement adopt a “Watch” position on Senate Bill 1203, which relates to employees who are not new members in a joint powers authority. (Memorandum dated April 25, 2016)
- F. Recommendation as submitted by Barry W. Lew, Legislative Affairs Officer: That the Committee recommend the Board of Retirement adopt a “Watch” position on Senate Bill 1436, which requires an oral report of a recommendation for final action related to the compensation and benefits of a local agency executive. (Memorandum dated April 25, 2016)

IV. FOR INFORMATION

- A. Assembly Bill 1661 – Sexual Harassment Training
Barry Lew. Legislative Affairs Officer
- B. Staff Activities Report for April, 2016
- C. Cigna & Anthem Blue Cross Claims Experience
- D. Federal Legislation
 - Aon Hewitt Washington Report

V. GOOD OF THE ORDER

(For information purposes only)

VI. ADJOURNMENT *and*
SET TIME FOR OPERATIONS OVERSIGHT COMMITTEE MEETING

May 5, 2016

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***The Board of Retirement has adopted a policy permitting any member of the Board to attend a standing committee meeting open to the public. In the event five or more members of the Board of Retirement (including members appointed to the Committee) are in attendance, the meeting shall constitute a joint meeting of the Committee and the Board of Retirement. Members of the Board of Retirement who are not members of the Committee may attend and participate in a meeting of a Board Committee but may not vote on any matter discussed at the meeting. The only action the Committee may take at the meeting is approval of a recommendation to take further action at a subsequent meeting of the Board.**

****Although the meeting is scheduled for 9:00 a.m., it can start anytime thereafter, depending on the length of the Board of Retirement meeting preceding it. Please be on call.**

Any documents subject to public disclosure that relate to an agenda item for an open session of the Committee, that are distributed to members of the Committee less than 72 hours prior to the meeting, will be available for public inspection at the time they are distributed to a majority of the Committee, at LACERA's offices at 300 North Lake Avenue, Suite 820, Pasadena, California during normal business hours from 9:00 a.m. to 5:00 p.m. Monday through Friday.

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MINUTES OF THE MEETING OF THE
INSURANCE, BENEFITS & LEGISLATIVE COMMITTEE
and
BOARD OF RETIREMENT*

LOS ANGELES COUNTY EMPLOYEES RETIREMENT ASSOCIATION

GATEWAY PLAZA - 300 N. LAKE AVENUE, SUITE 810, PASADENA, CA 91101

WEDNESDAY, APRIL 6, 2016, 1:55 P.M. – 2:35 P.M.

COMMITTEE MEMBERS

PRESENT: Les Robbins, Chair
William de la Garza, Vice Chair
Vivian H. Gray
Shawn R. Kehoe

ABSENT: Ronald Okum, Alternate

ALSO ATTENDING:

BOARD MEMBERS AT LARGE

Marvin Adams
Anthony Bravo
Joseph Kelly
David L. Muir (*left at 2:10 p.m.*)
Yves Chery

STAFF, ADVISORS, PARTICIPANTS

Leilani Ignacio Barry Lew
Kathy Migita

Aon Hewitt

Kirby Bosley
Helen Batsalkin

The meeting was called to order by Chair Robbins at 1:55 p.m.

I. APPROVAL OF THE MINUTES

A. Approval of the minutes of the special meeting of March 2, 2016

Mr. de la Garza made a motion, Mr. Kehoe seconded, to approve the minutes of the special meeting of March 2, 2016. The motion passed unanimously.

II. PUBLIC COMMENT

III. ACTION ITEMS

A. Recommendation as submitted by Cassandra Smith, Director, Retiree Healthcare: (Memorandum dated March 28, 2016)

1. Authorize staff to issue a Request For Proposal (RFP) for an external firm to audit the CMS Medicare Part D RDS Program submission for program year 2014-2015 with an option to also audit program years 2015-2016 and 2016-2017; and
2. Approve the RFP "Firm Minimum Qualifications" that key personnel shall each have a minimum of five years experience auditing RDS applications, and bidder must have performed RDS audits on at least two governmental clients having at least 5,000 participants within the last five years; and
3. Approve the evaluation process as follows:
 - a. July 2016 - Bidders make presentations to the Evaluation Committee
 - b. August 11, 2016 - Evaluation Committee provides final recommendations to IBLC
 - c. September 15, 2016 - IBLC provides a recommendation to the Board of Retirement. The finalists will make presentations to the Board of Retirement, and the Board will select and approve the winning audit firm.

Mr. de la Garza made a motion, Ms. Gray seconded, to approve the recommendation. The motion passed unanimously.

III. ACTION ITEMS (Continued)

- B. Recommendation as submitted by Barry W. Lew, Legislative Affairs Officer: That the Committee recommend the Board of Retirement adopt a "Watch" position on Assembly Bill 2257, which relates to the online posting of meeting agendas. (Memorandum dated March 24, 2016)

Mr. de la Garza made a motion, Mr. Robbins seconded, to approve the recommendation. The motion passed unanimously.

- C. Recommendation as submitted by Barry W. Lew, Legislative Affairs Officer: That the Committee recommend the Board of Retirement adopt a "Watch" position on Assembly Bill 2468, which establishes an alternative benefit formula under the California Public Employees' Pension Reform Act of 2013 for new nonsafety members of the Public Employees' Retirement System. (Memorandum dated March 21, 2016)

Mr. de la Garza made a motion, Mr. Robbins seconded, to approve the recommendation. The motion passed unanimously.

- D. Recommendation as submitted by Barry W. Lew, Legislative Affairs Officer: That the Committee recommend the Board of Retirement adopt a "Support" position on Assembly Bill 2853, which allows a public agency that posts a public record on its website to refer persons requesting that record to its website. (Memorandum dated March 23, 2016)

Mr. de la Garza made a motion, Ms. Gray seconded, to approve the recommendation. The motion passed unanimously.

- E. Recommendation as submitted by Barry W. Lew, Legislative Affairs Officer: That the Committee recommend the Board of Retirement adopt an "Oppose" position on HR 4822, which would enact the Public Employee Pension Transparency Act. (Memorandum dated March 28, 2016)

Ms. Gray made a motion, Mr. de la Garza seconded, to approve the recommendation. The motion passed unanimously.

IV. FOR INFORMATION

A. Staff Activities Report for March, 2016

The staff activities report was discussed.

B. CIGNA & Anthem Blue Cross Claims Experience

The CIGNA & Anthem Blue Cross Claims Experience reports through February 2016 were discussed.

C. Federal Legislation

- Aon Hewitt Washington Report

Submitted for information only.

V. GOOD OF THE ORDER

(For information purposes only)


VI. ADJOURNMENT

The meeting adjourned at 2:35 p.m.

***The Board of Retirement has adopted a policy permitting any member of the Board to attend a standing committee meeting open to the public. In the event five or more members of the Board of Retirement (including members appointed to the Committee) are in attendance, the meeting shall constitute a joint meeting of the Committee and the Board of Retirement. Members of the Board of Retirement who are not members of the Committee may attend and participate in a meeting of a Board Committee but may not vote on any matter discussed at the meeting. The only action the Committee may take at the meeting is approval of a recommendation to take further action at a subsequent meeting of the Board.**

April 26, 2016

TO: Insurance, Benefits and Legislative Committee
Les Robbins, Chair
William de la Garza, Vice Chair
Vivian H. Gray
Shawn Kehoe
Ronald Okum, Alternate

FROM: Barry W. Lew 
Legislative Affairs Officer

FOR: May 5, 2016 Insurance, Benefits and Legislative Committee Meeting

SUBJECT: **Assembly Bill 241– Disclosure of Retiree Information**

RECOMMENDATION

That the Insurance, Benefits and Legislative Committee recommend that the Board of Retirement adopt a “Watch” position on Assembly Bill 241, which provides for the disclosure of retiree information to a retiree organization.

DISCUSSION

This bill would require a local public entity to provide the name and mailing address of each retired employee or beneficiary that is receiving a retirement benefit to any organization incorporated as a California nonprofit corporation and qualified under Internal Revenue Code Section 501(c)(5) for the purpose of representing retired employees under any of the following occurrences:

- Neutral evaluation process with interested parties.
- Declaration of a fiscal emergency.
- Filing of a petition pursuant to federal bankruptcy law.

The organization that receives the names and mailing addresses is limited to using them only for the purposes listed above. It would be subject to a civil penalty of \$25,000 for violation of that limitation.

A retired employee or beneficiary may request in writing that the local public entity not disclosed his or her name and address and remove that information from the mailing list.

According to the author, this bill would enable a qualified retiree organization to represent the interests of retirees in a local public entity's bankruptcy proceedings.

IT IS THEREFORE RECOMMENDED THAT YOUR COMMITTEE recommend that the Board of Retirement adopt a "Watch" position on Assembly Bill 241, which provides for the disclosure of retiree information to a retiree organization.

Reviewed and Approved:



Steven P. Rice, Chief Counsel

Attachments

**LEGISLATIVE ANALYSIS
ASSEMBLY BILL 241**

AUTHOR: Gordon [D]

INTRODUCED: February 5, 2015

AMENDED: April 29, 2015

SPONSOR: Retired Public Employees Association

SUMMARY: Existing prohibits a local public entity from filing a petition pursuant to federal bankruptcy law unless it has participated in a neutral evaluation process with interested parties or it has declared a fiscal emergency. Interested parties include a representative selected by an association of retired employees who receive income from the public entity.

This bill would require a local public entity to provide the name and mailing address of each retired employee or beneficiary that is receiving a retirement benefit to any organization incorporated as a California nonprofit corporation and qualified under Internal Revenue Code Section 501(c)(5) for the purpose of representing retired employees under any of the following occurrences:

- Neutral evaluation process with interested parties.
- Declaration of a fiscal emergency.
- Filing of a petition pursuant to federal bankruptcy law.

The organization that receives the names and mailing addresses is limited to using them only for the purposes listed above. It would be subject to a civil penalty of \$25,000 for violation of that limitation.

A retired employee or beneficiary may request in writing that the local public entity not disclose his or her name and address and remove that information from the mailing list.

The bill makes a legislative finding that the act ensures that retirees and beneficiaries have the opportunity to meaningfully participate in the legal process of a federal bankruptcy filed by a local public entity.

ANALYSIS: The author cites the example of the city of Stockton that filed for bankruptcy. Certain city retirees had incorporated into an organization qualified under Internal Revenue Code Section 501(c)(5) and hired legal counsel to represent the group in bankruptcy court.

The 501(c)(5) organization requested the names and addresses of all city retirees to notify them of the organization's intent to seek representation before the court. However, the city refused the request pursuant to the California Public Records Act (PRA).

This bill would make an exception to the PRA and enable the release of private information under specified circumstances. It also protects the privacy of individuals who do not wish to share their name and address by allowing them to opt out of the mailing list.

**SUPPORT: Retired Public Employees Association
California State Retirees**

OPPOSITION: None on file

**STAFF
RECOMMENDATION: Watch**

PREPARED BY: Barry W. Lew, Legislative Affairs Officer

DATED: April 26, 2016

AMENDED IN ASSEMBLY APRIL 29, 2015

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

ASSEMBLY BILL

No. 241

Introduced by Assembly Member Gordon

February 5, 2015

An act to add Section 53760.9 to the Government Code, relating to local government.

LEGISLATIVE COUNSEL'S DIGEST

AB 241, as amended, Gordon. Bankruptcy: retired employees: disclosure of names and mailing addresses.

(1) Existing law prohibits a local public entity, as defined, from filing a petition and exercising powers pursuant to applicable federal bankruptcy law unless the local public entity has participated in a specified neutral evaluation process with interested parties, or the local public entity has declared a fiscal emergency and has adopted a resolution by a majority vote of the governing board at a noticed public hearing that includes findings that the financial state of the local public entity jeopardizes the health, safety, or well-being of the residents of the local public entity's jurisdiction or service area absent the protections of federal bankruptcy law. Existing law defines "interested party," for purposes of these provisions, to include, among others, a representative selected by an association of retired employees of the local public entity who receive income from the local public entity, as specified. Existing law exempts from public disclosure certain personal information of retirees from public employment.

This bill would require, notwithstanding any other law and under certain conditions, a local public entity to provide the name and mailing address of each retired employee or his or her beneficiary receiving the

retired employee’s retirement benefit to any organization that is incorporated and qualified under specific state and federal laws for the purpose of representing retired employees or their beneficiaries as members of the organization in a neutral evaluation process, the declaration of a fiscal emergency and adoption of a resolution, or a bankruptcy proceeding, as specified. This bill would limit an organization receiving this information under these provisions to using the information for only these purposes and impose ~~an unspecified~~ a civil penalty of \$25,000 on the organization for a violation of that limitation under unspecified conditions.

(2) The California Constitution requires local agencies, for the purpose of ensuring public access to the meetings of public bodies and the writings of public officials and agencies, to comply with a statutory enactment that amends or enacts laws relating to public records or open meetings and contains findings demonstrating that the enactment furthers the constitutional requirements relating to this purpose. This bill would make legislative findings to that effect.

(3) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

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

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

1 SECTION 1. Section 53760.9 is added to the Government
2 Code, to read:
3 53760.9. (a) Notwithstanding any other law, including, but
4 not limited to, the California Public Records Act (Chapter 3.5
5 (commencing with Section 6250) of Division 7 of Title 1), *except*
6 *as provided in subdivision (c)*, a local public entity shall provide
7 the name and mailing address of each retired employee, or his or
8 her beneficiary receiving the retired employee’s retirement benefit,
9 to any organization that is incorporated as a California nonprofit
10 mutual benefit corporation pursuant to Part 3 (commencing with
11 Section 7110) of Division 2 of Title 1 of the Corporations Code
12 and qualified pursuant to Section 501(c)(5) of Title 26 of the
13 Internal Revenue Code for the purpose of representing retired

1 employees of the local public entity, upon that organization's
2 request, if any of the following occur:

3 (1) The local public entity began the process of participating in
4 a neutral evaluation process pursuant to Section 53760.3.

5 (2) The local public entity declared a fiscal emergency and
6 adopted a resolution by a majority vote of the governing board
7 pursuant to Section 53760.5.

8 (3) The local public entity filed a petition pursuant to applicable
9 federal bankruptcy law.

10 (b) (1) An organization receiving the name and mailing address
11 of a retired employee or his or her beneficiary receiving the retired
12 employee's retirement benefit pursuant to subdivision (a) shall use
13 that information only for the purpose of representing the retired
14 employee or his or her beneficiary as a member of the organization
15 as an interested party in a neutral evaluation process pursuant to
16 Section 53760.3, the declaration of a fiscal emergency and adoption
17 of a resolution pursuant to Section 53760.5, or a bankruptcy
18 proceeding.

19 (2) An organization that violates paragraph (1) shall be subject
20 to a civil penalty in the amount of ~~_____ twenty-five thousand~~
21 ~~dollars-(\$_____)~~ (\$25,000) under the following conditions: ____.

22 (c) *Upon written request of any retired employee, or his or her*
23 *beneficiary receiving the retired employee's retirement benefit, a*
24 *local public entity shall not disclose the name and home address*
25 *of the retired employee, or his or her beneficiary receiving the*
26 *retired employee's retirement benefit, and shall remove the retired*
27 *employee, or his or her beneficiary receiving the retired employee's*
28 *retirement benefit, from any mailing list maintained by that local*
29 *public entity in compliance with subdivision (a).*

30 SEC. 2. The Legislature finds and declares that Section 1 of
31 this act, which adds Section 53760.9 to the Government Code,
32 furthers, within the meaning of paragraph (7) of subdivision (b)
33 of Section 3 of Article I of the California Constitution, the purposes
34 of that constitutional section as it relates to the right of public
35 access to the meetings of local public bodies or the writings of
36 local public officials and local agencies. Pursuant to paragraph (7)
37 of subdivision (b) of Section 3 of Article I of the California
38 Constitution, the Legislature makes the following findings:

39 This act ensures that public retirees and their beneficiaries have
40 the opportunity to meaningfully participate in the legal processes

1 of a local public entity filing a petition and exercising powers
2 pursuant to applicable federal bankruptcy law.
3 SEC. 3. No reimbursement is required by this act pursuant to
4 Section 6 of Article XIII B of the California Constitution because
5 the only costs that may be incurred by a local agency or school
6 district under this act would result from a legislative mandate that
7 is within the scope of paragraph (7) of subdivision (b) of Section
8 3 of Article I of the California Constitution.

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ASSEMBLY BILL

No. 241

Introduced by Assembly Member Gordon

February 5, 2015

An act to add Section 53760.9 to the Government Code, relating to local government.

LEGISLATIVE COUNSEL'S DIGEST

AB 241, as introduced, Gordon. Bankruptcy: retired employees: disclosure of names and mailing addresses.

(1) Existing law prohibits a local public entity, as defined, from filing a petition and exercising powers pursuant to applicable federal bankruptcy law unless the local public entity has participated in a specified neutral evaluation process with interested parties, or the local public entity has declared a fiscal emergency and has adopted a resolution by a majority vote of the governing board at a noticed public hearing that includes findings that the financial state of the local public entity jeopardizes the health, safety, or well-being of the residents of the local public entity's jurisdiction or service area absent the protections of federal bankruptcy law. Existing law defines "interested party," for purposes of these provisions, to include, among others, a representative selected by an association of retired employees of the local public entity who receive income from the local public entity, as specified. Existing law exempts from public disclosure certain personal information of retirees from public employment.

This bill would require, notwithstanding any other law and under certain conditions, a local public entity to provide the name and mailing address of each retired employee or his or her beneficiary receiving the retired employee's retirement benefit to any organization that is

incorporated and qualified under specific state and federal laws for the purpose of representing retired employees or their beneficiaries as members of the organization in a neutral evaluation process, the declaration of a fiscal emergency and adoption of a resolution, or a bankruptcy proceeding, as specified. This bill would limit an organization receiving this information under these provisions to using the information for only these purposes and impose an unspecified civil penalty on the organization for a violation of that limitation under unspecified conditions.

(2) The California Constitution requires local agencies, for the purpose of ensuring public access to the meetings of public bodies and the writings of public officials and agencies, to comply with a statutory enactment that amends or enacts laws relating to public records or open meetings and contains findings demonstrating that the enactment furthers the constitutional requirements relating to this purpose. This bill would make legislative findings to that effect.

(3) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

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

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

1 SECTION 1. Section 53760.9 is added to the Government
 2 Code, to read:
 3 53760.9. (a) Notwithstanding any other law, including, but
 4 not limited to, the California Public Records Act (Chapter 3.5
 5 (commencing with Section 6250) of Division 7 of Title 1), a local
 6 public entity shall provide the name and mailing address of each
 7 retired employee, or his or her beneficiary receiving the retired
 8 employee's retirement benefit, to any organization that is
 9 incorporated as a California nonprofit mutual benefit corporation
 10 pursuant to Part 3 (commencing with Section 7110) of Division 2
 11 of Title 1 of the Corporations Code and qualified pursuant to
 12 Section 501(c)(5) of Title 26 of the Internal Revenue Code for the
 13 purpose of representing retired employees of the local public entity,
 14 upon that organization's request, if any of the following occur:

1 (1) The local public entity began the process of participating in
2 a neutral evaluation process pursuant to Section 53760.3.

3 (2) The local public entity declared a fiscal emergency and
4 adopted a resolution by a majority vote of the governing board
5 pursuant to Section 53760.5.

6 (3) The local public entity filed a petition pursuant to applicable
7 federal bankruptcy law.

8 (b) (1) An organization receiving the name and mailing address
9 of a retired employee or his or her beneficiary receiving the retired
10 employee’s retirement benefit pursuant to subdivision (a) shall use
11 that information only for the purpose of representing the retired
12 employee or his or her beneficiary as a member of the organization
13 as an interested party in a neutral evaluation process pursuant to
14 Section 53760.3, the declaration of a fiscal emergency and adoption
15 of a resolution pursuant to Section 53760.5, or a bankruptcy
16 proceeding.

17 (2) An organization that violates paragraph (1) shall be subject
18 to a civil penalty in the amount of _____ dollars (\$_____) under the
19 following conditions: _____.

20 SEC. 2. The Legislature finds and declares that Section 1 of
21 this act, which adds Section 53760.9 to the Government Code,
22 furthers, within the meaning of paragraph (7) of subdivision (b)
23 of Section 3 of Article I of the California Constitution, the purposes
24 of that constitutional section as it relates to the right of public
25 access to the meetings of local public bodies or the writings of
26 local public officials and local agencies. Pursuant to paragraph (7)
27 of subdivision (b) of Section 3 of Article I of the California
28 Constitution, the Legislature makes the following findings:

29 This act ensures that public retirees and their beneficiaries have
30 the opportunity to meaningfully participate in the legal processes
31 of a local public entity filing a petition and exercising powers
32 pursuant to applicable federal bankruptcy law.

33 SEC. 3. No reimbursement is required by this act pursuant to
34 Section 6 of Article XIII B of the California Constitution because
35 the only costs that may be incurred by a local agency or school
36 district under this act would result from a legislative mandate that
37 is within the scope of paragraph (7) of subdivision (b) of Section
38 3 of Article I of the California Constitution.

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April 25, 2016

TO: Insurance, Benefits and Legislative Committee
Les Robbins, Chair
William de la Garza, Vice Chair
Vivian H. Gray
Shawn Kehoe
Ronald Okum, Alternate

FROM: Barry W. Lew 
Legislative Affairs Officer

FOR: May 5, 2016 Insurance, Benefits and Legislative Committee Meeting

SUBJECT: **Assembly Bill 1707– Public Records Requests**

RECOMMENDATION

That the Insurance, Benefits and Legislative Committee recommend that the Board of Retirement adopt a “Watch” position on Assembly Bill 1707, which requires a public agency to identify the type of record being withheld and the specific exemption that justifies the withholding.

DISCUSSION

The California Public Records Act (PRA) requires local agencies to make public records available for inspection, unless an exemption exists. A public agency must justify the withholding of the record by demonstrating its exemption under the PRA or that nondisclosure of the record outweighs the public interest in its disclosure.

This bill would require that written response relating to the exemption of the record from disclosure identify the type of record being withheld and the specific exemption within the PRA that justifies the withholding.

The LACERA staff responsible for fulfilling requests for public records reports that LACERA substantially meets the standard prescribed by the bill. Requests for LACERA’s public records generally are for a specific type of record, and staff cites specific exemptions within the PRA to justify any withholding of records.

IT IS THEREFORE RECOMMENDED THAT YOUR COMMITTEE recommend that the Board of Retirement adopt a “Watch” position on Assembly Bill 1707, which requires a

public agency to identify the type of record being withheld and the specific exemption that justifies the withholding.

Reviewed and Approved:

A handwritten signature in blue ink that reads "Steven P. Rice". The signature is written in a cursive style.

Steven P. Rice, Chief Counsel

Attachments

cc: John Harrington

2016. Leg.AB 1707.IBL.042516

**LEGISLATIVE ANALYSIS
ASSEMBLY BILL 1707**

AUTHOR: Linder [R]

INTRODUCED: January 25, 2016

AMENDED: March 28, 2016

SPONSOR: Assemblyman Eric Linder

SUMMARY: The California Public Records Act (PRA) requires local agencies to make public records available for inspection, unless an exemption exists. A public agency must justify the withholding of the record by demonstrating its exemption under the PRA or that nondisclosure of the record outweighs the public interest in its disclosure.

This bill would require that written response relating to the exemption of the record from disclosure identify the type of record being withheld and the specific exemption within the PRA that justifies the withholding.

ANALYSIS: An earlier version of the bill required that the response to a records request be in writing regardless of whether the request was in writing. It also required that the written response include a list that contains the title of each record being withheld and the specific exemption applicable to the withholding. The bill was amended due to concerns from opponents that these requirements would be costly and time-consuming.

The current bill would require that public agencies identify the type of record being withheld and the applicable exemption within the PRA.

The LACERA staff responsible for fulfilling requests for public records reports that LACERA substantially meets the standard prescribed by the bill. Requests for public records generally are for a specific type of record, and staff cites specific exemptions within the PRA to justify any withholding of records.

SUPPORT: ACLU
California Newspaper Publishers Association
Electronic Frontier Foundation
Firearms Policy Coalition
San Diegans for Open Government
Socrata
Sierra Club

OPPOSITION: Association of California Water Agencies
California Association of Clerks and Election Officials

**California Association of Counties
City Clerks Association of California
Cities of Burbank, Belvedere, Chico, Chino, Chino Hills,
Coachella, Colton, Corona, Costa Mesa, Cypress, Danville,
Desert Hot Springs, Downey, Dublin, Eastvale, Glendora,
Indian Wells, Laguna Hills, Lakeport, Lakewood, La Quinta,
Los Alamitos, Los Altos, Martinez, Menifee, Murrieta, Napa,
Newark, Newport Beach, Norco, Norwalk, Ontario, Pinole,
Poway, Rancho Cucamonga, Riverbank, Rocklin, Roseville,
Salinas, San Dimas, San Marino, Santa Maria, Santa
Monica, South Lake Tahoe, Temecula, Torrance, Union City
League of California Cities
Sacramento Municipal Utility District (SMUD)
San Joaquin Board of Supervisors
One Individual**

STAFF

RECOMMENDATION: Watch

PREPARED BY: Barry W. Lew, Legislative Affairs Officer

DATED: April 25, 2016

AMENDED IN ASSEMBLY MARCH 28, 2016

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

ASSEMBLY BILL

No. 1707

Introduced by Assembly Member Members Linder and Dababneh
(Principal coauthor: Assembly Member Cristina Garcia)
(Coauthors: Assembly Members Travis Allen, Brough, Hadley, Lackey,
and Olsen)

January 25, 2016

An act to amend Section 6255 of the Government Code, relating to public records.

LEGISLATIVE COUNSEL'S DIGEST

AB 1707, as amended, Linder. Public records: response to request.

The California Public Records Act requires state and local agencies to make public records available for inspection, unless an exemption from disclosure applies. *Existing law requires an agency to justify withholding any record by demonstrating that the record is exempt under express provisions of the act or that the public interest served by not disclosing the record clearly outweighs the public interest served by disclosure.* The act requires a response to a written request for public records that includes a denial of the request, in whole or in part, to be in writing.

~~This bill instead would require that response to be in writing regardless of whether the request was in writing. The bill would require that written response additionally to include a list that contains the title or other identification of each record requested but withheld due to an exemption and the specific exemption that applies to that record. *the written response demonstrating that the record in question is exempt under an express provision of the act also to identify the type or types of record*~~

withheld and the specific exemption that justifies withholding that type of record. Because local agencies would be required to comply with this new requirement, this bill would impose a state-mandated local program.

The California Constitution requires local agencies, for the purpose of ensuring public access to the meetings of public bodies and the writings of public officials and agencies, to comply with a statutory enactment that amends or enacts laws relating to public records or open meetings and contains findings demonstrating that the enactment furthers the constitutional requirements relating to this purpose.

This bill would make legislative findings to that effect.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

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

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

1 SECTION 1. Section 6255 of the Government Code is amended
2 to read:

3 6255. (a) The agency shall justify withholding any record by
4 demonstrating that the record in question is exempt under express
5 provisions of this chapter or that on the facts of the particular case
6 the public interest served by not disclosing the record clearly
7 outweighs the public interest served by disclosure of the record.

8 (b) A response to ~~any~~ *a written* request for inspection or copies
9 of public records that includes a determination that the request is
10 denied, in whole or in part, shall be in writing. ~~That written~~
11 ~~response also shall include a list that contains both of the following:~~
12 *The written response demonstrating that the record in question is*
13 *exempt under an express provision of this chapter also shall*
14 *identify the type or types of record withheld and the specific*
15 *exemption that justifies withholding that type of record.*

16 ~~(1) The title or other identification of each record requested but~~
17 ~~withheld due to an exemption.~~

18 ~~(2) The specific exemption that applies to that record.~~

1 SEC. 2. The Legislature finds and declares that Section 1 of
2 this act, which amends Section 6255 of the Government Code,
3 furthers, within the meaning of paragraph (7) of subdivision (b)
4 of Section 3 of Article I of the California Constitution, the purposes
5 of that constitutional section as it relates to the right of public
6 access to the meetings of local public bodies or the writings of
7 local public officials and local agencies. Pursuant to paragraph (7)
8 of subdivision (b) of Section 3 of Article I of the California
9 Constitution, the Legislature makes the following findings:

10 Because the people have the right of access to information
11 concerning the conduct of the people’s business, requiring local
12 agencies ~~to provide a written response to any request for public~~
13 ~~records that is denied and to include in that response a list of each~~
14 ~~record being withheld due to an exemption from disclosure and~~
15 ~~the specific exemption that applies furthers the purposes of Section~~
16 ~~3 of Article I. also to identify in the written response demonstrating~~
17 ~~that the record is exempt under an express provision of the~~
18 ~~California Public Records Act the type or types of record withheld,~~
19 ~~and the specific exemption that applies, furthers the purposes of~~
20 ~~Section 3 of Article I.~~

21 SEC. 3. No reimbursement is required by this act pursuant to
22 Section 6 of Article XIII B of the California Constitution because
23 the only costs that may be incurred by a local agency or school
24 district under this act would result from a legislative mandate that
25 is within the scope of paragraph (7) of subdivision (b) of Section
26 3 of Article I of the California Constitution.

ASSEMBLY BILL

No. 1707

Introduced by Assembly Member Linder

January 25, 2016

An act to amend Section 6255 of the Government Code, relating to public records.

LEGISLATIVE COUNSEL'S DIGEST

AB 1707, as introduced, Linder. Public records: response to request.

The California Public Records Act requires state and local agencies to make public records available for inspection, unless an exemption from disclosure applies. The act requires a response to a written request for public records that includes a denial of the request, in whole or in part, to be in writing.

This bill instead would require that response to be in writing regardless of whether the request was in writing. The bill would require that written response additionally to include a list that contains the title or other identification of each record requested but withheld due to an exemption and the specific exemption that applies to that record. Because local agencies would be required to comply with this new requirement, this bill would impose a state-mandated local program.

The California Constitution requires local agencies, for the purpose of ensuring public access to the meetings of public bodies and the writings of public officials and agencies, to comply with a statutory enactment that amends or enacts laws relating to public records or open meetings and contains findings demonstrating that the enactment furthers the constitutional requirements relating to this purpose.

This bill would make legislative findings to that effect.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

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

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

1 SECTION 1. Section 6255 of the Government Code is amended
2 to read:

3 6255. (a) The agency shall justify withholding any record by
4 demonstrating that the record in question is exempt under express
5 provisions of this chapter or that on the facts of the particular case
6 the public interest served by not disclosing the record clearly
7 outweighs the public interest served by disclosure of the record.

8 (b) A response to ~~a written~~ any request for inspection or copies
9 of public records that includes a determination that the request is
10 denied, in whole or in part, shall be in writing. *That written*
11 *response also shall include a list that contains both of the*
12 *following:*

13 (1) *The title or other identification of each record requested but*
14 *withheld due to an exemption.*

15 (2) *The specific exemption that applies to that record.*

16 SEC. 2. The Legislature finds and declares that Section 1 of
17 this act, which amends Section 6255 of the Government Code,
18 furthers, within the meaning of paragraph (7) of subdivision (b)
19 of Section 3 of Article I of the California Constitution, the purposes
20 of that constitutional section as it relates to the right of public
21 access to the meetings of local public bodies or the writings of
22 local public officials and local agencies. Pursuant to paragraph (7)
23 of subdivision (b) of Section 3 of Article I of the California
24 Constitution, the Legislature makes the following findings:

25 Because the people have the right of access to information
26 concerning the conduct of the people’s business, requiring local
27 agencies to provide a written response to any request for public
28 records that is denied and to include in that response a list of each
29 record being withheld due to an exemption from disclosure and


1 the specific exemption that applies furthers the purposes of Section
2 3 of Article 1.

3 SEC. 3. No reimbursement is required by this act pursuant to
4 Section 6 of Article XIII B of the California Constitution because
5 the only costs that may be incurred by a local agency or school
6 district under this act would result from a legislative mandate that
7 is within the scope of paragraph (7) of subdivision (b) of Section
8 3 of Article I of the California Constitution.

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April 26, 2016

TO: Insurance, Benefits and Legislative Committee
Les Robbins, Chair
William de la Garza, Vice Chair
Vivian H. Gray
Shawn Kehoe
Ronald Okum, Alternate

FROM: Barry W. Lew 
Legislative Affairs Officer

FOR: May 5, 2016 Insurance, Benefits and Legislative Committee Meeting

SUBJECT: **Assembly Bill 2628—Political Reform Act and Employment Restrictions**

RECOMMENDATION

That the Insurance, Benefits and Legislative Committee recommend that the Board of Retirement adopt a “Watch” position on Assembly Bill 2628, which relates to statements of economic interests and postgovernmental employment.

DISCUSSION

This bill would prohibit an elected or appointed officer of a state or local agency while in office and for one year after leaving office from maintaining employment with or be compensated as a consultant of the state or local agency. It would also prohibit the officer from assisting an entity, for compensation, with a permit, regulatory action, or enforcement action before the state or local agency.

The bill would require city clerks and county clerks that maintain an Internet web site to make statements of economic interests filed by elected officers available on the web site. It would also require that each state and local agency that maintains an Internet web site to make statements of economic interests filed by specified individuals—including public officials who manage public investments—with the agency’s filing officer available on its web site.

The County Employees Retirement Law of 1937 already places 2-year revolving door restrictions on public pension boards, administrators, and staff from making appearances before the retirement board or contacting staff for the purpose of influencing decisions by the retirement board. This bill would further prohibit a former

board member, for compensation, from assisting or advising others with business before the retirement board.

With respect to postgovernmental employment, the bill would prohibit a former officer from being employed by that agency in any other capacity for one year after leaving office. As such, a former board member for one year after office would be prohibited from being employed in a staff position.

LACERA board members and designated staff are required to file statements of economic interests, which are available for public inspection and reproduction. This bill would require that the statements of economic interests related to positions that manage public investments be posted on the LACERA website. The positions would include the members of the Board of Investments, Chief Executive Officer, Chief Counsel, Chief Investment Officer, and Principal Investment Officer.

IT IS THEREFORE RECOMMENDED THAT YOUR COMMITTEE recommend that the Board of Retirement adopt a "Watch" position on Assembly Bill 2628, which relates to statements of economic interests and postgovernmental employment.

Reviewed and Approved:



Steven P. Rice, Chief Counsel

Attachments

**LEGISLATIVE ANALYSIS
ASSEMBLY BILL 2628**

AUTHOR: Levine [D]

INTRODUCED: February 19, 2016

AMENDED: April 19, 2016, April 6, 2016, March 17, 2016, February 19, 2016

SPONSOR: Assemblymember Marc Levine

SUMMARY: This bill would prohibit an elected or appointed officer of a state or local agency while in office and for one year after leaving office from maintaining employment with or be compensated as a consultant of the state or local agency. It would also prohibit the officer from assisting an entity, for compensation, with a permit, regulatory action, or enforcement action before the state or local agency.

The bill would require city clerks and county clerks that maintain an Internet web site to make statements of economic interests filed by elected officers available on the web site.

The bill would also require that each state and local agency that maintains an Internet web site to make statements of economic interests filed by specified individuals—including public officials who manage public investments—with the agency’s filing officer available on its web site.

ANALYSIS: The County Employees Retirement Law of 1937 already places 2-year revolving door restrictions on public pension boards, administrators, and staff. Such individuals are prohibited, for compensation, from making an appearance before the retirement system or contacting the system’s staff for the purpose of influencing administrative or legislative action; any action involving permits, licenses, grants, or contracts; or the sale or purchase of goods or property. This bill would further prohibit a former board member, for compensation, from assisting or advising others with business before the agency.

With respect to postgovernmental employment, the bill would prohibit a former officer from being employed by that agency in any other capacity for one year after leaving office. This bill would prohibit a former board member for one year after office from being employed in a staff position. According to an analysis by the Assembly Committee on Elections and Redistricting, this prohibition is in response to recent events at the California Coastal Commission and the South Coast Air Quality Management

District involving the removal of high-ranking employees; the author is concerned that existing law does not preclude a board member of those agencies from serving in the positions made vacant by the agency's board.

LACERA board members and designated staff are required to file statements of economic interests, which are available for public inspection and reproduction. This bill would require that the statements of economic interests related to positions that manage public investments be posted on the LACERA website. The positions would include the members of the Board of Investments, Chief Executive Officer, Chief Counsel, Chief Investment Officer, and Principal Investment Officer.

SUPPORT: Azul
California Coastal Protection Network
California Coastkeeper Alliance
Sierra Club California
Surfrider Foundation

OPPOSITION: None on file

**STAFF
RECOMMENDATION:** Watch

PREPARED BY: Barry W. Lew, Legislative Affairs Officer

DATED: April 26, 2016

AMENDED IN ASSEMBLY APRIL 19, 2016

AMENDED IN ASSEMBLY APRIL 6, 2016

AMENDED IN ASSEMBLY MARCH 17, 2016

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

ASSEMBLY BILL

No. 2628

Introduced by Assembly Member Levine

(Principal coauthor: Senator Jackson)

(Coauthors: Assembly Members Bonta, Campos, Chau, Chiu, Chu, Eggman, Cristina Garcia, Gomez, McCarty, Nazarian, Thurmond, Weber, Williams, and Wood)

(Coauthor: Senator McGuire)

February 19, 2016

An act to amend Section 87505 of, and to add Sections 87406.5 and 87506 to, the Government Code, relating to the Political Reform Act of 1974.

LEGISLATIVE COUNSEL'S DIGEST

AB 2628, as amended, Levine. Political Reform Act of 1974: employment restrictions.

The Political Reform Act of 1974 generally prohibits a public official, as defined, from making, participating in making, or using his or her official position to influence a governmental decision in which the official has a financial interest. The act also requires the disclosure of specified financial interests of certain public officials on a statement of economic interests, which is filed annually. The act imposes certain restrictions on postgovernmental employment of specified public officials of state and local agencies.

This bill would require each state agency and each local agency that maintains an Internet Web site to make publicly available on that Internet Web site the statements of economic interests filed by the specified public officials.

This bill would prohibit an elected or appointed officer of a state or local agency, while holding office and for a period of one year after leaving office, from engaging in specified conduct, including maintaining employment with, as specified, or being a compensated consultant of that agency or, for compensation, aiding, advising, consulting with, or assisting an entity with a permit, regulatory action, or enforcement action pending before the agency.

A violation of the act is punishable as a misdemeanor. By expanding the scope of an existing crime, this bill would impose a state-mandated local program. The bill would also impose a state-mandated local program by increasing the duties imposed on local officials.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that with regard to certain mandates no reimbursement is required by this act for a specified reason.

With regard to any other mandates, this bill would provide that, if the Commission on State Mandates determines that the bill contains costs so mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.

The Political Reform Act of 1974, an initiative measure, provides that the Legislature may amend the act to further the act’s purposes upon a 2/3 vote of each house and compliance with specified procedural requirements.

This bill would declare that it furthers the purposes of the act.

Vote: 2/3. Appropriation: no. Fiscal committee: yes.

State-mandated local program: yes.

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

- 1 SECTION 1. Section 87406.5 is added to the Government
- 2 Code, to read:
- 3 87406.5. An elected or appointed officer of a state or local
- 4 agency, while holding office and for a period of one year after
- 5 leaving office, shall not do any of the following:

1 (a) Maintain employment ~~with, in a position other than the~~
2 ~~currently held elected or appointed office,~~ *with* or be a compensated
3 consultant of the state or local agency. *For purposes of this section,*
4 *“employment” does not include the currently held appointive office*
5 *or any elective office of the state or local agency.*

6 (b) Aid, advise, consult with, or assist an entity, for
7 compensation, with a permit, regulatory action, or enforcement
8 action pending before the state or local agency.

9 SEC. 2. Section 87505 of the Government Code is amended
10 to read:

11 87505. Each city clerk or county clerk who maintains an
12 Internet Web site shall post on that Internet Web site a notification
13 that includes all of the following:

14 (a) A list of the elected officers identified in Section 87200 who
15 file statements of economic interests with that city clerk or county
16 clerk pursuant to Section 87500.

17 (b) A statement that copies of the statements of economic
18 interests filed by the elected officers described in subdivision (a)
19 may be obtained by visiting the offices of the Commission or that
20 city clerk or county clerk, as appropriate, or the Internet Web site
21 of the city or county. The statement shall include the physical
22 address for the Commission’s office and the city clerk’s office or
23 the county clerk’s office, as appropriate.

24 (c) A link to the Commission’s Internet Web site and a statement
25 that statements of economic interests for some state and local
26 government agency elected officers may be available in an
27 electronic format on the Commission’s Internet Web site.

28 SEC. 3. Section 87506 is added to the Government Code, to
29 read:

30 87506. Each state agency and each local agency that maintains
31 an Internet Web site shall make publicly available on the Internet
32 Web site each statement of economic interests filed with the
33 agency’s filing officer by an official identified in Section 87200.

34 SEC. 4. No reimbursement is required by this act pursuant to
35 Section 6 of Article XIII B of the California Constitution for certain
36 costs that may be incurred by a local agency or school district
37 because, in that regard, this act creates a new crime or infraction,
38 eliminates a crime or infraction, or changes the penalty for a crime
39 or infraction, within the meaning of Section 17556 of the
40 Government Code, or changes the definition of a crime within the

1 meaning of Section 6 of Article XIII B of the California
2 Constitution.

3 However, if the Commission on State Mandates determines that
4 this act contains other costs mandated by the state, reimbursement
5 to local agencies and school districts for those costs shall be made
6 pursuant to Part 7 (commencing with Section 17500) of Division
7 4 of Title 2 of the Government Code.

8 SEC. 5. The Legislature finds and declares that this bill furthers
9 the purposes of the Political Reform Act of 1974 within the
10 meaning of subdivision (a) of Section 81012 of the Government
11 Code.

O

AMENDED IN ASSEMBLY APRIL 6, 2016

AMENDED IN ASSEMBLY MARCH 17, 2016

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

ASSEMBLY BILL

No. 2628

Introduced by Assembly Member Levine

(Principal coauthor: Senator Jackson)

(Coauthors: Assembly Members Bonta, Campos, Chau, Chiu, Chu, Eggman, Cristina Garcia, Gomez, McCarty, Nazarian, Thurmond, Weber, Williams, and Wood)

(Coauthor: Senator McGuire)

February 19, 2016

An act to amend Section 87505 of, and to add Sections 87406.5 and 87506 to, the Government Code, relating to the Political Reform Act of 1974.

LEGISLATIVE COUNSEL'S DIGEST

AB 2628, as amended, Levine. Political Reform Act of 1974: employment restrictions.

The Political Reform Act of 1974 generally prohibits a public official, as defined, from making, participating in making, or using his or her official position to influence a governmental decision in which the official has a financial interest. The act also requires the disclosure of specified financial interests of certain public officials on a statement of economic interests, which is filed annually. The act imposes certain restrictions on postgovernmental employment of specified public officials of state and local agencies.

This bill would require each state agency and each local agency that maintains an Internet Web site to make *publicly available on that*

~~Internet Web site the statements of economic interests filed by the agency's elected and appointed officials available on the agency's Internet Web site. specified public officials.~~

This bill would prohibit an elected or appointed officer of a state or local agency, while holding office and for a period of one year after leaving office, from engaging in specified conduct, including maintaining employment with, *as specified*, or being a compensated consultant of ~~any other board, commission, or other body on which the officer served as a member while holding the elective or appointed office, performing services that would qualify the officer as a lobbyist, and performing services as a compensated consultant or employee of an entity having a direct financial interest in a permit, regulatory, or enforcement action pending before the agency. that agency or, for compensation, aiding, advising, consulting with, or assisting an entity with a permit, regulatory action, or enforcement action pending before the agency.~~

A violation of the act is punishable as a misdemeanor. By expanding the scope of an existing crime, this bill would impose a state-mandated local program. The bill would also impose a state-mandated local program by increasing the duties imposed on local officials.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that with regard to certain mandates no reimbursement is required by this act for a specified reason.

With regard to any other mandates, this bill would provide that, if the Commission on State Mandates determines that the bill contains costs so mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.

The Political Reform Act of 1974, an initiative measure, provides that the Legislature may amend the act to further the act's purposes upon a $\frac{2}{3}$ vote of each house and compliance with specified procedural requirements.

This bill would declare that it furthers the purposes of the act.

Vote: $\frac{2}{3}$. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

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

1 SECTION 1. Section 87406.5 is added to the Government
2 Code, to read:

3 87406.5. An elected or appointed officer of a state or local
4 agency, while holding office and for a period of one year after
5 leaving office, shall not do any of the following:

6 ~~(a) Maintain employment with or be a compensated consultant~~
7 ~~of any board, commission, or other body on which the officer~~
8 ~~serves or served as a member while holding the elective or~~
9 ~~appointed office.~~

10 ~~(b) Perform services that would qualify the officer as a lobbyist.~~

11 ~~(c) Perform services as a compensated consultant or employee~~
12 ~~of an entity having a direct financial interest in a permit, regulatory,~~
13 ~~or enforcement action pending before the agency.~~

14 (a) *Maintain employment with, in a position other than the*
15 *currently held elected or appointed office, or be a compensated*
16 *consultant of the state or local agency.*

17 (b) *Aid, advise, consult with, or assist an entity, for*
18 *compensation, with a permit, regulatory action, or enforcement*
19 *action pending before the state or local agency.*

20 SEC. 2. Section 87505 of the Government Code is amended
21 to read:

22 87505. Each city clerk or county clerk who maintains an
23 Internet Web site shall post on that Internet Web site a notification
24 that includes all of the following:

25 (a) A list of the elected officers identified in Section 87200 who
26 file statements of economic interests with that city clerk or county
27 clerk pursuant to Section 87500.

28 (b) A statement that copies of the statements of economic
29 interests filed by the elected officers described in subdivision (a)
30 may be obtained by visiting the offices of the Commission or that
31 city clerk or county clerk, as appropriate, or the Internet Web site
32 of the city or county. The statement shall include the physical
33 address for the Commission's office and the city clerk's office or
34 the county clerk's office, as appropriate.

35 (c) A link to the Commission's Internet Web site and a statement
36 that statements of economic interests for some state and local
37 government agency elected officers may be available in an
38 electronic format on the Commission's Internet Web site.

1 SEC. 3. Section 87506 is added to the Government Code, to
2 read:

3 87506. Each state agency and each local agency that maintains
4 an Internet Web site shall make *publicly available on the Internet*
5 *Web site* each statement of economic interests filed with the
6 agency's filing officer by an ~~elected or appointed official of the~~
7 ~~agency publicly available on the agency's Internet Web site.~~ *official*
8 *identified in Section 87200.*

9 SEC. 4. No reimbursement is required by this act pursuant to
10 Section 6 of Article XIII B of the California Constitution for certain
11 costs that may be incurred by a local agency or school district
12 because, in that regard, this act creates a new crime or infraction,
13 eliminates a crime or infraction, or changes the penalty for a crime
14 or infraction, within the meaning of Section 17556 of the
15 Government Code, or changes the definition of a crime within the
16 meaning of Section 6 of Article XIII B of the California
17 Constitution.

18 However, if the Commission on State Mandates determines that
19 this act contains other costs mandated by the state, reimbursement
20 to local agencies and school districts for those costs shall be made
21 pursuant to Part 7 (commencing with Section 17500) of Division
22 4 of Title 2 of the Government Code.

23 SEC. 5. The Legislature finds and declares that this bill furthers
24 the purposes of the Political Reform Act of 1974 within the
25 meaning of subdivision (a) of Section 81012 of the Government
26 Code.

AMENDED IN ASSEMBLY MARCH 17, 2016

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

ASSEMBLY BILL

No. 2628

Introduced by Assembly Member Levine

(Principal coauthor: Senator Jackson)

(Coauthors: Assembly Members Bonta, Campos, Chau, Chiu, Chu, Eggman, Cristina Garcia, Gomez, McCarty, Nazarian, Thurmond, Weber, Williams, and Wood)

(Coauthor: Senator McGuire)

February 19, 2016

An act to ~~add Section 87406.5 to~~ amend Section 87505 of, and to add Sections 87406.5 and 87506 to, the Government Code, relating to the Political Reform Act of 1974.

LEGISLATIVE COUNSEL'S DIGEST

AB 2628, as amended, Levine. Political Reform Act of 1974: ~~postgovernmental employment.~~ *employment restrictions.*

The Political Reform Act of 1974 *generally prohibits a public official, as defined, from making, participating in making, or using his or her official position to influence a governmental decision in which the official has a financial interest. The act also requires the disclosure of specified financial interests of certain public officials on a statement of economic interests, which is filed annually. The act imposes certain restrictions on postgovernmental employment of specified public officials of state and local agencies.*

This bill would require each state agency and each local agency that maintains an Internet Web site to make the statements of economic interests filed by the agency's elected and appointed officials available on the agency's Internet Web site.

This bill would prohibit an elected or appointed officer of a state or local agency, *while holding office and for a period of one year after leaving office*, from *engaging in specified conduct, including maintaining employment with or being a compensated consultant of any other board, commission, or other body on which the officer served as a member while holding the elective or appointed office, performing services that would qualify the officer as a lobbyist, and performing services as a compensated consultant or employee of an entity having a direct financial interest in a permit, regulatory, or enforcement action pending before the agency.*

A violation of the act is punishable as a ~~misdemeanor~~ *misdemeanor*. By expanding the scope of an existing crime, this bill would impose a state-mandated local program. *The bill would also impose a state-mandated local program by increasing the duties imposed on local officials.*

~~The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.~~

~~This bill would provide that no reimbursement is required by this act for a specified reason:~~

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that with regard to certain mandates no reimbursement is required by this act for a specified reason.

With regard to any other mandates, this bill would provide that, if the Commission on State Mandates determines that the bill contains costs so mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.

The Political Reform Act of 1974, an initiative measure, provides that the Legislature may amend the act to further the act's purposes upon a $\frac{2}{3}$ vote of each house and compliance with specified procedural requirements.

This bill would declare that it furthers the purposes of the act.

Vote: $\frac{2}{3}$. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

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

1 SECTION 1. Section 87406.5 is added to the Government
2 Code, to read:

3 87406.5. An elected or appointed officer of a state or local
4 agency, *while holding office and* for a period of one year after
5 leaving office, shall not ~~maintain~~ *do any of the following:*

6 (a) *Maintain* employment with or be a compensated consultant
7 of any board, commission, or other body on which the officer
8 *serves or* served as a member while holding the elective or
9 appointed office.

10 (b) *Perform services that would qualify the officer as a lobbyist.*

11 (c) *Perform services as a compensated consultant or employee*
12 *of an entity having a direct financial interest in a permit,*
13 *regulatory, or enforcement action pending before the agency.*

14 ~~SEC. 2. No reimbursement is required by this act pursuant to~~
15 ~~Section 6 of Article XIII B of the California Constitution because~~
16 ~~the only costs that may be incurred by a local agency or school~~
17 ~~district will be incurred because this act creates a new crime or~~
18 ~~infraction, eliminates a crime or infraction, or changes the penalty~~
19 ~~for a crime or infraction, within the meaning of Section 17556 of~~
20 ~~the Government Code, or changes the definition of a crime within~~
21 ~~the meaning of Section 6 of Article XIII B of the California~~
22 ~~Constitution.~~

23 *SEC. 2. Section 87505 of the Government Code is amended to*
24 *read:*

25 87505. Each city clerk or county clerk who maintains an
26 Internet Web site shall post on that Internet Web site a notification
27 that includes all of the following:

28 (a) A list of the elected officers identified in Section 87200 who
29 file statements of economic interests with that city clerk or county
30 clerk pursuant to Section 87500.

31 (b) A statement that copies of the statements of economic
32 interests filed by the elected officers described in subdivision (a)
33 may be obtained by visiting the offices of the Commission or that
34 city clerk or county clerk, ~~as appropriate.~~ *appropriate, or the*
35 *Internet Web site of the city or county.* The statement shall include
36 the physical address for the Commission's office and the city
37 clerk's office or the county clerk's office, as appropriate.

1 (c) A link to the Commission’s Internet Web site and a statement
2 that statements of economic interests for some state and local
3 government agency elected officers may be available in an
4 electronic format on the Commission’s Internet Web site.

5 *SEC. 3. Section 87506 is added to the Government Code, to*
6 *read:*

7 *87506. Each state agency and each local agency that maintains*
8 *an Internet Web site shall make each statement of economic*
9 *interests filed with the agency’s filing officer by an elected or*
10 *appointed official of the agency publicly available on the agency’s*
11 *Internet Web site.*

12 *SEC. 4. No reimbursement is required by this act pursuant to*
13 *Section 6 of Article XIII B of the California Constitution for certain*
14 *costs that may be incurred by a local agency or school district*
15 *because, in that regard, this act creates a new crime or infraction,*
16 *eliminates a crime or infraction, or changes the penalty for a crime*
17 *or infraction, within the meaning of Section 17556 of the*
18 *Government Code, or changes the definition of a crime within the*
19 *meaning of Section 6 of Article XIII B of the California*
20 *Constitution.*

21 *However, if the Commission on State Mandates determines that*
22 *this act contains other costs mandated by the state, reimbursement*
23 *to local agencies and school districts for those costs shall be made*
24 *pursuant to Part 7 (commencing with Section 17500) of Division*
25 *4 of Title 2 of the Government Code.*

26 ~~SEC. 3:~~

27 *SEC. 5. The Legislature finds and declares that this bill furthers*
28 *the purposes of the Political Reform Act of 1974 within the*
29 *meaning of subdivision (a) of Section 81012 of the Government*
30 *Code.*

ASSEMBLY BILL

No. 2628

Introduced by Assembly Member Levine

(Principal coauthor: Senator Jackson)

(Coauthors: Assembly Members Bonta, Campos, Chau, Chiu, Chu, Eggman, Cristina Garcia, Gomez, McCarty, Nazarian, Thurmond, Weber, Williams, and Wood)

(Coauthor: Senator McGuire)

February 19, 2016

An act to add Section 87406.5 to the Government Code, relating to the Political Reform Act of 1974.

LEGISLATIVE COUNSEL'S DIGEST

AB 2628, as introduced, Levine. Political Reform Act of 1974: postgovernmental employment.

The Political Reform Act of 1974 imposes certain restrictions on postgovernmental employment of specified public officials of state and local agencies.

This bill would prohibit an elected or appointed officer of a state or local agency, for a period of one year after leaving office, from maintaining employment with or being a compensated consultant of any other board, commission, or other body on which the officer served as a member while holding the elective or appointed office.

A violation of the act is punishable as a misdemeanor by expanding the scope of an existing crime, this bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

The Political Reform Act of 1974, an initiative measure, provides that the Legislature may amend the act to further the act’s purposes upon a 2/3 vote of each house and compliance with specified procedural requirements.

This bill would declare that it furthers the purposes of the act.

Vote: 2/3. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

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

1 SECTION 1. Section 87406.5 is added to the Government
2 Code, to read:

3 87406.5. An elected or appointed officer of a state or local
4 agency, for a period of one year after leaving office, shall not
5 maintain employment with or be a compensated consultant of any
6 board, commission, or other body on which the officer served as
7 a member while holding the elective or appointed office.

8 SEC. 2. No reimbursement is required by this act pursuant to
9 Section 6 of Article XIII B of the California Constitution because
10 the only costs that may be incurred by a local agency or school
11 district will be incurred because this act creates a new crime or
12 infraction, eliminates a crime or infraction, or changes the penalty
13 for a crime or infraction, within the meaning of Section 17556 of
14 the Government Code, or changes the definition of a crime within
15 the meaning of Section 6 of Article XIII B of the California
16 Constitution.

17 SEC. 3. The Legislature finds and declares that this bill furthers
18 the purposes of the Political Reform Act of 1974 within the
19 meaning of subdivision (a) of Section 81012 of the Government
20 Code.

O

April 25, 2016

TO: Insurance, Benefits and Legislative Committee
Les Robbins, Chair
William de la Garza, Vice Chair
Vivian H. Gray
Shawn Kehoe
Ronald Okum, Alternate

FROM: Barry W. Lew 
Legislative Affairs Officer

FOR: May 5, 2016 Insurance, Benefits and Legislative Committee Meeting

SUBJECT: **Senate Bill 897 – Workers’ Compensation**

RECOMMENDATION

That the Insurance, Benefits and Legislative Committee recommend that the Board of Retirement adopt a “Watch” position on Senate Bill 897, which provides an additional year of leave of absence with salary to the one-year period provided by Labor Code Section 4850.

DISCUSSION

Labor Code Section 4850 provides a leave of absence (“4850 time”) of up to a year without loss of salary for an employee who is temporarily or permanently disabled by injury arising out of or in the course of his or her duties.

This bill would provide for an additional year of 4850 time to an employee who is temporarily disabled, as determined by a physician, by a catastrophic injury at the hands of another.

Catastrophic injuries include severe burns, severe bodily injuries resulting from a building collapse, and severe bodily injuries resulting from a shooting or stabbing. The catastrophic injury must have occurred during duty as the direct result of the actions of another or through active firefighting operations without respect to the cause of the fire.

The employees eligible for the additional year of 4850 time are limited to city police officers; city, county, or district firefighters; and sheriffs. However, police officers and firefighters of the City and County of San Francisco are excluded.

For the purposes of disability retirement under the County Employees Retirement Law of 1937, 4850 time is considered regular compensation. If a member continues receiving 4850 time after the filing of a disability retirement application and becomes eligible for disability retirement, the effective date of the disability retirement is the day following the last day of regular compensation. The additional year of 4850 time may result in a later effective date along with higher final compensation and more service credit used to determine a disability allowance.

IT IS THEREFORE RECOMMENDED THAT YOUR COMMITTEE recommend that the Board of Retirement adopt a "Watch" position on Senate Bill 897, which provides an additional year of leave of absence with salary to the one-year period provided by Labor Section Code 4850.

Reviewed and Approved:

A handwritten signature in blue ink that reads "Steven P. Rice".

Steven P. Rice, Chief Counsel

Attachments

cc: Frank Boyd
Ricki Contreras

**LEGISLATIVE ANALYSIS
SENATE BILL 897**

AUTHOR: Roth [D]

INTRODUCED: January 21, 2016

AMENDED: March 29, 2016

SPONSOR: California Professional Firefighters
Riverside Police Officers' Association

SUMMARY: Labor Code 4850 provides a leave of absence (“4850 time”) of up to a year without loss of salary for an employee who is temporarily or permanently disabled by injury arising out of or in the course of his or her duties.

The employees eligible for 4850 time include city police officers; city, county, or district firefighters; sheriffs; officers or employees of any sheriff’s office; district attorney investigators; county probation officers, group counselors, or juvenile services officers; officers or employees of a probation office; police officers of the County of Los Angeles; lifeguards in the County of Los Angeles or the city of San Diego; harbor or port police officers; and police officers of the Los Angeles Unified School District.

This bill would provide for an additional year of 4850 time to an employee who is temporarily disabled, as determined by a physician, by a catastrophic injury at the hands of another.

Catastrophic injuries include severe burns, severe bodily injuries resulting from a building collapse, and severe bodily injuries resulting from a shooting or stabbing. The catastrophic injury must have occurred during duty as the direct result of the actions of another or through active firefighting operations without respect to the cause of the fire.

The employees eligible for the additional year of 4850 time are limited to city police officers; city, county, or district firefighters; and sheriffs. However, police officers and firefighters of the City and County of San Francisco are excluded.

ANALYSIS: For the purposes of disability retirement under the County Employees Retirement Law of 1937, 4850 time is considered regular compensation. If a member continues receiving 4850 time after the filing of a disability retirement application and becomes eligible for disability retirement, the effective date of the disability retirement is the day

following the last day of regular compensation. The additional year of 4850 may result in a later effective date along with higher final compensation and more service credit used to determine a disability allowance.

SUPPORT:

- California Professional Firefighters
- Riverside Police Officers' Association
- Association for Los Angeles Deputy Sheriffs
- Association of Orange County Deputy Sheriffs
- California Statewide Law Enforcement Association
- Fraternal Order of Police
- Laborers International Union of North America Locals 777 & 792
- Long Beach Police Officers Association
- Los Angeles County Professional Peace Officers Association
- Los Angeles Police Protective League
- Peace Officers Research Association of California
- Riverside Sheriffs' Association
- Sacramento County Deputy Sheriffs' Association
- Service Employees International Union

OPPOSITION:

- California Association of Joint Powers Authorities
- California Special Districts Association
- California State Association of Counties
- California State Association of Counties—Excess Insurance Authority
- California State Sheriffs' Association
- City of Anderson
- City of Fountain Valley
- City of Menifee
- City of Newport Beach
- City of Rancho Cucamonga
- City of Redding
- City of Sacramento
- City of San Luis Obispo
- City of Torrance
- City of Ventura
- League of California Cities
- Mayor and City Council of the City of Sacramento
- Rural County Representatives of California

**STAFF
RECOMMENDATION:** Watch

PREPARED BY: Barry W. Lew, Legislative Affairs Officer

DATED: April 25, 2016

Introduced by Senator Roth

January 21, 2016

An act to add Section 4850.1 to the Labor Code, relating to workers' compensation.

LEGISLATIVE COUNSEL'S DIGEST

SB 897, as amended, Roth. Workers' compensation.

Existing law provides that certain peace officers, firefighters, and other specified public employees are entitled to a leave of absence without loss of salary while disabled by injury or illness arising out of and in the course of employment, for the period of the disability, not to exceed one year. The leave of absence is in lieu of temporary disability payments or maintenance allowance payments otherwise payable under the workers' compensation system.

This bill would allow certain employees of local agencies, including police officers, firefighters, and sheriffs, an additional year of a leave of absence without loss of ~~salary, as specified.~~ *salary when injured by a catastrophic injury at the hands of another, as defined.*

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

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

- 1 SECTION 1. Section 4850.1 is added to the Labor Code, to
2 read:
3 4850.1. (a) *For purposes of this section, "catastrophic injury*
4 *at the hands of another" includes the following injuries: severe*

1 *burns, severe bodily injuries resulting from a building collapse,*
 2 *and severe bodily injuries resulting from a shooting or stabbing.*
 3 *A catastrophic injury must have been incurred, during duty,*
 4 *through the direct result of the actions of another, including a*
 5 *battery, or through active firefighting operations without respect*
 6 *to the cause of the fire.*

7 ~~(b)~~ Whenever any person listed in ~~subdivision (b),~~ *this*
 8 *subdivision*, who is employed on a regular, full-time basis, and is
 9 ~~disabled, whether temporarily or permanently,~~ *temporarily*
 10 *disabled, as determined by a physician,* by a catastrophic injury
 11 ~~arising out of and in the course of his or her duties, at the hands~~
 12 *of another,* he or she shall become entitled, regardless of his or
 13 her period of service with the city, county, or district, to a leave
 14 of absence while so disabled without loss of salary in lieu of
 15 temporary disability payments or maintenance allowance payments,
 16 if any, that would be payable under this chapter, for the period of
 17 the disability, and an additional year to the one-year period
 18 pursuant to Section 4850, but no more than two years total, or until
 19 that earlier date as he or she is retired on permanent disability
 20 pension, and is actually receiving disability pension payments, or
 21 advanced disability pension payments pursuant to Section 4850.3.

22 ~~(b)~~

23 ~~(c)~~ The persons eligible under subdivision ~~(a)~~ *(b)* include all of
 24 the following:

- 25 (1) City police officers.
- 26 (2) City, county, or district firefighters.
- 27 (3) Sheriffs.

28 ~~(e)~~

29 *(d)* This section shall apply only to persons listed in subdivision
 30 ~~(b)~~ *(c)* who meet the requirements of subdivision ~~(a)~~, *(b)*, and shall
 31 not include any of the following:

- 32 (1) Employees of a police department whose principal duties
 33 are those of a telephone operator, clerk, stenographer, machinist,
 34 mechanic, or otherwise, and whose functions do not clearly fall
 35 within the scope of active law enforcement service.
- 36 (2) Employees of a county sheriff's office whose principal duties
 37 are those of a telephone operator, clerk, stenographer, machinist,
 38 mechanic, or otherwise, and whose functions do not clearly come
 39 within the scope of active law enforcement service.

1 (3) Employees of a city fire department, county fire department,
2 or fire district whose principal duties are those of a telephone
3 operator, clerk, stenographer, machinist, mechanic, or otherwise,
4 and whose functions do not clearly fall within the scope of active
5 firefighting and prevention service.

6 ~~(d)~~

7 (e) If the employer is insured, the payments that, except for this
8 section, the insurer would be obligated to make as disability
9 indemnity to the injured, the insurer may pay to the insured.

10 ~~(e)~~

11 (f) No leave of absence taken pursuant to this section by a city,
12 county, or district ~~firefighter~~, *firefighter* shall be deemed to
13 constitute family care and medical leave, as defined in Section
14 12945.2 of the Government Code, or to reduce the time authorized
15 for family care and medical leave by Section 12945.2 of the
16 Government Code.

17 (g) *This section shall not apply to any persons described in*
18 *paragraph (1) or (2) of subdivision (c) who are employees of the*
19 *City and County of San Francisco.*

20 (h) *A benefit received pursuant to this section is a temporary*
21 *disability benefit and is subject to the aggregate disability payments*
22 *time limit pursuant to subdivision (c) of Section 4656.*

Introduced by Senator Roth

January 21, 2016

An act to add Section 4850.1 to the Labor Code, relating to workers' compensation.

LEGISLATIVE COUNSEL'S DIGEST

SB 897, as introduced, Roth. Workers' compensation.

Existing law provides that certain peace officers, firefighters, and other specified public employees are entitled to a leave of absence without loss of salary while disabled by injury or illness arising out of and in the course of employment, for the period of the disability, not to exceed one year. The leave of absence is in lieu of temporary disability payments or maintenance allowance payments otherwise payable under the workers' compensation system.

This bill would allow certain employees of local agencies, including police officers, firefighters, and sheriffs, an additional year of a leave of absence without loss of salary, as specified.

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

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

1 SECTION 1. Section 4850.1 is added to the Labor Code, to
2 read:
3 4850.1. (a) Whenever any person listed in subdivision (b),
4 who is employed on a regular, full-time basis, and is disabled,
5 whether temporarily or permanently, by a catastrophic injury
6 arising out of and in the course of his or her duties, he or she shall
7 become entitled, regardless of his or her period of service with the

1 city, county, or district, to a leave of absence while so disabled
 2 without loss of salary in lieu of temporary disability payments or
 3 maintenance allowance payments, if any, that would be payable
 4 under this chapter, for the period of the disability, and an additional
 5 year to the one-year period pursuant to Section 4850, but no more
 6 than two years total, or until that earlier date as he or she is retired
 7 on permanent disability pension, and is actually receiving disability
 8 pension payments, or advanced disability pension payments
 9 pursuant to Section 4850.3.

10 (b) The persons eligible under subdivision (a) include all of the
 11 following:

- 12 (1) City police officers.
- 13 (2) City, county, or district firefighters.
- 14 (3) Sheriffs.

15 (c) This section shall apply only to persons listed in subdivision
 16 (b) who meet the requirements of subdivision (a), and shall not
 17 include any of the following:

18 (1) Employees of a police department whose principal duties
 19 are those of a telephone operator, clerk, stenographer, machinist,
 20 mechanic, or otherwise, and whose functions do not clearly fall
 21 within the scope of active law enforcement service.

22 (2) Employees of a county sheriff’s office whose principal duties
 23 are those of a telephone operator, clerk, stenographer, machinist,
 24 mechanic, or otherwise, and whose functions do not clearly come
 25 within the scope of active law enforcement service.

26 (3) Employees of a city fire department, county fire department,
 27 or fire district whose principal duties are those of a telephone
 28 operator, clerk, stenographer, machinist, mechanic, or otherwise,
 29 and whose functions do not clearly fall within the scope of active
 30 firefighting and prevention service.

31 (d) If the employer is insured, the payments that, except for this
 32 section, the insurer would be obligated to make as disability
 33 indemnity to the injured, the insurer may pay to the insured.

34 (e) No leave of absence taken pursuant to this section by a city,
 35 county, or district firefighter, shall be deemed to constitute family
 36 care and medical leave, as defined in Section 12945.2 of the
 37 Government Code, or to reduce the time authorized for family care
 38 and medical leave by Section 12945.2 of the Government Code.

O

April 25, 2016

TO: Insurance, Benefits and Legislative Committee
Les Robbins, Chair
William de la Garza, Vice Chair
Vivian H. Gray
Shawn Kehoe
Ronald Okum, Alternate

FROM: Barry W. Lew 
Legislative Affairs Officer

FOR: May 5, 2016 Insurance, Benefits and Legislative Committee Meeting

SUBJECT: **Senate Bill 1203 – Joint Powers Authorities**

RECOMMENDATION

That the Insurance, Benefits and Legislative Committee recommend that the Board of Retirement adopt a “Watch” position on Senate Bill 1203, which relates to employees who are not new members in a joint powers authority.

DISCUSSION

The California Public Employees’ Pension Reform Act of 2013 (PEPRA) requires that public retirement systems modify their plans to establish new retirement formulas for employees who become new member on or after January 1, 2013. The Joint Exercise of Powers Act authorizes two or more public agencies to create a joint powers authority (JPA) to exercise a common power.

This bill would authorize a JPA, in which at least one member agency provided defined benefits on or before December 31, 2012, to provide employees who are not new members (“legacy members”) the defined benefit plan they received as employees of the member agency. The employees must be employed by the JPA within 180 days of the formation of the JPA.

Due to an unintended consequence of PEPRA, each JPA formed on or after January 1, 2013 has had to individually seek legislation to provide legacy members with the defined benefit plan received by those members from their respective employers on or before December 31, 2012. This bill would eliminate duplicative legislation for each newly formed JPA seeking to protect the defined benefits of its legacy members.

IT IS THEREFORE RECOMMENDED THAT YOUR COMMITTEE recommend that the Board of Retirement adopt a "Watch" position on Senate Bill 1203, which relates to employees who are not new members in a joint powers authority.

Reviewed and Approved:

A handwritten signature in blue ink that reads "Steven P. Rice". The signature is written in a cursive style.

Steven P. Rice, Chief Counsel

Attachments

2016. Leg.SB 1203.IBL.042516

**LEGISLATIVE ANALYSIS
SENATE BILL 1203**

AUTHOR: Hertzberg [D]

INTRODUCED: February 18, 2016

AMENDED: April 13, 2016, March 28, 2016

SPONSOR: California Professional Firefighters

SUMMARY: **The California Public Employees' Pension Reform Act of 2013 (PEPRA) requires that public retirement systems modify their plans to establish new retirement formulas for employees who become new members on or after January 1, 2013. The Joint Exercise of Powers Act authorizes two or more public agencies to create a joint powers authority (JPA) to jointly exercise a common power such as hiring employees and providing defined benefit plans.**

This bill would authorize a JPA, in which at least one member agency provided defined benefits on or before December 31, 2012, to provide employees who are not new members ("legacy members") the defined benefit plan they received as employees of the member agency, if the employees are employed by the JPA within 180 days of the formation of the JPA. The bill would also prohibit the JPA from exempting new members from the requirements of PEPRA.

ANALYSIS: **In general, PEPRA allows individuals employed by a public employer before January 1, 2013, and who become employed by a subsequent public employer on or after January 1, 2013, to be subject to the defined benefit plan available to employees of the subsequent employer who were first employed on or before December 31, 2012.**

Due to an unintended consequence of PEPRA, the formation of a JPA on or after January 1, 2013 would not allow such individuals to retain the defined benefit plan they had as legacy members. The JPA did not exist before January 1, 2013 and thus had no legacy defined benefit plan into which the legacy members may be placed.

Each JPA formed on or after January 1, 2013 has had to individually seek legislation to provide legacy members with the defined benefit plan received by those members from their respective employers on or before December 31, 2012.

This bill would authorize any JPA established on or after January 1, 2013 to provide its legacy members with their

legacy defined benefit plan. The bill would eliminate duplicative legislation for each newly formed JPA seeking to protect the defined benefits of its legacy members.

Legislative History

SB 24 (2016) authorizes the JPA formed by the cities of Belmont, Foster City, and San Mateo to offer a legacy defined benefit plan to its employees who were not new members. LACERA’s Board of Retirement adopted a “Watch” position on March 2, 2016. The bill is currently in the Assembly.

SB 354 (Chapter 158, Statutes of 2015) clarified the period during which legacy members employed by the cities of Brea and Fullerton can transfer to the JPA and retain the defined benefit plan they were participating in prior to the transfer. LACERA’s Board of Retirement adopted a “Watch” position on June 11, 2015.

SB 1251 (Chapter 757, Statutes of 2014) authorized the Brea and Fullerton JPA to offer a legacy defined benefit plan to its employees who were not new members. LACERA’s Board of Retirement adopted a “Watch” position on May 22, 2014.

SUPPORT: California Professional Firefighters
California State Firefighters’ Association
Laborers’ International Union of North America, Local 777
Laborers’ International Union of North America, Local 792
Orange County Professional Firefighters Association,
Local 3631

OPPOSITION: None received

**STAFF
RECOMMENDATION:** Watch

PREPARED BY: Barry W. Lew, Legislative Affairs Officer

DATED: April 25, 2016

AMENDED IN SENATE APRIL 13, 2016
AMENDED IN SENATE MARCH 28, 2016

SENATE BILL

No. 1203

Introduced by Senator Hertzberg

February 18, 2016

An act to add Section 7522.05 to the Government Code, relating to retirement.

LEGISLATIVE COUNSEL'S DIGEST

SB 1203, as amended, Hertzberg. Retirement systems: joint powers authorities: benefit formulas.

The California Public Employees' Pension Reform Act of 2013 (PEPRA) requires a public retirement system, as defined, to modify its plan or plans to comply with the act and, among other provisions, establishes new retirement formulas that may not be exceeded by a public employer offering a defined benefit pension plan for employees first hired on or after January 1, 2013. Existing law, the Joint Exercise of Powers Act, generally authorizes 2 or more public agencies, by agreement, to jointly exercise any common power, which may include hiring employees and establishing retirement systems.

This bill would ~~require~~ *authorize* a joint powers authority to offer defined benefit plans or formulas that are not PEPRA plans or formulas provided that the plans or formulas were those the employees received prior to the creation of the authority, the employees are not new members under PEPRA, and they are employed by the authority with 180 days, as specified.

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 7522.05 is added to the Government
2 Code, to read:
3 7522.05. (a) A joint powers authority formed on or after
4 January 1, 2013, and formed pursuant to the provisions of the Joint
5 Exercise of Powers Act (Article 1 (commencing with Section 6500)
6 of Chapter 5), where at least one member agency provided benefits
7 on or before December 31, 2012, as described in subdivision (c)
8 of Section 7522.02, ~~shall~~ *may* provide employees of that joint
9 powers authority the defined benefit plan or formula that those
10 employees received from their respective employers prior to the
11 exercise of a common power where that employee was not a new
12 member with that employer and subsequently is employed by the
13 joint powers authority within 180 days of the member agency
14 providing for the exercise of a common power.
15 (b) The formation of a joint powers authority on or after January
16 1, 2013, shall not act in a manner as to exempt a new employee
17 or a new member, as defined by Section 7522.04, hired by that
18 joint powers authority from the requirements of the Public
19 Employees’ Pension Reform Act of 2013. New members may only
20 participate in a defined benefit plan or formula that conforms to
21 the requirements of the Public Employees’ Pension Reform Act
22 of 2013.

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AMENDED IN SENATE MARCH 28, 2016

SENATE BILL

No. 1203

Introduced by Senator Hertzberg

February 18, 2016

~~An act to amend Section 22820 of the Government Code, relating to public employee benefits. An act to add Section 7522.05 to the Government Code, relating to retirement.~~

LEGISLATIVE COUNSEL'S DIGEST

SB 1203, as amended, Hertzberg. ~~Firefighters and peace officers: health benefits. Retirement systems: joint powers authorities: benefit formulas.~~

The California Public Employees' Pension Reform Act of 2013 (PEPRA) requires a public retirement system, as defined, to modify its plan or plans to comply with the act and, among other provisions, establishes new retirement formulas that may not be exceeded by a public employer offering a defined benefit pension plan for employees first hired on or after January 1, 2013. Existing law, the Joint Exercise of Powers Act, generally authorizes 2 or more public agencies, by agreement, to jointly exercise any common power, which may include hiring employees and establishing retirement systems.

This bill would require a joint powers authority to offer defined benefit plans or formulas that are not PEPRA plans or formulas provided that the plans or formulas were those the employees received prior to the creation of the authority, the employees are not new members under PEPRA, and they are employed by the authority with 180 days, as specified.

~~Under the Public Employees' Medical and Hospital Care Act (PEMHCA), an uninsured surviving spouse or other eligible family~~

~~member of a deceased firefighter or peace officer is eligible to enroll in a health benefit plan approved or maintained by the Board of Administration of the Public Employees' Retirement System if the death of the firefighter or peace officer occurred as a result of injury or disease arising out of, and in the course of, the firefighter's or peace officer's official duties, as specified. Under PEMHCA, the employer of a deceased firefighter or peace officer is required to notify the board within 10 days of the death of the firefighter or peace officer if a spouse or a family member may be so eligible for enrollment.~~

~~This bill would require the employer to also provide the board with updated contact information of the spouse or family member. By requiring local government employers to provide this contact information, the bill would impose a state-mandated local program.~~

~~The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.~~

~~This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions:~~

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

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

1 SECTION 1. Section 7522.05 is added to the Government Code,
2 to read:
3 7522.05. (a) A joint powers authority formed on or after
4 January 1, 2013, and formed pursuant to the provisions of the
5 Joint Exercise of Powers Act (Article 1 (commencing with Section
6 6500) of Chapter 5), where at least one member agency provided
7 benefits on or before December 31, 2012, as described in
8 subdivision (c) of Section 7522.02, shall provide employees of that
9 joint powers authority the defined benefit plan or formula that
10 those employees received from their respective employers prior
11 to the exercise of a common power where that employee was not
12 a new member with that employer and subsequently is employed
13 by the joint powers authority within 180 days of the member agency
14 providing for the exercise of a common power.

1 **(b)** *The formation of a joint powers authority on or after January*
2 *1, 2013, shall not act in a manner as to exempt a new employee*
3 *or a new member, as defined by Section 7522.04, hired by that*
4 *joint powers authority from the requirements of the Public*
5 *Employees' Pension Reform Act of 2013. New members may only*
6 *participate in a defined benefit plan or formula that conforms to*
7 *the requirements of the Public Employees' Pension Reform Act of*
8 *2013.*

9 ~~SECTION 1. Section 22820 of the Government Code is~~
10 ~~amended to read:~~

11 ~~22820. (a) Upon the death, on or after January 1, 2002, of a~~
12 ~~firefighter employed by a county, city, city and county, district,~~
13 ~~or other political subdivision of the state, a firefighter employed~~
14 ~~by the Department of Forestry and Fire Protection, a firefighter~~
15 ~~employed by the federal government who was a resident of this~~
16 ~~state and whose regular duty assignment was to perform~~
17 ~~firefighting services within this state, or a peace officer as defined~~
18 ~~in Section 830.1, 830.2, 830.3, 830.31, 830.32, 830.33, 830.34,~~
19 ~~830.35, 830.36, 830.37, 830.38, 830.39, 830.4, 830.5, 830.55, or~~
20 ~~830.6 of the Penal Code, if the death occurred as a result of injury~~
21 ~~or disease arising out of and in the course of his or her official~~
22 ~~duties, the surviving spouse or other eligible family member of~~
23 ~~the deceased firefighter or peace officer, if uninsured, is deemed~~
24 ~~to be an annuitant under Section 22760 for purposes of enrollment.~~
25 ~~All eligible family members of the deceased firefighter or peace~~
26 ~~officer who are uninsured may enroll in a health benefit plan of~~
27 ~~the surviving spouse's choice. However, an unmarried child of the~~
28 ~~surviving spouse is not eligible to enroll in a health benefit plan~~
29 ~~under this section if the child was not a family member under~~
30 ~~Section 22775 and regulations pertinent thereto prior to the~~
31 ~~firefighter's or peace officer's date of death. The employer of the~~
32 ~~deceased firefighter or peace officer shall notify the board within~~
33 ~~10 business days of the death of the employee if a spouse or family~~
34 ~~member may be eligible for enrollment in a health benefit plan~~
35 ~~under this section, and shall provide the board with updated contact~~
36 ~~information of the spouse or family member.~~

37 ~~(b) Upon notification, the board shall promptly determine~~
38 ~~eligibility and shall forward to the eligible spouse or family~~
39 ~~member the materials necessary for enrollment. In the event of a~~
40 ~~dispute regarding whether a firefighter's or peace officer's death~~

1 occurred as a result of injury or disease arising out of and in the
2 course of his or her official duties as required under subdivision
3 (a), that dispute shall be determined by the Workers' Compensation
4 Appeals Board, subject to the same procedures and standards
5 applicable to hearings relating to claims for workers' compensation
6 benefits. The jurisdiction of the Workers' Compensation Appeals
7 Board under this section is limited to the sole issue of industrial
8 causation and this section does not authorize the Workers'
9 Compensation Appeals Board to award costs against the system.

10 (e) (1) Notwithstanding any other provision of law, and except
11 as otherwise provided in subdivision (d), the state shall pay the
12 employer contribution required for enrollment under this part for
13 the uninsured surviving spouse of a deceased firefighter or peace
14 officer for life, and the other uninsured eligible family members
15 of a deceased firefighter or peace officer, provided the family
16 member meets the eligibility requirements of Section 22775 and
17 regulations pertinent thereto.

18 (2) The contribution payable by the state for each uninsured
19 surviving spouse and other uninsured eligible family members
20 shall be adjusted annually and be equal to the amount specified in
21 Section 22871.

22 (3) The state's contribution under this section shall commence
23 on the effective date of enrollment of the uninsured surviving
24 spouse or other uninsured eligible family members. The
25 contribution of each surviving spouse and eligible family member
26 shall be the total cost per month of the benefit coverage afforded
27 him or her under the plan less the portion contributed by the state
28 pursuant to this section.

29 (d) The cancellation of coverage by an annuitant, as defined in
30 this section, shall be final without option to reenroll, unless
31 coverage is canceled because of enrollment in an insurance plan
32 from another source.

33 (e) For purposes of this section, "surviving spouse" means a
34 spouse who was married to the deceased firefighter or peace officer
35 on the deceased's date of death and either was married for a
36 continuous period of at least one year prior to the date of death or
37 was married to the deceased prior to the date the deceased
38 firefighter or peace officer sustained the injury or disease resulting
39 in death.

1 ~~(f) For purposes of this section, “uninsured” means that the~~
2 ~~surviving spouse is not enrolled in an employer-sponsored health~~
3 ~~plan under which the employer contribution covers 100 percent~~
4 ~~of the cost of health care premiums.~~

5 ~~(g) The board has no duty to identify, locate, or notify any~~
6 ~~surviving spouse or eligible family member who may be or may~~
7 ~~become eligible for benefits under this section.~~

8 ~~SEC. 2. If the Commission on State Mandates determines that~~
9 ~~this act contains costs mandated by the state, reimbursement to~~
10 ~~local agencies and school districts for those costs shall be made~~
11 ~~pursuant to Part 7 (commencing with Section 17500) of Division~~
12 ~~4 of Title 2 of the Government Code.~~

April 25, 2016

TO: Insurance, Benefits and Legislative Committee
Les Robbins, Chair
William de la Garza, Vice Chair
Vivian H. Gray
Shawn Kehoe
Ronald Okum, Alternate

FROM: Barry W. Lew 
Legislative Affairs Officer

FOR: May 5, 2016 Insurance, Benefits and Legislative Committee Meeting

SUBJECT: **Senate Bill 1436 – Oral Report of Final Action Recommendation**

RECOMMENDATION

That the Insurance, Benefits and Legislative Committee recommend that the Board of Retirement adopt a “Watch” position on Senate Bill 1436, which requires an oral report of a recommendation for final action related to the compensation and benefits of a local agency executive.

DISCUSSION

The Ralph M. Brown Act requires that meetings of the legislative body of a local agency be open and public. A legislative body may hold a closed session to consider the appointment, employment, evaluation of performance, discipline, or dismissal of a public employee.

Generally, a legislative body is prohibited from discussing or taking action on proposed compensation in a closed session. Although it may hold a closed session to discuss compensation and benefits for represented and nonrepresented employees with designated representatives, it may not take final action in closed session.

This bill would require the legislative body to orally report a summary of a recommendation for final action on the compensation and benefits of a local agency executive prior to taking final action on the recommendation. Although the recommendation for final action is not precluded from being placed on a consent agenda, an oral report of the recommendation is required prior to the legislative body taking final action.

The requirement to make an oral report of the final action recommendation does not limit the public's right under the California Public Records Act to inspect or copy records related to the process of developing the recommendation.

IT IS THEREFORE RECOMMENDED THAT YOUR COMMITTEE recommend that the Board of Retirement adopt a "Watch" position on Senate Bill 1436, which requires an oral report of a recommendation for final action related to the compensation and benefits of a local agency executive.

Reviewed and Approved:

A handwritten signature in blue ink that reads "Steven P. Rice". The signature is written in a cursive style.

Steven P. Rice, Chief Counsel

Attachments

**LEGISLATIVE ANALYSIS
SENATE BILL 1436**

AUTHOR: Bates [R]

INTRODUCED: February 19, 2016

AMENDED: April 6, 2016, March 28, 2016

SPONSOR: Senator Pat Bates

SUMMARY: The Ralph M. Brown Act requires that meetings of the legislative body of a local agency be open and public. A legislative body may hold a closed session to consider the appointment, employment, evaluation of performance, discipline, or dismissal of a public employee.

The legislative body is prohibited from discussing or taking action on proposed compensation in closed session. However, it may hold a closed session with the local agency's designated representatives to discuss compensation and benefits for represented and unrepresented employees. The closed session must not include final action on the proposed compensation of unrepresented employees.

This bill would require the legislative body to orally report a summary of a recommendation for final action on the compensation and benefits of a local agency executive prior to taking final action on the recommendation.

The definition of "local agency executive" includes:

- Chief executive officer, deputy chief executive officer, or assistant chief executive officer.
- Head of a department of a local agency.
- Person whose position is held by an employment contract between the person and the local agency.

The requirement to make an oral report of the final action recommendation does not limit the public's right under the California Public Records Act to inspect or copy records related to the process of developing the recommendation.

ANALYSIS: Although the recommendation for final action is not precluded from being placed on a consent agenda, an oral report of the recommendation is required prior to the legislative body taking final action.

SUPPORT: Californians Aware
California Newspaper Publishers Association

OPPOSITION: Unknown

**STAFF
RECOMMENDATION: Watch**

PREPARED BY: Barry W. Lew, Legislative Affairs Officer

DATED: April 25, 2016

AMENDED IN SENATE APRIL 6, 2016

AMENDED IN SENATE MARCH 28, 2016

SENATE BILL

No. 1436

Introduced by Senator Bates

February 19, 2016

An act to amend Section 54953 of the Government Code, relating to open meetings.

LEGISLATIVE COUNSEL'S DIGEST

SB 1436, as amended, Bates. Local agency meetings: local agency executive compensation: oral report of final action recommendation.

The Ralph M. Brown Act requires that all meetings of a legislative body of a local agency be open and public, except that closed sessions may be held under prescribed circumstances. Existing law authorizes the legislative body to hold a closed session to consider the appointment, employment, evaluation of performance, discipline, or dismissal of a public employee, but generally prohibits the closed session from including discussion or action on proposed compensation. Existing law authorizes the legislative body to hold a closed session with the local agency's designated representatives regarding the salaries, salary schedules, or compensation paid in the form of fringe benefits of its represented and unrepresented employees, but prohibits the closed session from including final action on the proposed compensation of one or more unrepresented employees. Existing law prohibits the legislative body from calling a special meeting regarding the salaries, salary schedules, or compensation paid in the form of fringe benefits of a local agency executive, as defined.

This ~~bill~~ *bill*, prior to taking final action, would require the legislative body to orally report a summary of a recommendation for a final action

on the salaries, salary schedules, or compensation paid in the form of fringe benefits of a local agency executive during the open meeting in which the final action is to be taken.

By imposing new requirements on cities, counties, cities and counties, and special districts, this bill would impose a state-mandated local program.

The California Constitution requires local agencies, for the purpose of ensuring public access to the meetings of public bodies and the writings of public officials and agencies, to comply with a statutory enactment that amends or enacts laws relating to public records or open meetings and contains findings demonstrating that the enactment furthers the constitutional requirements relating to this purpose.

This bill would make legislative findings to that effect.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

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

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

1 SECTION 1. Section 54953 of the Government Code is
2 amended to read:

3 54953. (a) All meetings of the legislative body of a local
4 agency shall be open and public, and all persons shall be permitted
5 to attend any meeting of the legislative body of a local agency,
6 except as otherwise provided in this chapter.

7 (b) (1) Notwithstanding any other provision of law, the
8 legislative body of a local agency may use teleconferencing for
9 the benefit of the public and the legislative body of a local agency
10 in connection with any meeting or proceeding authorized by law.
11 The teleconferenced meeting or proceeding shall comply with all
12 requirements of this chapter and all otherwise applicable provisions
13 of law relating to a specific type of meeting or proceeding.

14 (2) Teleconferencing, as authorized by this section, may be used
15 for all purposes in connection with any meeting within the subject
16 matter jurisdiction of the legislative body. All votes taken during
17 a teleconferenced meeting shall be by rollcall.

1 (3) If the legislative body of a local agency elects to use
2 teleconferencing, it shall post agendas at all teleconference
3 locations and conduct teleconference meetings in a manner that
4 protects the statutory and constitutional rights of the parties or the
5 public appearing before the legislative body of a local agency.
6 Each teleconference location shall be identified in the notice and
7 agenda of the meeting or proceeding, and each teleconference
8 location shall be accessible to the public. During the teleconference,
9 at least a quorum of the members of the legislative body shall
10 participate from locations within the boundaries of the territory
11 over which the local agency exercises jurisdiction, except as
12 provided in subdivision (d). The agenda shall provide an
13 opportunity for members of the public to address the legislative
14 body directly pursuant to Section 54954.3 at each teleconference
15 location.

16 (4) For the purposes of this section, “teleconference” means a
17 meeting of a legislative body, the members of which are in different
18 locations, connected by electronic means, through either audio or
19 video, or both. Nothing in this section shall prohibit a local agency
20 from providing the public with additional teleconference locations.

21 (c) (1) No legislative body shall take action by secret ballot,
22 whether preliminary or final.

23 (2) The legislative body of a local agency shall publicly report
24 any action taken and the vote or abstention on that action of each
25 member present for the action.

26 (3) ~~The~~ *Prior to taking final action, the* legislative body shall
27 orally report a summary of a recommendation for a final action
28 on the salaries, salary schedules, or compensation paid in the form
29 of fringe benefits of a local agency executive, as defined in
30 subdivision (d) of Section 3511.1, during the open meeting in
31 which the final action is to be taken. *This paragraph shall not*
32 *affect the public’s right under the California Public Records Act*
33 *(Chapter 3.5 (commencing with Section 6250) of Division 7 of*
34 *Title 1) to inspect or copy records created or received in the*
35 *process of developing the recommendation.*

36 (d) (1) Notwithstanding the provisions relating to a quorum in
37 paragraph (3) of subdivision (b), when a health authority conducts
38 a teleconference meeting, members who are outside the jurisdiction
39 of the authority may be counted toward the establishment of a
40 quorum when participating in the teleconference if at least 50

1 percent of the number of members that would establish a quorum
2 are present within the boundaries of the territory over which the
3 authority exercises jurisdiction, and the health authority provides
4 a teleconference number, and associated access codes, if any, that
5 allows any person to call in to participate in the meeting and that
6 number and access codes are identified in the notice and agenda
7 of the meeting.

8 (2) Nothing in this subdivision shall be construed as
9 discouraging health authority members from regularly meeting at
10 a common physical site within the jurisdiction of the authority or
11 from using teleconference locations within or near the jurisdiction
12 of the authority. A teleconference meeting for which a quorum is
13 established pursuant to this subdivision shall be subject to all other
14 requirements of this section.

15 (3) For purposes of this subdivision, a health authority means
16 any entity created pursuant to Sections 14018.7, 14087.31,
17 14087.35, 14087.36, 14087.38, and 14087.9605 of the Welfare
18 and Institutions Code, any joint powers authority created pursuant
19 to Article 1 (commencing with Section 6500) of Chapter 5 of
20 Division 7 for the purpose of contracting pursuant to Section
21 14087.3 of the Welfare and Institutions Code, and any advisory
22 committee to a county sponsored health plan licensed pursuant to
23 Chapter 2.2 (commencing with Section 1340) of Division 2 of the
24 Health and Safety Code if the advisory committee has 12 or more
25 members.

26 (4) This subdivision shall remain in effect only until January 1,
27 2018.

28 SEC. 2. The Legislature finds and declares that Section 1 of
29 this act, which amends Section 54953 of the Government Code,
30 furthers, within the meaning of paragraph (7) of subdivision (b)
31 of Section 3 of Article I of the California Constitution, the purposes
32 of that constitutional section as it relates to the right of public
33 access to the meetings of local public bodies or the writings of
34 local public officials and local agencies. Pursuant to paragraph (7)
35 of subdivision (b) of Section 3 of Article I of the California
36 Constitution, the Legislature makes the following findings:

37 This act ensures that more Californians can meaningfully
38 participate in the meetings of legislative bodies of local agencies.

39 SEC. 3. No reimbursement is required by this act pursuant to
40 Section 6 of Article XIII B of the California Constitution because

1 the only costs that may be incurred by a local agency or school
2 district under this act would result from a legislative mandate that
3 is within the scope of paragraph (7) of subdivision (b) of Section
4 3 of Article I of the California Constitution.

O

AMENDED IN SENATE MARCH 28, 2016

SENATE BILL

No. 1436

Introduced by Senator Bates

February 19, 2016

An act to amend ~~Sections 54952.6 and~~ *Section* 54953 of the Government Code, relating to open meetings.

LEGISLATIVE COUNSEL'S DIGEST

SB 1436, as amended, Bates. Local agency meetings: local agency executive compensation: ~~discussion~~ *oral report* of final action ~~taken~~. *recommendation*.

The Ralph M. Brown Act requires that all meetings of a legislative body of a local agency be open and public, except that closed sessions may be held under prescribed circumstances. Existing law authorizes the legislative body to hold a closed session to consider the appointment, employment, evaluation of performance, discipline, or dismissal of a public employee, but generally prohibits the closed session from including discussion or action on proposed compensation. Existing law authorizes the legislative body to hold a closed session with the local agency's designated representatives regarding the salaries, salary schedules, or compensation paid in the form of fringe benefits of its represented and unrepresented employees, but prohibits the closed session from including final action on the proposed compensation of one or more unrepresented employees. Existing law prohibits the legislative body from calling a special meeting regarding the salaries, salary schedules, or compensation paid in the form of fringe ~~benefits~~, *benefits* of a local agency executive, as defined.

This bill would require the *legislative body to orally report a summary of a recommendation for a final action* on the salaries, salary schedules,

or compensation paid in the form of fringe benefits of a local agency executive to be made a separate discussion item and not placed on a consent calendar. The bill would define, for these purposes, “discussion item” as an item that is given time in a meeting for discussion separate from any other item and “consent calendar” as a list of 2 or more items that the legislative body has agreed to vote on as a group at once without a separate debate for each item. *during the open meeting in which the final action is to be taken.*

By imposing new requirements on cities, counties, cities and counties, and special districts, this bill would impose a state-mandated local program.

The California Constitution requires local agencies, for the purpose of ensuring public access to the meetings of public bodies and the writings of public officials and agencies, to comply with a statutory enactment that amends or enacts laws relating to public records or open meetings and contains findings demonstrating that the enactment furthers the constitutional requirements relating to this purpose.

This bill would make legislative findings to that effect.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

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

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

- 1 SECTION 1. ~~Section 54952.6 of the Government Code is~~
- 2 ~~amended to read:~~
- 3 54952.6. (a) ~~As used in this chapter, “action taken” means a~~
- 4 ~~collective decision made by a majority of the members of a~~
- 5 ~~legislative body, a collective commitment or promise by a majority~~
- 6 ~~of the members of a legislative body to make a positive or a~~
- 7 ~~negative decision, or an actual vote by a majority of the members~~
- 8 ~~of a legislative body when sitting as a body or entity, upon a~~
- 9 ~~motion, proposal, resolution, order or ordinance.~~
- 10 (b) ~~As used in this chapter, “discussion item” means an item~~
- 11 ~~that is given time in a meeting for discussion separate from any~~
- 12 ~~other item.~~

1 ~~(e) As used in this chapter, “consent calendar” means a list of~~
2 ~~two or more items that the legislative body has agreed to vote on~~
3 ~~as a group at once without a separate debate for each item.~~

4 ~~SEC. 2.~~

5 *SECTION 1.* Section 54953 of the Government Code is
6 amended to read:

7 54953. (a) All meetings of the legislative body of a local
8 agency shall be open and public, and all persons shall be permitted
9 to attend any meeting of the legislative body of a local agency,
10 except as otherwise provided in this chapter.

11 (b) (1) Notwithstanding any other provision of law, the
12 legislative body of a local agency may use teleconferencing for
13 the benefit of the public and the legislative body of a local agency
14 in connection with any meeting or proceeding authorized by law.
15 The teleconferenced meeting or proceeding shall comply with all
16 requirements of this chapter and all otherwise applicable provisions
17 of law relating to a specific type of meeting or proceeding.

18 (2) Teleconferencing, as authorized by this section, may be used
19 for all purposes in connection with any meeting within the subject
20 matter jurisdiction of the legislative body. All votes taken during
21 a teleconferenced meeting shall be by rollcall.

22 (3) If the legislative body of a local agency elects to use
23 teleconferencing, it shall post agendas at all teleconference
24 locations and conduct teleconference meetings in a manner that
25 protects the statutory and constitutional rights of the parties or the
26 public appearing before the legislative body of a local agency.
27 Each teleconference location shall be identified in the notice and
28 agenda of the meeting or proceeding, and each teleconference
29 location shall be accessible to the public. During the teleconference,
30 at least a quorum of the members of the legislative body shall
31 participate from locations within the boundaries of the territory
32 over which the local agency exercises jurisdiction, except as
33 provided in subdivision (d). The agenda shall provide an
34 opportunity for members of the public to address the legislative
35 body directly pursuant to Section 54954.3 at each teleconference
36 location.

37 (4) For the purposes of this section, “teleconference” means a
38 meeting of a legislative body, the members of which are in different
39 locations, connected by electronic means, through either audio or

1 video, or both. Nothing in this section shall prohibit a local agency
2 from providing the public with additional teleconference locations.

3 (c) (1) No legislative body shall take action by secret ballot,
4 whether preliminary or final.

5 (2) The legislative body of a local agency shall publicly report
6 any action taken and the vote or abstention on that action of each
7 member present for the action.

8 (3) The *legislative body shall orally report a summary of a*
9 *recommendation for a final action on the salaries, salary schedules,*
10 *or compensation paid in the form of fringe benefits of a local*
11 *agency executive, as defined in subdivision (d) of Section 3511.1,*
12 ~~shall be made as a separate discussion item and shall not be placed~~
13 ~~on a consent calendar.~~ *during the open meeting in which the final*
14 *action is to be taken.*

15 (d) (1) Notwithstanding the provisions relating to a quorum in
16 paragraph (3) of subdivision (b), when a health authority conducts
17 a teleconference meeting, members who are outside the jurisdiction
18 of the authority may be counted toward the establishment of a
19 quorum when participating in the teleconference if at least 50
20 percent of the number of members that would establish a quorum
21 are present within the boundaries of the territory over which the
22 authority exercises jurisdiction, and the health authority provides
23 a teleconference number, and associated access codes, if any, that
24 allows any person to call in to participate in the meeting and that
25 number and access codes are identified in the notice and agenda
26 of the meeting.

27 (2) Nothing in this subdivision shall be construed as
28 discouraging health authority members from regularly meeting at
29 a common physical site within the jurisdiction of the authority or
30 from using teleconference locations within or near the jurisdiction
31 of the authority. A teleconference meeting for which a quorum is
32 established pursuant to this subdivision shall be subject to all other
33 requirements of this section.

34 (3) For purposes of this subdivision, a health authority means
35 any entity created pursuant to Sections 14018.7, 14087.31,
36 14087.35, 14087.36, 14087.38, and 14087.9605 of the Welfare
37 and Institutions Code, any joint powers authority created pursuant
38 to Article 1 (commencing with Section 6500) of Chapter 5 of
39 Division 7 for the purpose of contracting pursuant to Section
40 14087.3 of the Welfare and Institutions Code, and any advisory

1 committee to a county sponsored health plan licensed pursuant to
2 Chapter 2.2 (commencing with Section 1340) of Division 2 of the
3 Health and Safety Code if the advisory committee has 12 or more
4 members.

5 (4) This subdivision shall remain in effect only until January 1,
6 2018.

7 ~~SEC. 3.~~

8 *SEC. 2.* The Legislature finds and declares that ~~Sections 1 and~~
9 ~~2 Section 1~~ of this act, which ~~amend Sections 54952.7 and~~ *amends*
10 *Section 54953* of the Government Code, ~~respectively,~~ furthers,
11 within the meaning of paragraph (7) of subdivision (b) of Section
12 3 of Article I of the California Constitution, the purposes of that
13 constitutional section as it relates to the right of public access to
14 the meetings of local public bodies or the writings of local public
15 officials and local agencies. Pursuant to paragraph (7) of
16 subdivision (b) of Section 3 of Article I of the California
17 Constitution, the Legislature makes the following findings:

18 This act ensures that more Californians can meaningfully
19 participate in the meetings of legislative bodies of local agencies.

20 ~~SEC. 4.~~

21 *SEC. 3.* No reimbursement is required by this act pursuant to
22 Section 6 of Article XIII B of the California Constitution because
23 the only costs that may be incurred by a local agency or school
24 district under this act would result from a legislative mandate that
25 is within the scope of paragraph (7) of subdivision (b) of Section
26 3 of Article I of the California Constitution.

Introduced by Senator BatesFebruary 19, 2016

An act to amend Sections 54952.6 and 54953 of the Government Code, relating to open meetings.

LEGISLATIVE COUNSEL'S DIGEST

SB 1436, as introduced, Bates. Local agency meetings: local agency executive compensation: discussion of final action taken.

The Ralph M. Brown Act requires that all meetings of a legislative body of a local agency be open and public, except that closed sessions may be held under prescribed circumstances. Existing law authorizes the legislative body to hold a closed session to consider the appointment, employment, evaluation of performance, discipline, or dismissal of a public employee, but generally prohibits the closed session from including discussion or action on proposed compensation. Existing law authorizes the legislative body to hold a closed session with the local agency's designated representatives regarding the salaries, salary schedules, or compensation paid in the form of fringe benefits of its represented and unrepresented employees, but prohibits the closed session from including final action on the proposed compensation of one or more unrepresented employees. Existing law prohibits the legislative body from calling a special meeting regarding the salaries, salary schedules, or compensation paid in the form of fringe benefits, of a local agency executive, as defined.

This bill would require the final action on the salaries, salary schedules, or compensation paid in the form of fringe benefits of a local agency executive to be made a separate discussion item and not placed on a consent calendar. The bill would define, for these purposes, "discussion item" as an item that is given time in a meeting for

discussion separate from any other item and “consent calendar” as a list of 2 or more items that the legislative body has agreed to vote on as a group at once without a separate debate for each item.

By imposing new requirements on cities, counties, cities and counties, and special districts, this bill would impose a state-mandated local program.

The California Constitution requires local agencies, for the purpose of ensuring public access to the meetings of public bodies and the writings of public officials and agencies, to comply with a statutory enactment that amends or enacts laws relating to public records or open meetings and contains findings demonstrating that the enactment furthers the constitutional requirements relating to this purpose.

This bill would make legislative findings to that effect.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

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

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

1 SECTION 1. Section 54952.6 of the Government Code is
2 amended to read:

3 54952.6. (a) As used in this chapter, “action taken” means a
4 collective decision made by a majority of the members of a
5 legislative body, a collective commitment or promise by a majority
6 of the members of a legislative body to make a positive or a
7 negative decision, or an actual vote by a majority of the members
8 of a legislative body when sitting as a body or entity, upon a
9 motion, proposal, resolution, order or ordinance.

10 (b) As used in this chapter, “discussion item” means an item
11 that is given time in a meeting for discussion separate from any
12 other item.

13 (c) As used in this chapter, “consent calendar” means a list of
14 two or more items that the legislative body has agreed to vote on
15 as a group at once without a separate debate for each item.

16 SEC. 2. Section 54953 of the Government Code is amended
17 to read:

1 54953. (a) All meetings of the legislative body of a local
2 agency shall be open and public, and all persons shall be permitted
3 to attend any meeting of the legislative body of a local agency,
4 except as otherwise provided in this chapter.

5 (b) (1) Notwithstanding any other provision of law, the
6 legislative body of a local agency may use teleconferencing for
7 the benefit of the public and the legislative body of a local agency
8 in connection with any meeting or proceeding authorized by law.
9 The teleconferenced meeting or proceeding shall comply with all
10 requirements of this chapter and all otherwise applicable provisions
11 of law relating to a specific type of meeting or proceeding.

12 (2) Teleconferencing, as authorized by this section, may be used
13 for all purposes in connection with any meeting within the subject
14 matter jurisdiction of the legislative body. All votes taken during
15 a teleconferenced meeting shall be by rollcall.

16 (3) If the legislative body of a local agency elects to use
17 teleconferencing, it shall post agendas at all teleconference
18 locations and conduct teleconference meetings in a manner that
19 protects the statutory and constitutional rights of the parties or the
20 public appearing before the legislative body of a local agency.
21 Each teleconference location shall be identified in the notice and
22 agenda of the meeting or proceeding, and each teleconference
23 location shall be accessible to the public. During the teleconference,
24 at least a quorum of the members of the legislative body shall
25 participate from locations within the boundaries of the territory
26 over which the local agency exercises jurisdiction, except as
27 provided in subdivision (d). The agenda shall provide an
28 opportunity for members of the public to address the legislative
29 body directly pursuant to Section 54954.3 at each teleconference
30 location.

31 (4) For the purposes of this section, “teleconference” means a
32 meeting of a legislative body, the members of which are in different
33 locations, connected by electronic means, through either audio or
34 video, or both. Nothing in this section shall prohibit a local agency
35 from providing the public with additional teleconference locations.

36 (c) (1) No legislative body shall take action by secret ballot,
37 whether preliminary or final.

38 (2) The legislative body of a local agency shall publicly report
39 any action taken and the vote or abstention on that action of each
40 member present for the action.

1 (3) *The final action on the salaries, salary schedules, or*
2 *compensation paid in the form of fringe benefits of a local agency*
3 *executive, as defined in subdivision (d) of Section 3511.1, shall be*
4 *made as a separate discussion item and shall not be placed on a*
5 *consent calendar.*

6 (d) (1) Notwithstanding the provisions relating to a quorum in
7 paragraph (3) of subdivision (b), when a health authority conducts
8 a teleconference meeting, members who are outside the jurisdiction
9 of the authority may be counted toward the establishment of a
10 quorum when participating in the teleconference if at least 50
11 percent of the number of members that would establish a quorum
12 are present within the boundaries of the territory over which the
13 authority exercises jurisdiction, and the health authority provides
14 a teleconference number, and associated access codes, if any, that
15 allows any person to call in to participate in the meeting and that
16 number and access codes are identified in the notice and agenda
17 of the meeting.

18 (2) Nothing in this subdivision shall be construed as
19 discouraging health authority members from regularly meeting at
20 a common physical site within the jurisdiction of the authority or
21 from using teleconference locations within or near the jurisdiction
22 of the authority. A teleconference meeting for which a quorum is
23 established pursuant to this subdivision shall be subject to all other
24 requirements of this section.

25 (3) For purposes of this subdivision, a health authority means
26 any entity created pursuant to Sections 14018.7, 14087.31,
27 14087.35, 14087.36, 14087.38, and 14087.9605 of the Welfare
28 and Institutions Code, any joint powers authority created pursuant
29 to Article 1 (commencing with Section 6500) of Chapter 5 of
30 Division 7 for the purpose of contracting pursuant to Section
31 14087.3 of the Welfare and Institutions Code, and any advisory
32 committee to a county sponsored health plan licensed pursuant to
33 Chapter 2.2 (commencing with Section 1340) of Division 2 of the
34 Health and Safety Code if the advisory committee has 12 or more
35 members.

36 (4) This subdivision shall remain in effect only until January 1,
37 2018.

38 SEC. 3. The Legislature finds and declares that Sections 1 and
39 2 of this act, which amend Sections 54952.7 and 54953 of the
40 Government Code, respectively, furthers, within the meaning of

1 paragraph (7) of subdivision (b) of Section 3 of Article I of the
2 California Constitution, the purposes of that constitutional section
3 as it relates to the right of public access to the meetings of local
4 public bodies or the writings of local public officials and local
5 agencies. Pursuant to paragraph (7) of subdivision (b) of Section
6 3 of Article I of the California Constitution, the Legislature makes
7 the following findings:

8 This act ensures that more Californians can meaningfully
9 participate in the meetings of legislative bodies of local agencies.

10 SEC. 4. No reimbursement is required by this act pursuant to
11 Section 6 of Article XIII B of the California Constitution because
12 the only costs that may be incurred by a local agency or school
13 district under this act would result from a legislative mandate that
14 is within the scope of paragraph (7) of subdivision (b) of Section
15 3 of Article I of the California Constitution.

April 26, 2016

FOR INFORMATION ONLY

TO: Insurance, Benefits and Legislative Committee
Les Robbins, Chair
William de la Garza, Vice Chair
Vivian H. Gray
Shawn Kehoe
Ronald Okum, Alternate

FROM: Barry W. Lew 
Legislative Affairs Officer

FOR: May 5, 2016 Board of Retirement Meeting

SUBJECT: **Assembly Bill 1661 – Sexual Harassment Training**

Employers of more than 50 employees must provide a minimum of two hours of sexual harassment training once every two years to all supervisors. According to the author, the existing law does not explicitly require city or county elected officials to undergo sexual harassment training. Various jurisdictions have been inconsistent in applying the requirements to provide the training since it was unclear whether elected officials were considered supervisory employees.

This bill would require local agency officials who receive any type of compensation, salary, or stipend from a local agency to receive sexual harassment training and education. Although LACERA's board members who are not active County employees receive stipends for serving on the board, LACERA does not fall within the scope of a local agency as defined by the bill. Therefore, the requirement for sexual harassment training does not apply to its board members, and this bill is presented for information only.

Staff will continue to monitor this bill.

Reviewed and Approved:



Steven P. Rice, Chief Counsel

**LEGISLATIVE ANALYSIS
ASSEMBLY BILL 1661**

AUTHOR: McCarty [D]

INTRODUCED: January 13, 2016

AMENDED: April 11, 2016, March 17, 2016

SPONSOR: Equal Rights Advocates

SUMMARY: Existing law requires the state, its political subdivisions, and cities to provide sexual harassment training and education to all supervisory employees.

This bill would require local agency officials who receive any type of compensation, salary, or stipend from a local agency to receive sexual harassment training and education.

Local agency officials are required to receive at least two hours of sexual harassment training and education within the first six months of taking office or commencing employment.

Local agencies are defined as any city, county, city and county, charter city, charter county, charter city and county, or special district.

Local agency officials are defined as any member of a local agency legislative body and any elected local agency official.

ANALYSIS: Although LACERA's board members who are not active County employees receive stipends for serving on the board, LACERA does not fall within the scope of a local agency as defined by the bill. Therefore, the requirement for sexual harassment training does not apply to its board members.

SUPPORT: Equal Rights Advocates
Association of California Water Agencies
California Association of Recreation and Park Districts
California Fire Chiefs Association
California Women's Law Center
CSAC Excess Insurance Authority
Fire Districts Association of California
Los Angeles County Professional Peace Officers Association
Organization of SMUD Employees
Sacramento Collective for Women's Rights
San Diego County Court Employees Association

San Luis Obispo County Employees Association

OPPOSITION: None on file

**STAFF
RECOMMENDATION:** For Information

PREPARED BY: Barry W. Lew, Legislative Affairs Officer

DATED: April 26, 2016

AMENDED IN ASSEMBLY APRIL 11, 2016

AMENDED IN ASSEMBLY MARCH 17, 2016

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

ASSEMBLY BILL

No. 1661

Introduced by Assembly Members McCarty and Gonzalez
(Coauthor: Assembly Member Kim)
(Coauthor: Senator Jackson)

January 13, 2016

An act to add Article 2.4.5 (commencing with Section 53237) to Chapter 2 of Part 1 of Division 2 of Title 5 of the Government Code, relating to local government.

LEGISLATIVE COUNSEL'S DIGEST

AB 1661, as amended, McCarty. Local government: sexual harassment training and education.

Existing law requires all local agency officials to receive training in ethics, at specified intervals, if the local agency provides any type of compensation, salary, or stipend to those officials. Existing law also requires any civil or political subdivision of the state and all cities to provide at least 2 hours of training and education regarding sexual harassment to all supervisory employees, as specified.

This bill would additionally require local agency officials, as defined, to receive sexual harassment training and education if the local agency provides any type of compensation, salary, or stipend to those officials, and would allow a local agency to require employees to receive sexual harassment training or information. *The bill would also require an entity that develops curricula to satisfy this requirement to consult with the*

Attorney General regarding the sufficiency and accuracy of that proposed content.

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

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

1 SECTION 1. Article 2.4.5 (commencing with Section 53237)
2 is added to Chapter 2 of Part 1 of Division 2 of Title 5 of the
3 Government Code, to read:

4
5 Article 2.4.5. Sexual Harassment Training and Education
6

7 53237. For the purposes of this article, the following terms
8 have the following meanings:

9 ~~(a) “Legislative body” means the governing body of a city,
10 county, city and county, or special district.~~

11 ~~(b)~~

12 (a) “Local agency” means a city, county, city and county, charter
13 city, charter county, charter city and county, or special district.

14 ~~(e)~~

15 (b) “Local agency official” means any member of a local agency
16 ~~governing legislative~~ body and any elected local agency official.

17 53237.1. (a) If a local agency provides any type of
18 compensation, salary, or stipend to a local agency official of that
19 agency, then all local agency officials of that agency shall receive
20 sexual harassment training and education pursuant to this article.
21 A local agency may also require any of its employees to receive
22 sexual harassment training and education pursuant to this article.

23 (b) Each local agency official, or employee who is so required,
24 shall receive at least two hours of sexual harassment training and
25 education within the first six months of taking office or
26 commencing employment, and every two years thereafter.

27 (c) *An entity that develops curricula to satisfy the requirements
28 of this section shall consult with the Attorney General regarding
29 the sufficiency and accuracy of that proposed content. An entity
30 is permitted to include local sexual harassment training and
31 education policies in the curricula.*

32 ~~(e)~~

1 (d) The training and education required by this section shall
2 include information and practical guidance regarding the federal
3 and state statutory provisions concerning the prohibition against,
4 and the prevention and correction of, sexual harassment and the
5 remedies available to victims of sexual harassment in employment.
6 The training and education shall also include practical examples
7 aimed at instructing the local agency official in the prevention of
8 sexual harassment, discrimination, and retaliation, and shall be
9 presented by trainers or educators with knowledge and expertise
10 in the prevention of sexual harassment, discrimination, and
11 retaliation.

12 ~~(e)~~

13 (e) A local agency or an association of local agencies may offer
14 one or more training courses, or sets of self-study materials with
15 tests, to meet the requirements of this section. These courses may
16 be taken at home, in person, or online.

17 ~~(e)~~

18 (f) All providers of training courses shall provide participants
19 with proof of participation to meet the requirements of this article.

20 ~~(f)~~

21 (g) A local agency shall provide information on training
22 available to meet the requirements of this article to its local agency
23 officials and its employees at least once annually.

24 (h) *A local agency official who serves more than one local*
25 *agency shall satisfy the requirements of this article once every two*
26 *years without regard to the number of local agencies he or she*
27 *serves.*

28 53237.2. (a) A local agency that requires its local agency
29 officials or employees to complete the sexual harassment training
30 and education prescribed by this article shall maintain records
31 indicating both of the following:

32 (1) The dates that local agency officials or employees satisfied
33 the requirements of this article.

34 (2) The entity that provided the training.

35 (b) Notwithstanding any other law, a local agency shall maintain
36 these records for at least five years after local agency officials or
37 employees receive the training. These records are public records
38 subject to disclosure under the California Public Records Act
39 (Chapter 3.5 (commencing with Section 6250) of Division 7 of
40 Title 1).

1 53237.5. *The requirements of this article are in addition to*
2 *any other law requiring similar or related training, and nothing*
3 *in this article shall be construed to supersede the requirements of*
4 *Section 12940 or 12950.1.*

5 SEC. 2. The Legislature finds and declares that all employees
6 should have the same opportunity to work in a safe and ~~harassment~~
7 ~~free~~ *harassment-free* environment and therefore, sexual harassment
8 training and education for all local agency officials is a matter of
9 statewide concern ~~and,~~ *and* not merely a municipal affair, as that
10 term is used in Section 5 of Article XI of the California
11 Constitution. Therefore, this act shall apply to charter cities, charter
12 counties, and charter cities and counties.

AMENDED IN ASSEMBLY MARCH 17, 2016

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

ASSEMBLY BILL

No. 1661

Introduced by Assembly Members McCarty and Gonzalez
(Coauthor: Assembly Member Kim)
(Coauthor: Senator Jackson)

January 13, 2016

An act to add Article 2.4.5 (commencing with Section 53237) to Chapter 2 of Part 1 of Division 2 of Title 5 of the Government Code, relating to local government.

LEGISLATIVE COUNSEL'S DIGEST

AB 1661, as amended, McCarty. Local government: sexual harassment training and education.

Existing law requires all local agency officials to receive training in ethics, at specified intervals, if the local agency provides any type of compensation, salary, or stipend to those officials. Existing law also requires any civil or political subdivision of the state and all cities to provide at least 2 hours of training and education regarding sexual harassment to all supervisory employees, as specified.

This bill would additionally require local agency officials, as defined, to receive sexual harassment training and education if the local agency provides any type of compensation, salary, or stipend to those officials, and would allow a local agency to require employees to receive sexual harassment training or information.

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

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

1 SECTION 1. Article 2.4.5 (commencing with Section 53237)
2 is added to Chapter 2 of Part 1 of Division 2 of Title 5 of the
3 Government Code, to read:

4
5 Article 2.4.5. Sexual Harassment Training and Education

6
7 53237. For the purposes of this article, the following terms
8 have the following meanings:

9 (a) “Legislative body” ~~has the same meaning as specified in~~
10 ~~Section 54952.~~ *means the governing body of a city, county, city*
11 *and county, or special district.*

12 (b) “Local agency” means a city, county, city and county, charter
13 city, charter county, charter city and county, or special district.

14 (c) “Local agency official” means any member of a local agency
15 governing body and any elected local agency official.

16 53237.1. (a) If a local agency provides any type of
17 compensation, salary, or stipend to a local agency official of that
18 agency, then all local agency officials of that agency shall receive
19 sexual harassment training and education pursuant to this article.
20 A local agency may also require any of its employees to receive
21 sexual harassment training and education pursuant to this article.

22 (b) Each local agency official, or employee who is so required,
23 shall receive at least two hours of sexual harassment training and
24 education within the first six months of taking office or
25 commencing employment, and every two years thereafter.

26 (c) The training and education required by this section shall
27 include information and practical guidance regarding the federal
28 and state statutory provisions concerning the prohibition against,
29 and the prevention and correction of, sexual harassment and the
30 remedies available to victims of sexual harassment in employment.
31 The training and education shall also include practical examples
32 aimed at instructing the local agency official in the prevention of
33 sexual harassment, discrimination, and retaliation, and shall be
34 presented by trainers or educators with knowledge and expertise
35 in the prevention of sexual harassment, discrimination, and
36 retaliation.

37 (d) A local agency or an association of local agencies may offer
38 one or more training courses, or sets of self-study materials with

1 tests, to meet the requirements of this section. These courses may
2 be taken at home, in person, or online.

3 (e) All providers of training courses shall provide participants
4 with proof of participation to meet the requirements of this article.

5 (f) A local agency shall provide information on training available
6 to meet the requirements of this article to its local agency officials
7 and its employees at least once annually.

8 53237.2. (a) A local agency that requires its local agency
9 officials or employees to complete the sexual harassment training
10 and education prescribed by this article shall maintain records
11 indicating both of the following:

12 (1) The dates that local agency officials or employees satisfied
13 the requirements of this article.

14 (2) The entity that provided the training.

15 (b) Notwithstanding any other law, a local agency shall maintain
16 these records for at least five years after local agency officials or
17 employees receive the training. These records are public records
18 subject to disclosure under the California Public Records Act
19 (Chapter 3.5 (commencing with Section 6250) of Division 7 of
20 Title 1).

21 SEC. 2. The Legislature finds and declares that all employees
22 should have the same opportunity to work in a safe and harassment
23 free environment and therefore, sexual harassment training and
24 education for all local agency officials is a matter of statewide
25 concern and, not merely a municipal affair, as that term is used in
26 Section 5 of Article XI of the California Constitution. Therefore,
27 this act shall apply to charter cities, charter counties, and charter
28 cities and counties.

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Vote: majority. Appropriation: no. Fiscal committee: no.
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8 have the following meanings:

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10 Section 54952.

11 (b) “Local agency” means a city, county, city and county, charter
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13 (c) “Local agency official” means any member of a local agency
14 governing body and any elected local agency official.

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27 and state statutory provisions concerning the prohibition against,
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23 free environment and therefore, sexual harassment training and
24 education for all local agency officials is a matter of statewide
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26 Section 5 of Article XI of the California Constitution. Therefore,
27 this act shall apply to charter cities, charter counties, and charter
28 cities and counties.

**INSURANCE, BENEFITS & LEGISLATIVE COMMITTEE
RETIREE HEALTHCARE BENEFITS PROGRAM
STAFF ACTIVITIES REPORT
APRIL 2016
FOR INFORMATION ONLY**

**Centers for Medicare and Medicaid Services (CMS) Medicare Part D
Retiree Drug Subsidy (RDS) Applications Plan Year 7/1/2016 –
6/30/2017**

We continue to submit RDS applications to CMS/RDS. Staff submitted the 2016/2017 RDS Applications to CMS/RDS and as of April, CMS approved the following applications: Anthem Blue Cross, Cigna HMO, Kaiser, and Local 1014. Staff will continue to provide status updates to your Board.

**LACERA Retiree Wellness Program called Staying Healthy Together –
Spring 2016 Workshop**



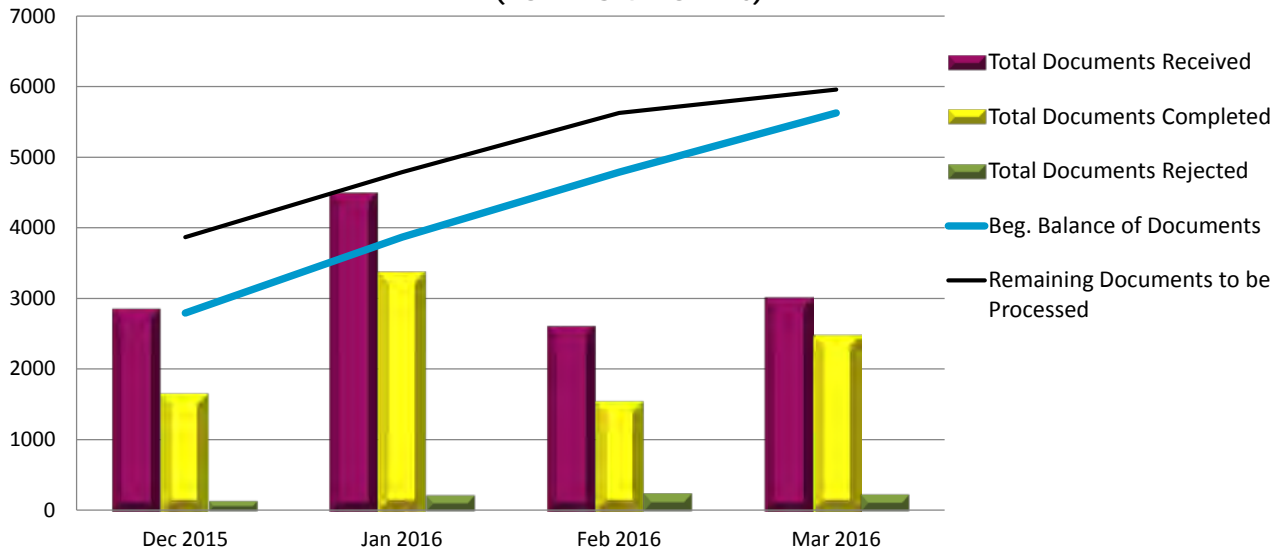
The half-day Staying Healthy Together Program workshop was held on April 27 at the Glendale Civic Auditorium in Glendale. We are happy to report that the event was well attended by our retirees. Our members found the presentation by Dr. Blank of Cigna very informative and overall, enjoyed the event. The presentation will be uploaded to the LACERA website. Members can view/download the presentation from there.

We thank our carriers (Anthem Blue Cross, Cigna, CVS Caremark, Kaiser Permanente, SCAN Health Plan, UnitedHealthcare), Aon, and staff for another successful event.

**Retiree Healthcare Division
Insurance Status Report
December 1, 2015 - March 31, 2016**

UPDATE: 4.25.2016

**RETIREE HEALTHCARE WORK ITEMS SUMMARY
(ROLLING 4 MONTHS)**



Date	Beg. Balance of Documents	Total Documents Received	Total Documents Completed	Total Documents Rejected	Remaining Documents to be Processed
Dec 2015	2794	2859	1661	127	3865
Jan 2016	3865	4498	3378	197	4788
Feb 2016	4788	2614	1550	224	5628
Mar 2016	5628	3024	2486	209	5957

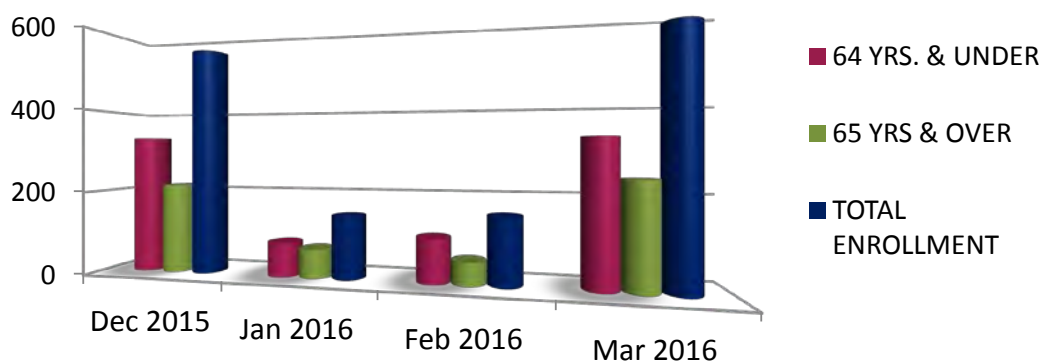
* Please Note: April's (4/2016) data is not yet available as data is provided on a full month basis.

* **Next Report will include the following dates: January 1, 2016 through April 30, 2016.**

Retirees Monthly Age Breakdown December 1, 2015 - March 31, 2016

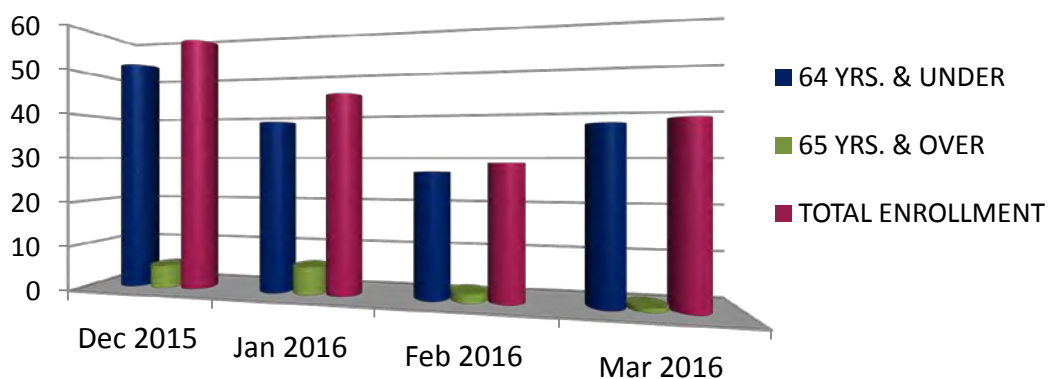
Service Retirement

MONTH	64 YRS. & UNDER	65 YRS & OVER	TOTAL ENROLLMENT
Dec 2015	331	215	546
Jan 2016	80	68	148
Feb 2016	103	53	156
Mar 2016	332	240	572



Disability Retirement

MONTH	64 YRS. & UNDER	65 YRS. & OVER	TOTAL ENROLLMENT
Dec 2015	52	5	57
Jan 2016	38	6	44
Feb 2016	27	2	29
Mar 2016	37	1	38



* Please Note: April's (4/2016) data is not yet available as data is provided on a full month basis.

* *Next Report will include the following dates: January 1, 2016 through April 30, 2016.

Medicare Part B Reimbursement and Penalty Report

PAY PERIOD 4/30/2016

Deduction Code	No. of Members	Reimbursement Amount	No. of Penalties	Penalty Amount
ANTHEM BC III				
202	1	\$226.70	0	\$0.00
211	1	(\$104.90)	0	\$0.00
221	1	(\$104.90)	0	\$0.00
222	1	\$243.60	0	\$0.00
240	6,167	\$660,684.90	11	\$275.90
241	184	\$19,311.50	1	\$62.90
242	847	\$89,947.60	0	\$0.00
243	3,520	\$752,308.10	6	\$398.70
244	15	\$1,607.30	0	\$0.00
245	41	\$4,541.00	0	\$0.00
246	18	\$2,043.80	0	\$0.00
247	79	\$8,557.50	0	\$0.00
248	10	\$2,114.90	1	\$31.50
249	40	\$8,939.80	0	\$0.00
250	13	\$2,727.40	0	\$0.00
Plan Total:	10,938	\$1,553,044.30	19	\$769.00
CIGNA-HEALTHSPRING PREFERRED with RX				
321	23	\$2,446.50	0	\$0.00
322	8	\$839.20	0	\$0.00
324	15	\$3,163.90	0	\$0.00
327	2	\$209.80	0	\$0.00
329	1	\$209.80	0	\$0.00
Plan Total:	49	\$6,869.20	0	\$0.00
KAISER SR. ADVANTAGE				
403	9,455	\$1,015,910.20	6	\$211.90
413	1,696	\$183,259.90	0	\$0.00
418	4,684	\$999,628.50	5	\$331.80
419	245	\$25,239.60	0	\$0.00
426	198	\$21,280.70	0	\$0.00
427	167	\$17,301.50	0	\$0.00
445	2	\$209.80	0	\$0.00
451	27	\$2,866.10	0	\$0.00
457	11	\$2,324.70	0	\$0.00
462	52	\$5,471.70	0	\$0.00
465	16	\$1,695.30	0	\$0.00
466	21	\$4,405.80	0	\$0.00
472	30	\$3,163.90	0	\$0.00
476	5	\$575.20	0	\$0.00
478	12	\$2,517.60	0	\$0.00
482	75	\$7,985.80	1	\$12.20
486	9	\$961.00	0	\$0.00
488	44	\$9,467.80	0	\$0.00
492	1	\$104.90	0	\$0.00
493	1	\$104.90	0	\$0.00
Plan Total:	16,751	\$2,304,474.90	12	\$555.90

Medicare Part B Reimbursement and Penalty Report

PAY PERIOD 4/30/2016

Deduction Code	No. of Members	Reimbursement Amount	No. of Penalties	Penalty Amount
SCAN				
611	260	\$27,909.80	0	\$0.00
613	94	\$19,281.20	0	\$0.00
Plan Total:	354	\$47,191.00	0	\$0.00
UNITED HEALTHCARE GROUP MEDICARE ADV. HMO				
701	1,466	\$158,229.90	1	\$36.50
702	325	\$34,666.50	0	\$0.00
703	772	\$162,016.70	1	\$10.50
704	66	\$7,210.70	0	\$0.00
705	21	\$4,557.90	0	\$0.00
708	1	\$121.80	0	\$0.00
Plan Total:	2,651	\$366,803.50	2	\$47.00
Grand Total:	30,743	\$4,278,382.90	33	\$1,371.90

Medicare Part B Reimbursement and Penalty Report

PAY PERIOD 4/30/2016

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611	260	\$27,909.80	0	\$0.00
613	94	\$19,281.20	0	\$0.00
Plan Total:	354	\$47,191.00	0	\$0.00
UNITED HEALTHCARE GROUP MEDICARE ADV. HMO				
701	1,466	\$158,229.90	1	\$36.50
702	325	\$34,666.50	0	\$0.00
703	772	\$162,016.70	1	\$10.50
704	66	\$7,210.70	0	\$0.00
705	21	\$4,557.90	0	\$0.00
708	1	\$121.80	0	\$0.00
Plan Total:	2,651	\$366,803.50	2	\$47.00
LOCAL 1014				
804	161	\$20,101.80	0	\$0.00
805	171	\$20,398.90	0	\$0.00
806	556	\$124,844.80	0	\$0.00
807	35	\$4,548.90	0	\$0.00
808	9	\$1,922.00	0	\$0.00
812	204	\$22,545.90	0	\$0.00
Plan Total:	1,136	\$194,362.30	0	\$0.00
Grand Total:	31,879	\$4,472,745.20	33	\$1,371.90

Medical and Dental Vision Insurance Premiums

May 2016

Carrier Codes	Member Count	Premium Amount	Member Amount	County Subsidy Amount	Total	Adjustments	Total Paid
Medical Plan							
Anthem Blue Cross Prudent Buyer Plan							
201	762	\$641,576.18	\$107,175.97	\$536,922.79	\$644,098.76	(\$5,886.02)	\$638,212.74
202	427	\$712,002.60	\$78,485.84	\$611,991.10	\$690,476.94	\$0.00	\$690,476.94
203	112	\$209,313.44	\$49,076.37	\$162,105.94	\$211,182.31	\$0.00	\$211,182.31
204	37	\$40,002.55	\$15,157.62	\$24,844.93	\$40,002.55	\$2,162.30	\$42,164.85
205	1	\$228.33	\$9.13	\$219.20	\$228.33	\$0.00	\$228.33
SUBTOTAL	1,339	\$1,603,123.10	\$249,904.93	\$1,336,083.96	\$1,585,988.89	(\$3,723.72)	\$1,582,265.17
Anthem Blue Cross I							
211	969	\$1,030,906.30	\$73,098.32	\$958,870.77	\$1,031,969.09	(\$7,439.53)	\$1,024,529.56
212	361	\$695,816.55	\$40,023.72	\$646,581.72	\$686,605.44	(\$1,916.85)	\$684,688.59
213	48	\$110,801.74	\$15,331.31	\$88,686.65	\$104,017.96	\$0.00	\$104,017.96
214	17	\$23,910.16	\$5,316.49	\$18,593.67	\$23,910.16	\$0.00	\$23,910.16
215	5	\$1,757.55	\$414.78	\$1,342.77	\$1,757.55	\$0.00	\$1,757.55
SUBTOTAL	1,400	\$1,863,192.30	\$134,184.62	\$1,714,075.58	\$1,848,260.20	(\$9,356.38)	\$1,838,903.82
Anthem Blue Cross II							
221	2,119	\$2,257,365.96	\$138,098.35	\$2,109,702.50	\$2,247,800.85	(\$2,125.58)	\$2,245,675.27
222	1,950	\$3,751,275.45	\$106,166.75	\$3,593,960.80	\$3,700,127.55	\$0.00	\$3,700,127.55
223	537	\$1,214,296.62	\$44,908.50	\$1,153,559.30	\$1,198,467.80	\$0.00	\$1,198,467.80
224	116	\$163,151.68	\$14,683.66	\$148,468.02	\$163,151.68	(\$2,812.96)	\$160,338.72
225	2	\$703.02	\$175.75	\$527.27	\$703.02	\$0.00	\$703.02
SUBTOTAL	4,724	\$7,386,792.73	\$304,033.01	\$7,006,217.89	\$7,310,250.90	(\$4,938.54)	\$7,305,312.36

Medical and Dental Vision Insurance Premiums

May 2016

Carrier Codes	Member Count	Premium Amount	Member Amount	County Subsidy Amount	Total	Adjustments	Total Paid
Anthem Blue Cross III							
240	6,187	\$2,652,795.60	\$433,591.87	\$2,239,571.65	\$2,673,163.52	(\$5,657.81)	\$2,667,505.71
241	183	\$252,552.88	\$31,761.16	\$220,600.98	\$252,362.14	\$0.00	\$252,362.14
242	851	\$1,174,919.92	\$79,322.76	\$1,079,158.67	\$1,158,481.43	\$0.00	\$1,158,481.43
243	3,532	\$3,023,655.60	\$359,695.79	\$2,642,328.09	\$3,002,023.88	(\$3,415.96)	\$2,998,607.92
244	15	\$11,524.95	\$2,550.85	\$8,974.10	\$11,524.95	\$0.00	\$11,524.95
245	41	\$31,501.53	\$3,964.58	\$28,305.28	\$32,269.86	\$0.00	\$32,269.86
246	18	\$30,817.80	\$3,184.50	\$29,345.40	\$32,529.90	\$0.00	\$32,529.90
247	81	\$138,680.10	\$8,457.78	\$128,510.22	\$136,968.00	\$0.00	\$136,968.00
248	10	\$11,935.90	\$1,909.74	\$10,026.16	\$11,935.90	\$0.00	\$11,935.90
249	40	\$47,743.60	\$5,060.82	\$43,876.37	\$48,937.19	\$0.00	\$48,937.19
250	13	\$17,391.01	\$749.15	\$16,641.86	\$17,391.01	\$0.00	\$17,391.01
SUBTOTAL	10,971	\$7,393,518.89	\$930,249.00	\$6,447,338.78	\$7,377,587.78	(\$9,073.77)	\$7,368,514.01
CIGNA Network Model Plan							
301	376	\$484,585.61	\$99,219.68	\$377,375.49	\$476,595.17	(\$7,671.54)	\$468,923.63
302	180	\$417,950.72	\$79,148.85	\$334,183.63	\$413,332.48	(\$4,618.24)	\$408,714.24
303	26	\$70,879.90	\$19,355.75	\$48,798.00	\$68,153.75	\$0.00	\$68,153.75
304	22	\$37,354.68	\$13,950.85	\$23,403.83	\$37,354.68	\$0.00	\$37,354.68
SUBTOTAL	604	\$1,010,770.91	\$211,675.13	\$783,760.95	\$995,436.08	(\$12,289.78)	\$983,146.30

Medical and Dental Vision Insurance Premiums May 2016

Carrier Codes	Member Count	Premium Amount	Member Amount	County Subsidy Amount	Total	Adjustments	Total Paid
CIGNA Healthspring Pref w/ Rx - Phoenix, AZ							
321	23	\$7,702.70	\$1,647.72	\$6,054.98	\$7,702.70	\$0.00	\$7,702.70
322	8	\$10,918.00	\$982.62	\$9,935.38	\$10,918.00	\$0.00	\$10,918.00
324	15	\$9,972.00	\$1,316.31	\$8,655.69	\$9,972.00	\$0.00	\$9,972.00
327	2	\$3,562.60	\$0.00	\$3,562.60	\$3,562.60	\$0.00	\$3,562.60
329	1	\$1,136.12	\$0.00	\$1,136.12	\$1,136.12	\$0.00	\$1,136.12
SUBTOTAL	49	\$33,291.42	\$3,946.65	\$29,344.77	\$33,291.42	\$0.00	\$33,291.42

Medical and Dental Vision Insurance Premiums May 2016

Carrier Codes	Member Count	Premium Amount	Member Amount	County Subsidy Amount	Total	Adjustments	Total Paid
Kaiser/Senior Advantage							
401	1,742	\$1,530,132.90	\$130,682.53	\$1,359,480.97	\$1,490,163.50	(\$868.90)	\$1,489,294.60
403	9,533	\$2,286,502.80	\$255,011.20	\$2,053,774.40	\$2,308,785.60	(\$2,408.54)	\$2,306,377.06
404	485	\$475,424.64	\$17,943.25	\$475,089.71	\$493,032.96	\$88.09	\$493,121.05
405	869	\$773,540.35	\$20,046.16	\$757,054.79	\$777,100.95	\$0.00	\$777,100.95
406	55	\$96,671.40	\$30,712.43	\$47,700.16	\$78,412.59	(\$6,444.76)	\$71,967.83
411	1,851	\$3,233,404.80	\$164,026.75	\$3,019,126.85	\$3,183,153.60	\$0.00	\$3,183,153.60
413	1,699	\$1,891,399.00	\$90,543.04	\$1,782,168.46	\$1,872,711.50	\$0.00	\$1,872,711.50
414	149	\$276,321.00	\$8,658.09	\$269,505.05	\$278,163.14	\$0.00	\$278,163.14
418	4,683	\$2,223,998.00	\$181,903.30	\$2,050,785.40	\$2,232,688.70	(\$3,319.40)	\$2,229,369.30
419	243	\$300,784.32	\$5,579.04	\$287,928.24	\$293,507.28	\$0.00	\$293,507.28
420	126	\$245,886.48	\$1,561.20	\$244,325.28	\$245,886.48	\$0.00	\$245,886.48
421	7	\$6,082.30	\$1,494.50	\$9,801.20	\$11,295.70	\$0.00	\$11,295.70
422	204	\$359,580.25	\$2,104.85	\$360,983.50	\$363,088.35	\$0.00	\$363,088.35
423	22	\$59,402.16	\$5,896.37	\$36,180.16	\$42,076.53	(\$99.76)	\$41,976.77
426	198	\$222,700.50	\$3,599.19	\$220,226.06	\$223,825.25	\$0.00	\$223,825.25
427	167	\$311,938.51	\$3,839.23	\$297,024.54	\$300,863.77	\$0.00	\$300,863.77
428	45	\$83,852.55	\$1,788.86	\$82,063.69	\$83,852.55	\$0.00	\$83,852.55
429	12	\$33,597.59	\$3,878.04	\$10,596.94	\$14,474.98	\$0.00	\$14,474.98
430	132	\$234,339.60	\$3,089.02	\$231,250.58	\$234,339.60	(\$1,775.30)	\$232,564.30
431	12	\$32,452.42	\$2,350.80	\$22,612.60	\$24,963.40	\$0.00	\$24,963.40
432	9	\$32,173.80	\$5,736.72	\$13,567.56	\$19,304.28	\$0.00	\$19,304.28
SUBTOTAL	22,243	\$14,710,185.37	\$940,444.57	\$13,631,246.14	\$14,571,690.71	(\$14,828.57)	\$14,556,862.14

Medical and Dental Vision Insurance Premiums May 2016

Carrier Codes	Member Count	Premium Amount	Member Amount	County Subsidy Amount	Total	Adjustments	Total Paid
Kaiser - Colorado							
450	5	\$5,298.05	\$1,101.99	\$4,196.06	\$5,298.05	\$0.00	\$5,298.05
451	27	\$9,184.32	\$993.29	\$8,191.03	\$9,184.32	\$0.00	\$9,184.32
453	2	\$4,692.66	\$858.96	\$3,833.70	\$4,692.66	\$0.00	\$4,692.66
454	1	\$3,168.92	\$907.66	\$2,261.26	\$3,168.92	\$0.00	\$3,168.92
457	11	\$7,428.52	\$1,296.61	\$6,131.91	\$7,428.52	\$0.00	\$7,428.52
SUBTOTAL	46	\$29,772.47	\$5,158.51	\$24,613.96	\$29,772.47	\$0.00	\$29,772.47
Kaiser - Georgia							
440	1	\$1,010.58	\$0.00	\$1,010.58	\$1,010.58	\$0.00	\$1,010.58
441	2	\$2,021.16	\$0.00	\$2,021.16	\$2,021.16	\$0.00	\$2,021.16
442	4	\$4,042.32	\$0.00	\$4,042.32	\$4,042.32	\$0.00	\$4,042.32
445	2	\$2,783.56	\$0.00	\$2,783.56	\$2,783.56	\$0.00	\$2,783.56
461	18	\$18,190.44	\$2,768.99	\$15,421.45	\$18,190.44	\$0.00	\$18,190.44
462	53	\$20,468.60	\$3,298.15	\$17,170.45	\$20,468.60	\$0.00	\$20,468.60
463	6	\$12,096.90	\$1,554.22	\$10,542.68	\$12,096.90	\$0.00	\$12,096.90
465	17	\$23,660.26	\$2,226.85	\$21,433.41	\$23,660.26	\$0.00	\$23,660.26
466	21	\$16,115.40	\$859.49	\$15,255.91	\$16,115.40	\$0.00	\$16,115.40
SUBTOTAL	124	\$100,389.22	\$10,707.70	\$89,681.52	\$100,389.22	\$0.00	\$100,389.22

Medical and Dental Vision Insurance Premiums May 2016

Carrier Codes	Member Count	Premium Amount	Member Amount	County Subsidy Amount	Total	Adjustments	Total Paid
Kaiser - Hawaii							
471	7	\$6,773.48	\$1,432.11	\$5,341.37	\$6,773.48	\$0.00	\$6,773.48
472	30	\$10,591.20	\$1,878.17	\$8,713.03	\$10,591.20	\$0.00	\$10,591.20
473	2	\$2,851.82	\$853.77	\$1,998.05	\$2,851.82	\$0.00	\$2,851.82
474	3	\$5,190.84	\$830.53	\$4,360.31	\$5,190.84	\$0.00	\$5,190.84
476	5	\$6,078.40	\$2,285.48	\$3,792.92	\$6,078.40	\$0.00	\$6,078.40
478	12	\$8,412.96	\$532.82	\$7,880.14	\$8,412.96	\$0.00	\$8,412.96
SUBTOTAL	59	\$39,898.70	\$7,812.88	\$32,085.82	\$39,898.70	\$0.00	\$39,898.70
Kaiser - Oregon							
481	8	\$8,666.64	\$1,949.80	\$6,716.84	\$8,666.64	\$0.00	\$8,666.64
482	75	\$33,585.00	\$4,486.95	\$29,098.05	\$33,585.00	\$0.00	\$33,585.00
484	4	\$8,646.64	\$887.78	\$5,597.20	\$6,484.98	\$0.00	\$6,484.98
486	9	\$13,735.17	\$1,098.81	\$12,636.36	\$13,735.17	\$0.00	\$13,735.17
488	44	\$39,186.40	\$5,628.61	\$33,557.79	\$39,186.40	\$0.00	\$39,186.40
489	1	\$976.66	\$0.00	\$976.66	\$976.66	\$0.00	\$976.66
492	1	\$1,584.47	\$316.89	\$1,267.58	\$1,584.47	\$0.00	\$1,584.47
493	1	\$2,604.46	\$343.20	\$2,261.26	\$2,604.46	\$0.00	\$2,604.46
495	2	\$4,556.68	\$722.98	\$3,833.70	\$4,556.68	\$0.00	\$4,556.68
497	1	\$2,054.99	\$138.14	\$1,916.85	\$2,054.99	\$0.00	\$2,054.99
SUBTOTAL	146	\$115,597.11	\$15,573.16	\$97,862.29	\$113,435.45	\$0.00	\$113,435.45
SCAN Health Plan							
611	261	\$89,342.00	\$19,580.22	\$71,125.78	\$90,706.00	(\$341.00)	\$90,365.00
613	93	\$63,638.00	\$12,700.52	\$49,588.48	\$62,289.00	\$0.00	\$62,289.00
SUBTOTAL	354	\$152,980.00	\$32,280.74	\$120,714.26	\$152,995.00	(\$341.00)	\$152,654.00

Medical and Dental Vision Insurance Premiums May 2016

Carrier Codes	Member Count	Premium Amount	Member Amount	County Subsidy Amount	Total	Adjustments	Total Paid
UHC Medicare Adv.							
701	1,470	\$463,012.88	\$58,733.50	\$411,504.14	\$470,237.64	(\$1,884.72)	\$468,352.92
702	326	\$410,449.36	\$25,327.63	\$373,258.74	\$398,586.37	\$2,502.74	\$401,089.11
703	767	\$481,764.52	\$52,913.54	\$417,632.66	\$470,546.20	(\$1,246.48)	\$469,299.72
704	68	\$96,072.44	\$4,662.35	\$88,584.43	\$93,246.78	\$0.00	\$93,246.78
705	21	\$16,478.70	\$973.02	\$15,505.68	\$16,478.70	\$0.00	\$16,478.70
SUBTOTAL	2,652	\$1,467,777.90	\$142,610.04	\$1,306,485.65	\$1,449,095.69	(\$628.46)	\$1,448,467.23
United Healthcare							
707	419	\$400,456.25	\$46,057.05	\$351,572.45	\$397,629.50	\$0.00	\$397,629.50
708	358	\$619,650.00	\$26,851.46	\$596,237.04	\$623,088.50	\$0.00	\$623,088.50
709	230	\$469,420.80	\$34,206.52	\$437,255.24	\$471,461.76	(\$0.50)	\$471,461.26
SUBTOTAL	1,007	\$1,489,527.05	\$107,115.03	\$1,385,064.73	\$1,492,179.76	(\$0.50)	\$1,492,179.26

Medical and Dental Vision Insurance Premiums May 2016

Carrier Codes	Member Count	Premium Amount	Member Amount	County Subsidy Amount	Total	Adjustments	Total Paid
Local 1014 Firefighters							
801	40	\$39,563.60	\$1,602.33	\$39,306.43	\$40,908.76	\$0.00	\$40,908.76
802	255	\$454,769.55	\$11,699.15	\$446,637.22	\$458,336.37	\$0.00	\$458,336.37
803	205	\$431,256.45	\$13,968.49	\$430,099.10	\$444,067.59	\$0.00	\$444,067.59
804	161	\$159,243.49	\$10,009.54	\$149,233.95	\$159,243.49	(\$21,090.89)	\$138,152.60
805	171	\$304,963.11	\$8,453.35	\$296,509.76	\$304,963.11	(\$22,182.31)	\$282,780.80
806	558	\$995,142.78	\$36,702.51	\$953,680.45	\$990,382.96	(\$252,364.77)	\$738,018.19
807	35	\$73,629.15	\$673.18	\$72,955.97	\$73,629.15	(\$4,548.90)	\$69,080.25
808	9	\$18,933.21	\$168.30	\$18,764.91	\$18,933.21	(\$1,922.00)	\$17,011.21
809	23	\$22,749.07	\$2,532.07	\$20,217.00	\$22,749.07	\$0.00	\$22,749.07
810	4	\$7,133.64	\$1,462.39	\$5,671.25	\$7,133.64	\$0.00	\$7,133.64
811	5	\$10,518.45	\$0.00	\$10,518.45	\$10,518.45	\$0.00	\$10,518.45
812	204	\$201,774.36	\$18,634.34	\$189,074.56	\$207,708.90	(\$22,150.25)	\$185,558.65
SUBTOTAL	1,670	\$2,719,676.86	\$105,905.65	\$2,632,669.05	\$2,738,574.70	(\$324,259.12)	\$2,414,315.58
Medical Plan Total	47,388	\$40,116,494.03	\$3,201,601.62	\$36,637,245.35	\$39,838,846.97	(\$379,439.84)	\$39,459,407.13

Medical and Dental Vision Insurance Premiums May 2016

Carrier Codes	Member Count	Premium Amount	Member Amount	County Subsidy Amount	Total	Adjustments	Total Paid
Dental/Vision Plan							
CIGNA Indemnity Dental/Vision							
501	22,379	\$1,043,131.80	\$125,691.27	\$926,521.24	\$1,052,212.51	(\$2,488.58)	\$1,049,723.93
502	20,696	\$2,067,126.96	\$167,722.31	\$1,893,317.30	\$2,061,039.61	(\$1,695.74)	\$2,059,343.87
503	13	\$752.70	\$163.27	\$936.83	\$1,100.10	\$0.00	\$1,100.10
SUBTOTAL	43,088	\$3,111,011.46	\$293,576.85	\$2,820,775.37	\$3,114,352.22	(\$4,184.32)	\$3,110,167.90
CIGNA Dental HMO/Vision							
901	3,173	\$134,080.25	\$18,337.81	\$116,038.05	\$134,375.86	(\$84.46)	\$134,291.40
902	2,226	\$199,094.08	\$18,786.98	\$180,396.46	\$199,183.44	(\$89.36)	\$199,094.08
903	3	\$128.40	\$47.94	\$80.46	\$128.40	\$0.00	\$128.40
SUBTOTAL	5,402	\$333,302.73	\$37,172.73	\$296,514.97	\$333,687.70	(\$173.82)	\$333,513.88
Dental/Vision Plan Total	48,490	\$3,444,314.19	\$330,749.58	\$3,117,290.34	\$3,448,039.92	(\$4,358.14)	\$3,443,681.78
GRAND TOTALS	95,878	\$43,560,808.22	\$3,532,351.20	\$39,754,535.69	\$43,286,886.89	(\$383,797.98)	\$42,903,088.91

CARRIER DEDUCTION PREMIUMS*	CODES	DEDUCTION CODE DEFINITIONS
<u>Anthem Blue Cross Prudent Buyer Plan</u>		
\$630.26	201	Retiree Only
\$1,239.88	202	Retiree and Spouse/Domestic Partner
\$1,399.26	203	Retiree, Spouse/Domestic Partner and Children
\$810.01	204	Retiree and Children
\$172.06	205	Survivor Children Only Rates
<u>Anthem Blue Cross Plan I</u>		
\$904.25	211	Retiree Only
\$1,630.31	212	Retiree and Spouse/Domestic Partner
\$1,923.10	213	Retiree, Spouse/Domestic Partner and Children
\$1,196.44	214	Retiree and Children
\$299.58	215	Survivor Children Only Rates
<u>Anthem Blue Cross Plan II</u>		
\$904.25	221	Retiree Only
\$1,630.31	222	Retiree and Spouse/Domestic Partner
\$1,923.10	223	Retiree, Spouse/Domestic Partner and Children
\$1,196.44	224	Retiree and Children
\$299.58	225	Survivor Children Only Rates
<u>Anthem Blue Cross Plan III</u>		
\$365.20	240	Retiree Only with Medicare
\$1,167.61	241	Retiree and Spouse/Domestic Partner - One with Medicare (Non-Medicare has Anthem Blue Cross I)
\$1,167.61	242	Retiree and Spouse/Domestic Partner - One with Medicare (Non-Medicare has Anthem Blue Cross II)
\$726.87	243	Retiree and Spouse/Domestic Partner - Both with Medicare
\$653.93	244	Retiree and Children (Retiree has Medicare; Children have Anthem Blue Cross I)
\$653.93	245	Retiree and Children (Retiree has Medicare; Children have Anthem Blue Cross II)
\$1,456.25	246	Retiree, Spouse/Domestic Partner and Children - One with Medicare (Non-Medicare has Anthem Blue Cross I)
\$1,456.25	247	Retiree, Spouse/Domestic Partner and Children - One with Medicare (Non-Medicare has Anthem Blue Cross II)
\$1,015.45	248	Retiree, Spouse/Domestic Partner and Children - Two with Medicare (Children have Anthem Blue Cross I)
\$1,015.45	249	Retiree, Spouse/Domestic Partner and Children - Two with Medicare (Children have Anthem Blue Cross II)
\$1,138.02	250	Member, Spouse/Domestic Partner, Child (3 with Medicare)

*Benchmark premiums are bolded.

CARRIER DEDUCTION PREMIUMS*	CODES	DEDUCTION CODE DEFINITIONS
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CIGNA Network Model Plan

\$1,143.49	301	Retiree Only
\$2,064.71	302	Retiree and Spouse/Domestic Partner
\$2,438.35	303	Retiree, Spouse/Domestic Partner and Children
\$1,517.57	304	Retiree and Children
\$378.87	305	Survivor Children Only Rates

CIGNA Medicare Select Plus Rx (Available in the Phoenix, AZ area only)

\$328.00	321	Retiree Only with Medicare
\$1,249.22	322	Retiree and Spouse/Domestic Partner/Domestic Partner - One with Medicare
\$651.00	324	Retiree and Spouse/Domestic Partner -Both with Medicare
\$702.09	325	Retiree and Children
\$1,622.87	327	Retiree, Spouse/Domestic Partner and Children - One with Medicare
\$1,025.09	329	Retiree, Spouse/Domestic Partner and Children - Two with Medicare

Kaiser

\$774.10	401	Retiree Only ("Basic")
N/A	402	Retiree Only ("Supplement")
\$235.64	403	Retiree Only ("Senior Advantage")
\$894.95	404	Retiree Only ("Excess I")
\$795.39	405	Retiree Only - ("Excess II")
\$1,408.39	406	Retiree Only ("Excess III")
\$1,543.20	411	Retiree and Family (All family members are "Basic")
N/A	412	Retiree and Family (One family member is "Supplement"; others are "Basic")
\$1,004.74	413	Retiree and Family (One family member is "Senior Advantage"; others are "Basic")
\$1,664.05	414	Retiree and Family (One family member is "Excess I"; others are "Basic")
N/A	415	Retiree and Family (Two or more family members are "Supplement")
N/A	416	Retiree and Family (One family member is "Senior Advantage"; others are "Supplement")
N/A	417	Retiree and Family (One family member is "Excess I"; others are "Supplement")
\$466.28	418	Retiree and Family (Two or more family members are "Senior Advantage")
\$1,125.59	419	Retiree and Family (One family member is "Excess I"; others are "Senior Advantage")
\$1,784.90	420	Retiree and Family (Two or more family members are "Excess I")
N/A	421	Survivor Children Only Rates
\$1,564.49	422	Retiree and Family (One family member is "Excess II"; others are "Basic")
\$2,177.49	423	Retiree and Family (One family member is "Excess III"; others are "Basic")

*Benchmark premiums are bolded.

CARRIER DEDUCTION PREMIUMS*	CODES	DEDUCTION CODE DEFINITIONS
<u>Kaiser (continued)</u>		
N/A	424	Retiree and Family (One family member is "Supplement"; others are "Excess II")
N/A	425	Retiree and Family (One family member is "Supplement"; others are "Excess III")
\$1,026.03	426	Retiree and Family (One family member is "Senior Advantage"; others are "Excess II")
\$1,639.03	427	Retiree and Family (One family member is "Senior Advantage"; others are "Excess III")
\$1,685.34	428	Retiree and Family (One family member is "Excess I"; others are "Excess II")
\$2,298.34	429	Retiree and Family One family member is "Excess I"; others are "Excess III")
\$1,585.78	430	Retiree and Family (Two or more family members are "Excess II")
\$2,198.78	431	Retiree and Family (One family member is "Excess II"; others are "Excess III")
\$2,811.78	432	Retiree and Family (Two or more family members are "Excess III")
<u>Kaiser Colorado</u>		
\$793.06	450	Retiree Only ("Basic" under age 65)
\$327.27	451	Retiree Only ("Senior Advantage")
\$1,754.57	453	Retiree and Family (Two family members are "Basic")
\$2,369.25	454	Retiree and Family (Three or more family members are "Basic")
\$1,115.33	455	Retiree and Family (One family member is "Senior Advantage"; one family member is "Basic")
\$649.55	457	Retiree and Family (Two family members are "Senior Advantage")
\$1,857.56	458	Retiree and Family (One family member is "Senior Advantage"; two or more are "Basic")
\$1,437.60	459	Retiree and Family (Two family members are "Senior Advantage"; one or more are "Basic")
<u>Kaiser Georgia</u>		
\$847.24	440	Retiree Only ("Basic" over age 65 with Medicare Part B only)
\$847.24	441	Retiree Only ("Basic over age 65 with Medicare Part A only)
\$847.24	442	Retiree Only ("Basic over age 65 without Medicare Part A or Medicare Part B)
\$361.11	443	Retiree Only ("Basic" over age 65 - Medicare eligible who is classified as having renal failure)
\$1,203.35	444	Retiree and Family (One family member is "Senior Advantage"; one family member is "Basic" over age 65 with Medicare Part B only)
\$1,203.35	445	Retiree and Family (One family member is "Senior Advantage"; one family member is "Basic" over age 65 with Medicare Part A only)
\$1,203.35	446	Retiree and Family (One family member is "Senior Advantage"; one family member is "Basic" over age 65 without Medicare Part A and B)
\$847.24	461	Retiree Only ("Basic" under age 65)
\$361.11	462	Retiree Only ("Senior Advantage")

*Benchmark premiums are bolded.

CARRIER DEDUCTION PREMIUMS*	CODES	DEDUCTION CODE DEFINITIONS
<u>Kaiser Georgia (continued)</u>		
\$1,689.48	463	Retiree and Family (Two family members are "Basic")
\$2,531.72	464	Retiree and Family (Three or more family members are "Basic")
\$1,203.35	465	Retiree and Family (One family member is "Senior Advantage"; one is "Basic")
\$717.22	466	Retiree and Family (Two family members are "Senior Advantage")
\$2,045.59	467	Retiree and Family (One family member is "Senior Advantage"; two or more are "Basic")
\$1,559.46	468	Retiree and Family (Two family members are "Senior Advantage"; one is "Basic")
\$1,915.57	469	Retiree and Family (Three or more family members are "Senior Advantage"; one is "Basic")
\$2,045.59	470	Retiree and Family (Three or more family members are "Basic"; one is "Senior Advantage")
<u>Kaiser Hawaii</u>		
\$795.16	471	Retiree Only ("Basic" under age 65)
\$346.45	472	Retiree Only ("Senior Advantage")
\$1,381.42	473	Retiree Only (Over age 65 without Medicare Part A or Medicare Part B)
\$1,585.31	474	Retiree and Family (Two family members are "Basic")
\$2,375.47	475	Retiree and Family (Three or more family members are "Basic")
\$1,136.61	476	Retiree and Family (One family member is "Senior Advantage"; one is "Basic")
\$2,171.58	477	Retiree and Family (One family member is "Basic" under age 65; one is over age 65 without Medicare Part A or Medicare Part B)
\$687.90	478	Retiree and Family (Two family members are "Senior Advantage")
\$1,722.87	479	Retiree and Family (One family member is "Senior Advantage"; one is over age 65 without Medicare Part A or Medicare Part B)
<u>Kaiser Oregon</u>		
\$806.67	481	Retiree Only ("Basic" under age 65)
\$465.92	482	Retiree Only ("Senior Advantage")
\$1,205.27	483	Retiree Only (Over age 65 without Medicare Part A or Medicare Part B)
\$1,608.34	484	Retiree and Family (Two family members are "Basic")
\$2,410.01	485	Retiree and Family (Three or more family members are "Basic")
\$1,267.59	486	Retiree and Family (One family member is "Senior Advantage"; one is "Basic")
N/A	487	Retiree Only (Medicare Cost "Supplement" program)
\$926.84	488	Retiree and Family (Two family members are "Senior Advantage")
\$1,110.84	489	Retiree Only (Over age 65 with Medicare Part A only)
\$1,205.27	490	Retiree Only (Over age 65 with Medicare Part B only)

*Benchmark premiums are bolded.

PREMIUMS*	CARRIER DEDUCTION CODES	DEDUCTION CODE DEFINITIONS
<u>Kaiser Oregon (continued)</u>		
\$1,571.76	491	Retiree and Family (One family member is "Senior Advantage"; one is over age 65 with Medicare Par A only)
\$1,666.19	492	Retiree and Family (One family member is "Senior Advantage"; one is over age 65 without Medicare Part A or Medicare Part B)
\$2,069.26	493	Retiree and Family (One family member is "Senior Advantage"; two or more are "Basic")
\$1,728.51	494	Retiree and Family (Two family members are "Senior Advantage"; one is "Basic")
\$2,405.54	495	Retiree and Family (Two family members are over age 65 without Medicare Part A or Medicare Part B)
\$2,216.68	496	Retiree and Family (Two family members are over age 65 with Medicare Part A only)
\$2,216.68	497	Retiree and Family (One family member is "Basic"; one is over age 65 with Medicare Part A only)
\$2,006.94	498	Retiree and Family (One family member is "Basic"; one is over age 65 without Medicare Part A or Medicare Part B)

Kaiser Rate Category Definitions

"Basic" - includes those who are under age 65

Medicare Cost ("Supplement")

- Includes people who have both Part A and Part B of Medicare, who were enrolled in Kaiser's Medicare supplement ("M" coverage) before July 1, 1987, and who chose to stay in that Kaiser arrangement.
- It is not open to new enrollments.
- People who have left it cannot return to it.

"Senior Advantage"

- Includes participants who are age 65 or older and who have assigned both Medicare Part A and Part B to Kaiser.

"Excess I"

- Is for participants who have Medicare Part A only.

"Excess II"

- Is for participants in the Excess Plan who either have Medicare Part B only or are not eligible for Medicare.

"Excess III"

- Is for participants in the Excess Plan who either have Medicare Parts A and B and have not assigned their Medicare benefits to Kaiser or have not provided their Medicare status to LACERA. Premium is above the Anthem Blue Cross I and II Benchmark rate. and II Benchmark.

PREMIUMS*	CARRIER DEDUCTION CODES	DEDUCTION CODE DEFINITIONS
<u>SCAN Health Plan</u>		
\$304.00	611	Retiree Only with SCAN
\$603.00	613	Retiree and 1 Dependent - Both with SCAN (Retiree and 1 Dependent = Retiree and Spouse/Domestic Partner OR Retiree and 1 Child. Both Retiree and Dependent must have Medicare.)
<u>United Healthcare Medicare Advantage (UHCMA)</u>		
(For both members and dependents who are enrolled in UHCMA, or a family combination of UHCMA/UHC)		
\$293.62	701	Retiree Only with Secure Horizons
\$1,203.81	702	Retiree and 1 Dependent - One with Secure Horizons (Retiree and 1 Dependent = Retiree and Spouse/Domestic Partner OR Retiree and 1 Child)
\$582.24	703	Retiree and 1 Dependent - Both with Secure Horizons (Retiree and 1 Dependent = Retiree and Spouse/Domestic Partner OR Retiree and 1 Child)
\$1,360.59	704	Retiree and 2 or More Dependents - One with Secure Horizons (Retiree and 2 or More Dependents = Retiree, Spouse/Domestic Partner and 1 or More Children OR Retiree and 2 or More Children)
\$739.02	705	Retiree and 2 or More Dependents - Two with Secure Horizons (Retiree and 2 or More Dependents = Retiree, Spouse/Domestic Partner and 1 or More Children OR Retiree and 2 or More Children)
\$261.24	706	Survivor Children Only Rates
<u>United Healthcare (UHC)</u>		
(For members and dependents under age 65 [no Medicare])		
\$915.18	707	Retiree Only
\$1,671.68	708	Retiree and 1 Dependent
\$1,982.16	709	Retiree and 2 Or More Dependents
<u>Local 1014 Firefighters</u>		
\$914.03	801	Member Under 65
\$1,648.06	802	Member + 1 Under 65
\$1,944.04	803	Member + 2 Under 65
\$914.03	804	Member with Medicare
\$1,648.06	805	Member + 1; 1 Medicare
\$1,648.06	806	Member + 1; 2 Medicare
\$1,944.04	807	Member + 2; 1 Medicare
\$1,944.04	808	Member + 2; 2 Medicare

*Benchmark premiums are bolded.

CARRIER DEDUCTION PREMIUMS*	CODES	DEDUCTION CODE DEFINITIONS
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Local 1014 Firefighters (continued)

\$914.03	809	Surviving Spouse Under 65
\$1,648.06	810	Surviving Spouse + 1; Under 65
\$1,944.04	811	Surviving Spouse + 2 Under 65
\$914.03	812	Surviving Spouse with Medicare
\$1,648.06	813	Surviving Spouse + 1; 1 Medicare
\$1,944.04	814	Spouse + 1; 1 Medicare
\$1,648.06	815	Surviving Spouse + 1; 2 Medicare

CIGNA Indemnity - Dental/Vision

\$46.55	501	Retiree Only
\$99.61	502	Retiree and Dependent(s)
\$57.81	503	Survivor Children Only Rates

CIGNA HMO - Dental/Vision

\$39.02	901	Retiree Only
\$81.07	902	Retiree and Dependent(s)
\$39.56	903	Survivor Children Only Rates

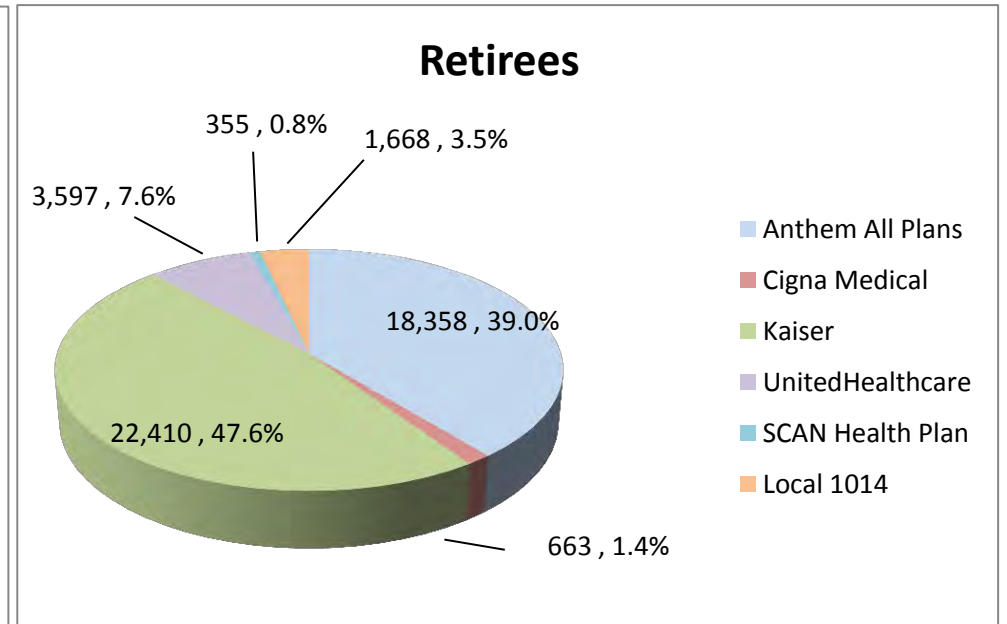
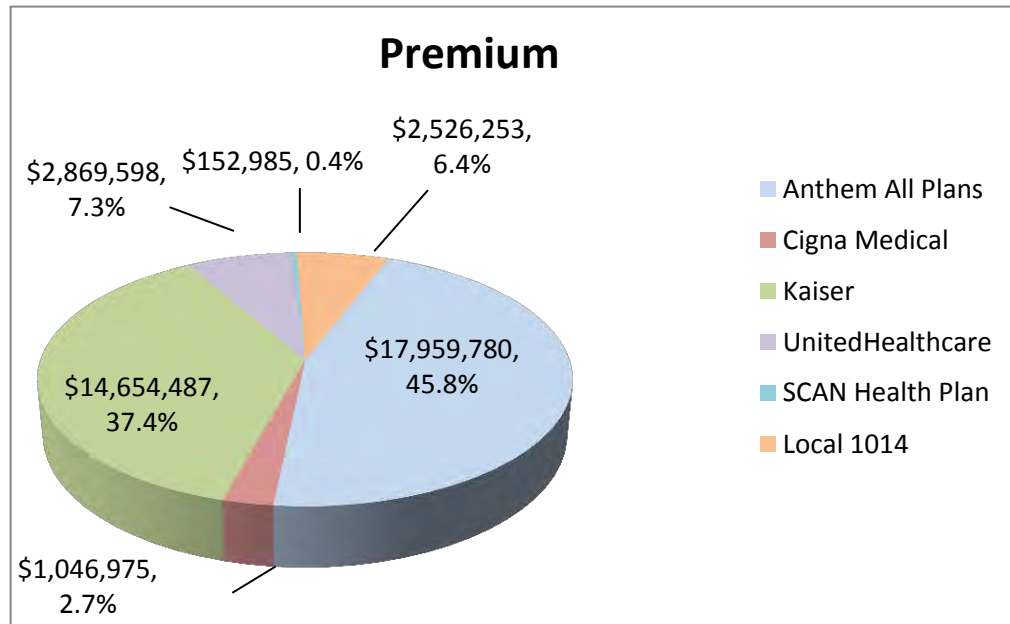
LOS ANGELES COUNTY EMPLOYEES RETIREMENT ASSOCIATION

Premium and Enrollment

March 2016 Coverage Month

Carrier / Plan	Monthly Premium	Percent of Total	Retirees	Percent of Total
Anthem All Plans	\$17,959,780	45.8%	18,358	39.0%
Cigna Medical	\$1,046,975	2.7%	663	1.4%
Kaiser	\$14,654,487	37.4%	22,410	47.6%
UnitedHealthcare	\$2,869,598	7.3%	3,597	7.6%
SCAN Health Plan	\$152,985	0.4%	355	0.8%
Local 1014	\$2,526,253	6.4%	1,668	3.5%
Combined Medical	\$39,210,078	100.0%	47,051	100.0%

Cigna Dental & Vision	\$3,400,707	48,049
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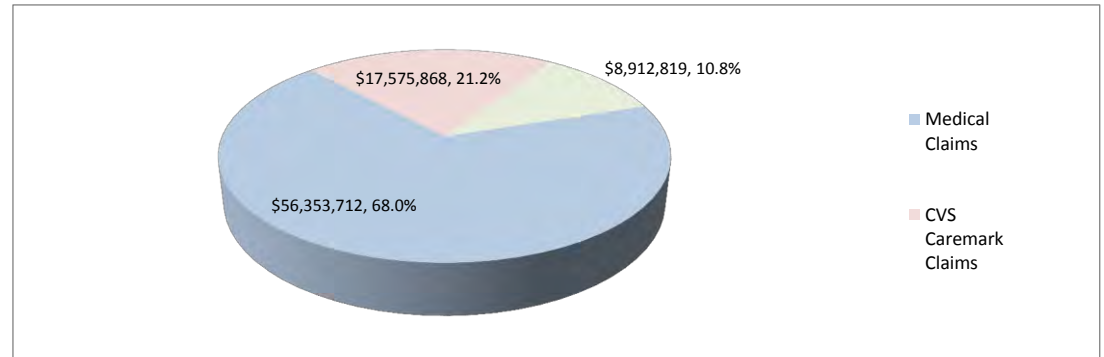
LOS ANGELES COUNTY EMPLOYEES RETIREMENT ASSOCIATION

Anthem Plans I and II

Plan Year July 1, 2015 - June 30, 2016

Month	Monthly Enrollment	Monthly Premium	Medical Claims	CVS Caremark Claims	Medical & Rx Claims	Claims Per Retiree Per Month	Paid Loss Ratio	Medical & Rx Expenses	Total Paid Claims & Expenses	Expense Ratio
Jul-15	6,158	\$9,170,958	\$6,045,082	\$1,927,509	\$7,972,591	\$1,294.67	86.9%	\$996,885	\$8,969,477	97.8%
Aug-15	6,149	\$9,187,473	\$6,191,520	\$1,848,592	\$8,040,112	\$1,307.55	87.5%	\$995,372	\$9,035,484	98.3%
Sep-15	6,125	\$9,098,082	\$6,547,496	\$2,046,606	\$8,594,101	\$1,403.12	94.5%	\$991,435	\$9,585,537	105.4%
Oct-15	6,128	\$9,169,945	\$6,330,776	\$2,035,800	\$8,366,576	\$1,365.30	91.2%	\$991,837	\$9,358,413	102.1%
Nov-15	6,115	\$9,119,484	\$5,278,304	\$1,825,634	\$7,103,938	\$1,161.72	77.9%	\$989,661	\$8,093,599	88.8%
Dec-15	6,108	\$9,128,572	\$6,385,606	\$1,865,532	\$8,251,138	\$1,350.87	90.4%	\$988,490	\$9,239,628	101.2%
Jan-16	6,103	\$9,117,643	\$7,139,839	\$1,987,884	\$9,127,723	\$1,495.61	100.1%	\$987,711	\$10,115,434	110.9%
Feb-16	6,087	\$9,068,718	\$4,889,973	\$1,920,447	\$6,810,420	\$1,118.85	75.1%	\$985,077	\$7,795,497	86.0%
Mar-16	6,095	\$9,080,791	\$7,545,117	\$2,117,864	\$9,662,980	\$1,585.39	106.4%	\$986,351	\$10,649,331	117.3%
Apr-16										
May-16										
Jun-16										
YTD Plan Year	55,068	\$82,141,667	\$56,353,712	\$17,575,868	\$73,929,580	\$1,342.51	90.0%	\$8,912,819	\$82,842,400	100.9%
9 Month Average	6,119	\$9,126,852	\$6,261,524	\$1,932,251	\$8,193,774	\$1,339.14	89.8%	\$990,809	\$9,184,583	100.6%
12 Month Rollup	73,540	\$105,888,090	\$74,630,163	\$23,360,396	\$97,990,559	\$1,332.48	92.5%	\$10,814,103	\$108,804,662	102.8%

Medical Claims reported by Anthem
 CVS Caremark Claims reported by CVS
 Expenses: Anthem Admin, Stop Loss, and Premium Taxes
 Enrollment and Premium Reported by LACERA



LOS ANGELES COUNTY EMPLOYEES RETIREMENT ASSOCIATION

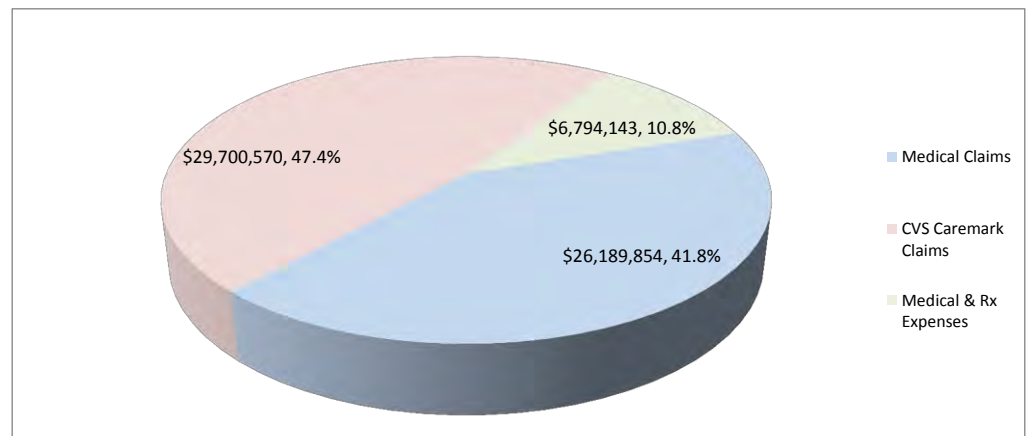
Anthem Plan III

Plan Year July 1, 2015 - June 30, 2016

Month	Monthly Enrollment	Monthly Premium	Medical Claims	CVS Caremark Claims	Medical & Rx Claims	Claims Per Retiree Per Month	Paid Loss Ratio	Medical & Rx Expenses	Total Paid Claims & Expenses	Expense Ratio
Jul-15	10,771	\$7,235,374	\$2,953,865	\$3,470,465	\$6,424,330	\$596.45	88.8%	\$748,366	\$7,172,696	99.1%
Aug-15	10,810	\$7,269,627	\$2,599,013	\$3,209,072	\$5,808,085	\$537.29	79.9%	\$751,076	\$6,559,161	90.2%
Sep-15	10,835	\$7,259,484	\$2,785,764	\$3,236,297	\$6,022,061	\$555.80	83.0%	\$752,813	\$6,774,874	93.3%
Oct-15	10,853	\$7,266,152	\$2,695,565	\$3,181,587	\$5,877,152	\$541.52	80.9%	\$754,063	\$6,631,216	91.3%
Nov-15	10,885	\$7,297,436	\$2,730,333	\$3,159,912	\$5,890,245	\$541.13	80.7%	\$756,287	\$6,646,532	91.1%
Dec-15	10,885	\$7,265,650	\$2,828,255	\$3,287,954	\$6,116,209	\$561.89	84.2%	\$756,287	\$6,872,495	94.6%
Jan-16	10,916	\$7,317,893	\$3,047,641	\$3,306,747	\$6,354,388	\$582.12	86.8%	\$758,441	\$7,112,828	97.2%
Feb-16	10,912	\$7,308,221	\$3,172,574	\$3,374,092	\$6,546,667	\$599.95	89.6%	\$758,163	\$7,304,829	100.0%
Mar-16	10,919	\$7,298,060	\$3,376,843	\$3,474,444	\$6,851,287	\$627.46	93.9%	\$758,649	\$7,609,936	104.3%
Apr-16										
May-16										
Jun-16										

YTD Plan Year	97,786	\$65,517,895	\$26,189,854	\$29,700,570	\$55,890,423	\$571.56	85.3%	\$6,794,143	\$62,684,567	95.7%
9 Month Average	10,865	\$7,279,766	\$2,909,984	\$3,300,063	\$6,210,047	\$571.56	85.3%	\$754,905	\$6,964,952	95.7%
12 Month Rollup	129,895	\$84,166,824	\$34,834,680	\$39,123,991	\$73,958,670	\$569.37	87.9%	\$8,727,155	\$82,685,825	98.2%

Medical Claims reported by Anthem
 CVS Caremark Claims reported by CVS
 Expenses: Anthem Admin and Premium Taxes
 Enrollment and Premium Reported by LACERA



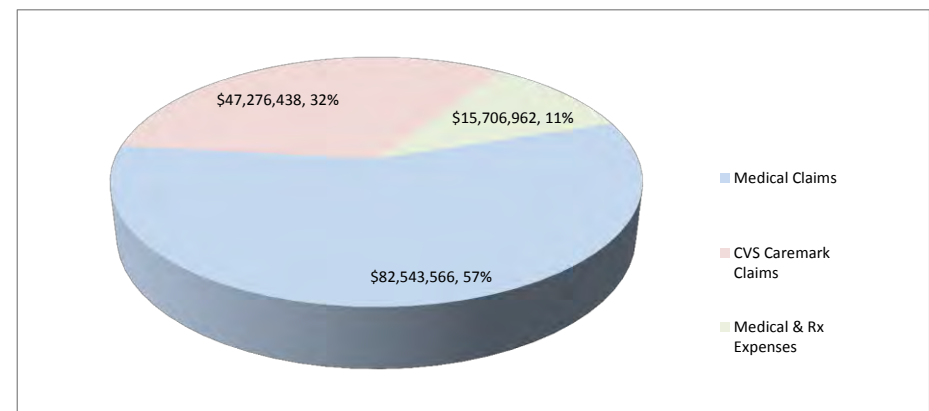
LOS ANGELES COUNTY EMPLOYEES RETIREMENT ASSOCIATION

Anthem Plan I, II, and III

Plan Year July 1, 2015 – June 30, 2016

Month	Monthly Enrollment	Monthly Premium	Medical Claims	CVS Caremark Claims	Medical & Rx Claims	Claims Per Retiree Per Month	Paid Loss Ratio	Medical & Rx Expenses	Total Paid Claims & Expenses	Expense Ratio
Jul-15	16,929	\$16,406,332	\$8,998,948	\$5,397,974	\$14,396,922	\$850.43	87.8%	\$1,745,251	\$16,142,173	98.4%
Aug-15	16,959	\$16,457,100	\$8,790,532	\$5,057,665	\$13,848,197	\$816.57	84.1%	\$1,746,448	\$15,594,645	94.8%
Sep-15	16,960	\$16,357,566	\$9,333,260	\$5,282,902	\$14,616,162	\$861.80	89.4%	\$1,744,248	\$16,360,410	100.0%
Oct-15	16,981	\$16,436,097	\$9,026,342	\$5,217,387	\$14,243,729	\$838.80	86.7%	\$1,745,900	\$15,989,629	97.3%
Nov-15	17,000	\$16,416,920	\$8,008,636	\$4,985,547	\$12,994,183	\$764.36	79.2%	\$1,745,948	\$14,740,131	89.8%
Dec-15	16,993	\$16,394,222	\$9,213,861	\$5,153,485	\$14,367,346	\$845.49	87.6%	\$1,744,777	\$16,112,123	98.3%
Jan-16	17,019	\$16,435,536	\$10,187,480	\$5,294,631	\$15,482,111	\$909.70	94.2%	\$1,746,151	\$17,228,262	104.8%
Feb-16	16,999	\$16,376,939	\$8,062,547	\$5,294,540	\$13,357,087	\$785.76	81.6%	\$1,743,239	\$15,100,326	92.2%
Mar-16	17,014	\$16,378,851	\$10,921,960	\$5,592,307	\$16,514,267	\$970.63	100.8%	\$1,745,000	\$18,259,267	111.5%
Apr-16										
May-16										
Jun-16										
YTD Plan Year	152,854	\$147,659,562	\$82,543,566	\$47,276,438	\$129,820,004	\$849.31	87.9%	\$15,706,962	\$145,526,966	98.6%
9 Month Average	16,984	\$16,406,618	\$9,171,507	\$5,252,938	\$14,424,445	\$849.31	87.9%	\$1,745,218	\$16,169,663	98.6%
12 Month Rollup	203,435	\$190,054,914	\$109,464,842	\$62,484,387	\$171,949,230	\$845.23	90.5%	\$19,541,258	\$191,490,487	100.8%

Medical Claims reported by Anthem
 CVS Caremark Claims reported by CVS
 Expenses: Anthem Admin, Stop Loss, and Premium Taxes
 Enrollment and Premium Reported by LACERA



LOS ANGELES COUNTY EMPLOYEES RETIREMENT ASSOCIATION

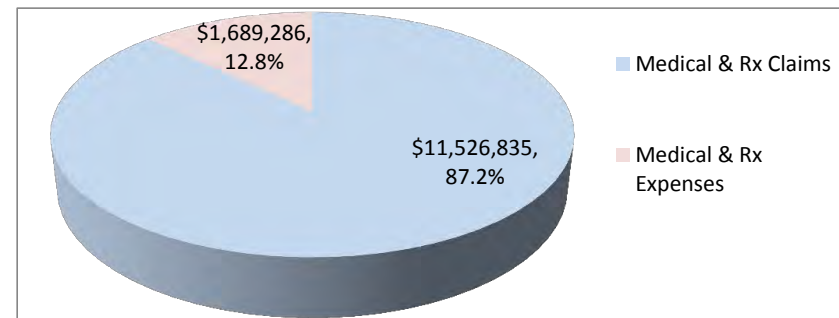
Anthem Prudent Buyer

Plan Year July 1, 2015 – June 30, 2014

Month	Monthly Enrollment	Monthly Premium	Medical & Rx Claims	Claims Per Retiree Per Month	Paid Loss Ratio	Medical & Rx Expenses	Total Paid Claims & Expenses	Expense Ratio
Jul-15	1,445	\$1,705,018	\$1,467,346	\$1,015.46	86.1%	\$194,659	\$1,662,005	97.5%
Aug-15	1,428	\$1,675,848	\$1,314,525	\$920.54	78.4%	\$192,368	\$1,506,894	89.9%
Sep-15	1,412	\$1,662,945	\$1,192,123	\$844.28	71.7%	\$190,213	\$1,382,336	83.1%
Oct-15	1,403	\$1,650,974	\$1,390,133	\$990.83	84.2%	\$189,001	\$1,579,133	95.6%
Nov-15	1,395	\$1,644,613	\$1,200,740	\$860.75	73.0%	\$187,923	\$1,388,662	84.4%
Dec-15	1,385	\$1,637,330	\$1,365,728	\$986.09	83.4%	\$186,576	\$1,552,304	94.8%
Jan-16	1,368	\$1,621,362	\$1,045,999	\$764.62	64.5%	\$184,286	\$1,230,285	75.9%
Feb-16	1,360	\$1,601,847	\$1,117,655	\$821.81	69.8%	\$183,208	\$1,300,863	81.2%
Mar-16	1,344	\$1,580,929	\$1,432,587	\$1,065.91	90.6%	\$181,053	\$1,613,639	102.1%
Apr-16								
May-16								
Jun-16								

YTD Plan Year	12,540	\$14,780,868	\$11,526,835	\$919.21	78.0%	\$1,689,286	\$13,216,121	89.4%
9 Month Average	1,393	\$1,642,319	\$1,280,759	\$919.21	78.0%	\$187,698	\$1,468,458	89.4%
12 Month Rollup	16,909	\$18,865,808	\$15,334,458	\$906.88	81.3%	\$2,270,622	\$17,605,079	93.3%

Monthly Enrollment and Premium Data as reported by LACERA
 Medical Claims reported by Anthem
 Expenses: Anthem Admin, Stop Loss, and Premium Taxes
 Enrollment and Premium Reported by LACERA



LOS ANGELES COUNTY EMPLOYEES RETIREMENT ASSOCIATION

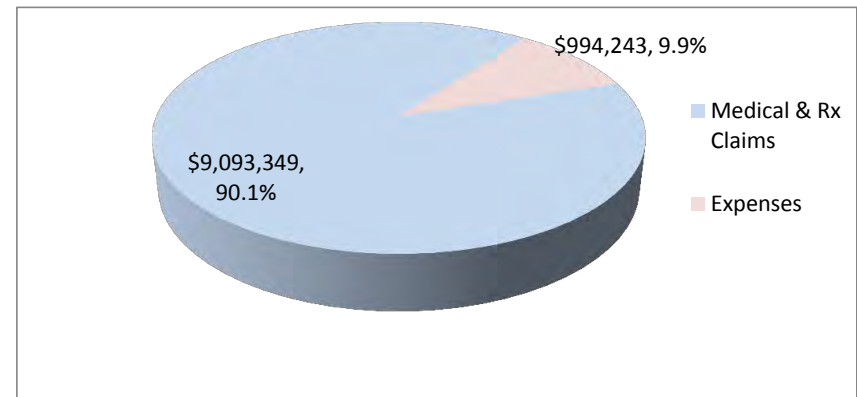
Cigna HMO

Plan Year July 1, 2015 – June 30, 2016

Month	Monthly Enrollment	Monthly Premium	Medical & Rx Claims	Claims Per Retiree Per Month	Paid Loss Ratio	Expenses	Total Paid Claims & Expenses	Expense Ratio
Jul-15	657	\$1,085,738	\$958,557	\$1,458.99	88.3%	\$115,092	\$1,073,649	98.9%
Aug-15	648	\$1,055,975	\$775,934	\$1,197.43	73.5%	\$111,937	\$887,871	84.1%
Sep-15	639	\$1,046,239	\$910,387	\$1,424.71	87.0%	\$110,905	\$1,021,292	97.6%
Oct-15	637	\$1,051,998	\$997,434	\$1,565.83	94.8%	\$111,515	\$1,108,949	105.4%
Nov-15	633	\$1,044,271	\$1,097,762	\$1,734.22	105.1%	\$110,696	\$1,208,458	115.7%
Dec-15	630	\$1,037,369	\$1,067,015	\$1,693.67	102.9%	\$109,965	\$1,176,980	113.5%
Jan-16	623	\$1,022,580	\$1,123,269	\$1,803.00	109.8%	\$108,397	\$1,231,666	120.4%
Feb-16	618	\$1,021,163	\$997,046	\$1,613.34	97.6%	\$108,247	\$1,105,293	108.2%
Mar-16	614	\$1,014,018	\$1,165,945	\$1,898.93	115.0%	\$107,489	\$1,273,434	125.6%
Apr-16								
May-16								
Jun-16								

YTD Plan Year	5,699	\$9,379,352	\$9,093,349	\$1,595.60	97.0%	\$994,243	\$10,087,592	107.6%
9 Month Average	633	\$1,042,150	\$1,010,372	\$1,595.60	97.0%	\$110,471	\$1,120,844	107.6%
12 Month Rollup	7,716	\$12,601,354	\$12,088,443	\$1,566.67	95.9%	\$1,505,631	\$13,594,074	107.9%

Monthly Enrollment and Premium Data as reported by LACERA
 Medical Claims reported by Cigna
 Expenses: Cigna Admin Costs and Premium Taxes
 Enrollment and Premium Reported by LACERA



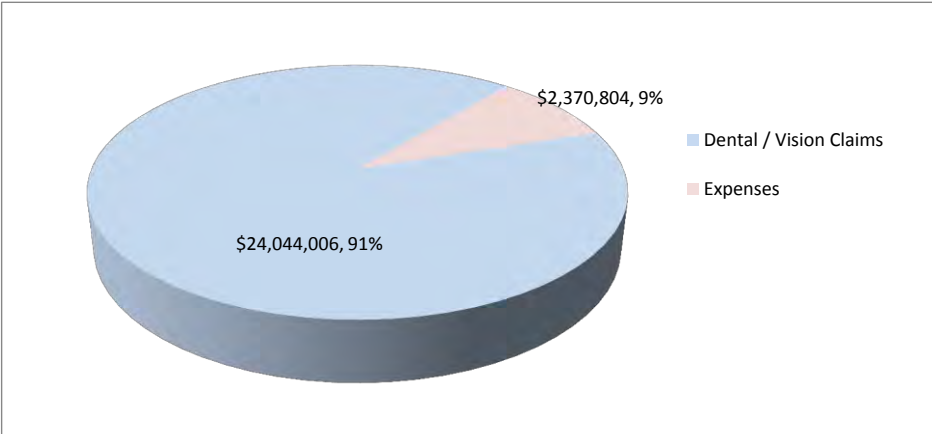
LOS ANGELES COUNTY EMPLOYEES RETIREMENT ASSOCIATION

Cigna Dental PPO and Vision
 Plan Year July 1, 2015 - June 30, 2016

Month	Monthly Enrollment	Monthly Premium	Dental / Vision Claims	In-Network Dental Claims	Claims Per Retiree Per Month	Paid Loss Ratio	Expenses	Total Paid Claims & Expenses	Expense Ratio
Jul-15	42,187	\$3,040,191	\$2,480,364	47.7%	\$58.79	81.6%	\$261,787	\$2,742,151	90.2%
Aug-15	42,303	\$3,049,180	\$2,439,511	56.4%	\$57.67	80.0%	\$262,561	\$2,702,072	88.6%
Sep-15	42,370	\$3,054,892	\$2,341,973	58.5%	\$55.27	76.7%	\$263,053	\$2,605,026	85.3%
Oct-15	42,428	\$3,054,818	\$2,805,842	57.9%	\$66.13	91.8%	\$263,046	\$3,068,888	100.5%
Nov-15	42,492	\$3,060,671	\$2,204,045	58.8%	\$51.87	72.0%	\$263,550	\$2,467,595	80.6%
Dec-15	42,534	\$3,063,692	\$2,514,858	56.2%	\$59.13	82.1%	\$263,810	\$2,778,668	90.7%
Jan-16	42,585	\$3,067,278	\$2,741,522	55.5%	\$64.38	89.4%	\$264,119	\$3,005,641	98.0%
Feb-16	42,629	\$3,072,464	\$3,221,828	52.9%	\$75.58	104.9%	\$264,566	\$3,486,393	113.5%
Mar-16	42,680	\$3,069,525	\$3,294,064	56.3%	\$77.18	107.3%	\$264,313	\$3,558,377	115.9%
Apr-16									
May-16									
Jun-16									

YTD Plan Year	382,208	\$27,532,711	\$24,044,006	55.6%	\$62.91	87.3%	\$2,370,804	\$26,414,810	95.9%
9 Month Average	42,468	\$3,059,190	\$2,671,556	55.6%	\$62.91	87.3%	\$263,423	\$2,934,979	95.9%
12 Month Rollup	508,162	\$36,589,797	\$32,754,532	53.0%	\$64.46	89.5%	\$3,171,304	\$35,925,836	98.2%

Expenses: Cigna Admin Costs and Premium Taxes
 Enrollment and Premium Reported by LACERA





April 18, 2016

Retirement

Treasury, IRS Announce Withdrawal of Proposed Nondiscrimination Rules Applicable to Certain Qualified Retirement Plan Benefit Formulas On April 14, 2016, the Treasury and Internal Revenue Service (IRS) released Announcement 2016-16, which states that the Treasury and IRS intend to withdraw certain provisions of proposed regulations published on January 29, 2016, relating to nondiscrimination requirements applicable to qualified retirement plans under Section 401(a)(4).

The provisions of the proposed regulations that will be withdrawn are the provisions that would modify Sections 1.401(a)(4)-2(c) and 1.401(a)(4)-3(c). The provisions of the proposed regulations that would modify Sections 1.401(a)(4)-2(c) and 1.401(a)(4)-3(c) were intended to address certain qualified retirement plan designs that take advantage of flexibility in the existing nondiscrimination rules to provide a special benefit formula for selected employees without extending that formula to a classification of employees that is reasonable and established under objective business criteria.

Following publication of the proposed regulations, the Treasury and IRS gave additional consideration to the potential effects of the provisions that would modify Sections 1.401(a)(4)-2(c) and 1.401(a)(4)-3(c) on the adoption and continued maintenance of qualified retirement plans with a variety of designs, and have concluded that further consideration will be needed with respect to issues relating to those provisions.

Announcement 2016-16 is available [here](#).

April 11, 2016

Health Care

New Version of Summary of Benefits and Coverage Finalized

On April 6, 2016, the Departments of Health and Human Services, Labor, and the Treasury announced changes to the Summary of Benefits and Coverage (SBC) template and Uniform Glossary. The changes include an additional coverage example for an emergency care scenario involving a foot fracture, and more information on cost sharing in the new templates. There is also a requirement that plans address individual and overall out-of-pocket limits in the SBC. The final SBC template must be used by health plans and issuers beginning on the first day of the first open enrollment period that begins on or after April 1, 2017.

A Centers for Medicare & Medicaid Services news release is available [here](#).

SBC Materials and Supporting Documents (authorized for use on and after April 1, 2017) are available [here](#).

Retirement

DOL Releases Final Rule on Definition of the Term “Fiduciary”; Conflict of Interest

On April 7, 2016, the Department of Labor’s (DOL) Employee Benefit Security Administration released the highly anticipated final rule defining who is a “fiduciary” of an employee benefit plan under ERISA as a result of giving investment advice to a plan or its participants or beneficiaries. The final rule also applies to the definition of a fiduciary of a plan (including an individual retirement account [IRA]) under the Internal Revenue Code of 1986. The final rule treats persons who provide investment advice or recommendations for a fee or other compensation

with respect to assets of a plan or IRA as fiduciaries in a wider array of advice relationships. The final rule becomes effective on June 7, 2016. The final rule has an applicability date of April 10, 2017.

The final rule is available [here](#).

Additional information about the final fiduciary rule (i.e., frequently asked questions, impact analysis documents, etc.), is available [here](#).

April 4, 2016

Other HR-Related Topics

USCIS Instructs Employers to Continue Using Current Form I-9

On March 31, 2016, the United States Citizenship and Immigration Services (USCIS) announced that until further notice, employers should continue using Form I-9, Employment Eligibility Verification. Employers must complete Form I-9 for all newly hired employees to verify their identity and authorization to work in the U.S. This current version of the form will continue to be effective even after the Office of Management and Budget control number expiration date of March 31, 2016. USCIS stated it will provide updated information about the new version of Form I-9 as it becomes available.

Form I-9, Employment Eligibility Verification is available [here](#).

USCIS Publishes 30-Day Notice Inviting Comment on Proposed Changes to Form I-9

On March 28, 2016, the USCIS published a 30-day notice inviting public comment on proposed changes to Form I-9, Employment Eligibility Verification. Many of the proposed changes to Form I-9 were designed to reduce technical errors and help customers complete the form on their computer. In response to the public comments USCIS received during the 60-day notice, USCIS has made further improvements to the proposed form. Key changes to the form include:

- Validations on certain fields to ensure information is entered correctly;
- Additional spaces to enter multiple preparers and translators;
- Drop-down lists and calendars;
- Embedded instructions for completing each field;
- Buttons that will allow users to access the instructions electronically, print the form, and clear the form to start over;
- A dedicated area to enter additional information that employers are currently required to notate in the margins of the form;
- A quick-response matrix bar code, or QR code, that generates once the form is printed that can be used to streamline audit processes;
- Requiring employees to provide only other last names used in Section 1, rather than all other names used; Removing the requirement that aliens authorized to work provide both their Form I-94 number and foreign passport information in Section 1;
- Separating instructions from the form, in keeping with USCIS practice;
- Adding a supplement in cases where more than one preparer or translator is used to complete Section 1.

After the 30-day period ends and public comments are considered, USCIS may make further changes to the form. The Office of Management and Budget (OMB) will review the information collection for approval. Once OMB approves the information collection, USCIS will post the newly revised form and instructions on its forms page and make the form available for use by the public. Comments on the proposed changes are due by April 27, 2016.

The USCIS notice is available [here](#).

Aon Hewitt Publications

Departments Issue Revised Proposed SBC Templates, Instructions, and Related Materials

The Departments of Labor, Treasury, and Health and Human Services (the Departments) have issued revised Summary of Benefit and Coverage (SBC) templates, instructions, and related materials, which will be effective on the first day of open enrollment that begins on or after April 1, 2017, for coverage beginning on or after that date. For plans without an open enrollment period, these documents generally will be required beginning on or after the first day of the plan year that begins on April 1, 2017.

The full text of this Aon Hewitt bulletin is available [here](#).

HHS Launches 2016 Phase 2 HIPAA Audit Program The United States Department of Health and Human Services' Office for Civil Rights (HHS-OCR) has commenced the Phase 2 HIPAA audit program that will examine whether covered entities—a term that includes employer group health plans—and business associates are complying with the HIPAA Privacy, Security, and Breach Notification rules (HIPAA rules) on protected health information. Employers that sponsor group health plans should be aware that they might receive communications and pre-HIPAA audit questionnaires from HHS-OCR regarding compliance with HIPAA.

The Aon Hewitt bulletin on the Phase 2 HIPAA audit program is available [here](#).

March 28, 2016

Legislative

Congressional Calendar

The Senate and House have adjourned for spring recess. The Senate returns to the Hill on April 4, and the House reconvenes on April 12, 2016.

Retirement

PBGC Issues Final Rule on Annual Financial and Actuarial Information Reporting

On March 22, 2016, the Pension Benefit Guaranty Corporation (PBGC) released a final rule amending its regulation on annual financial and actuarial information reporting to codify provisions of recent legislation and related guidance that affect reporting under ERISA Section 4010. The final rule modifies the reporting waiver under the current regulation tied to aggregate plan underfunding of \$15 million or less to be based on non-stabilized interest rates. Additionally, the final rule adds new reporting waivers for smaller plans and for plans that must file solely on the basis of either a statutory lien resulting from missed contributions over \$1 million or outstanding minimum funding waivers exceeding the same amount (provided the missed contributions or applications for minimum funding waivers were previously reported to the PBGC). The final rule also provides alternative methods of compliance for reporting certain actuarial information and makes a few technical changes to the regulation. The final rule becomes effective on April 22, 2016.

The final rule is available [here](#).

March 21, 2016

Other HR-Related Topics

IRS Invites Public Comment for 2016-2017 Priority Guidance Plan

On March 18, 2016, the Internal Revenue Service (IRS) and Treasury released Notice 2016-26, which invites public comment on recommendations for items that should be included on the 2016-2017 Priority Guidance Plan. The Treasury and the IRS use the Priority Guidance Plan each year to identify and prioritize the tax issues that should be addressed through regulations, revenue rulings, revenue procedures, notices, and other published administrative guidance. The 2016-2017 Priority Guidance Plan will identify guidance projects that the Treasury and the IRS intend to work on as priorities during the period from July 1, 2016, through June 30, 2017. Recommendations will be accepted through May 16, 2016.

IRS Notice 2016-26 is available [here](#).

March 14, 2016

Health Care

Departments Issue FAQ on SBC Implementation Date

On March 11, 2016, the Departments of Labor, Health and Human Services, and the Treasury (the Departments) released a frequently asked question (FAQ) on the Summary of Benefits and Coverage (SBC) as required by the Affordable Care Act. On June 16, 2015, the Departments published revised final regulations regarding the requirements for the SBC. Separately, on February 26, 2016, the Departments published a coordinated information collection request proposing a new SBC template and instructions, an updated uniform glossary, and other associated materials. The latest FAQ provides information on the intended implementation date for SBCs using the new template and associated documents.

After the close of the public comment period on March 28, 2016, (regarding the proposed SBC template and associated documents that were published on February 26, 2016), the Departments intend to review the comments and finalize the new SBC template and associated documents. According to the FAQ, the Departments intend that health plans and issuers that maintain an annual open enrollment period will be required to use the new SBC template and associated documents beginning on the first day of the first open enrollment period that begins on or after April 1, 2017, with respect to coverage for plan years (or, in the individual market, policy years) beginning on or after that date. For plans and issuers that do not use an annual open enrollment period, the new SBC template and associated documents would be required beginning on the first day of the first plan year (or, in the individual market, policy year) that begins on or after April 1, 2017.

The FAQ is available [here](#).

Other HR-Related Topics

IRS Releases Memorandum on Tax Treatment of Retroactive Transit Benefits

On March 11, 2016, the Internal Revenue Service (IRS) Office of Chief Counsel released a program manager technical advice memorandum (PMTA 2016-01). The memorandum, dated February 24, is in response to inquiries on the income and employment tax treatment of cash transit reimbursement paid to employees to compensate them for the retroactive increase in transit benefits. PMTA 2016-01 provides specifics regarding when cash reimbursements to employees for retroactive increases in allowable transit benefits enacted by Congress for the 2012, 2014, and 2015 tax years are excludable from employees' gross income.

PMTA 2016-01 is available [here](#).

IRS Provides Guidance and Transition Relief for Employers Claiming the Work Opportunity Tax Credit

On March 7, 2016, the IRS released Notice 2016-22, which provides guidance and transition relief for employers claiming the Work Opportunity Tax Credit (WOTC) under Sections 51 and 3111(e) of the Internal Revenue Code (Code), as extended and amended by the Protecting Americans from Tax Hikes Act of 2015 (the PATH Act). Section 142(a) of the PATH Act amended Section 51(c) of the Code to extend the WOTC through December 31, 2019. Section 142(b) of the PATH Act amended Section 51(d) of the Code to expand the "targeted groups" of individuals, the employment of whom may qualify the employer for a credit listed in the statute, to include qualified long-term unemployment recipients (as defined in Section 51(d)(15) of the Code). Notice 2016-22 provides guidance and transition relief beyond the 28-day deadline in Section 51(d)(13)(A)(ii) of the Code for employers that hire members of targeted groups (other than qualified long-term unemployment recipients) on or after January 1, 2015, and on or before May 31, 2016. The notice also provides guidance and transition relief beyond the 28-day deadline in Section 51(d)(13)(A)(ii) of the Code for employers that hire members of the new targeted group of qualified long-term unemployment recipients on or after January 1, 2016, and on or before May 31, 2016.

IRS Notice 2016-22 is available [here](#).

EEOC Issues New Fact Sheet for Small Businesses

On March 3, 2016, the Equal Employment Opportunity Commission (EEOC) issued a new one-page fact sheet designed to help small business owners better understand their responsibilities under federal employment anti-discrimination laws. The "Preventing Discrimination is Good Business" fact sheet provides a shortened, user-friendly overview of the legal obligations of small businesses under the anti-discrimination laws. The fact sheet

provides information about other EEOC resources available for small business owners and is being made available in 30 different languages.

The "Preventing Discrimination is Good Business" fact sheet is available [here](#).

The news release is available [here](#).

Other EEOC publications are available [here](#).