



*California State Board of Equalization,
Legislative Division*

ADMINISTRATIVE LEGISLATION - 2003

Administrative bills enacted in 2003 that are of general interest to the Board or have a general statewide impact on all state agencies and/or employees are summarized below. Unless otherwise noted, the new legislation is effective January 1, 2004.

A list of vetoed bills of interest to the Board follows the enacted list.

Enacted Legislation

Each bill title is linked to the bill text in Adobe Acrobat pdf format.

[AB 17 \(Kehoe\) Chapter 752 - Acquisition of Goods or Services](#)

Prohibits a State Agency from entering a contract for \$100,000 or more for the acquisition of goods or services with a contractor who, in the provision of benefits, discriminates between employees with spouses and employees with domestic partners, or discriminates between the domestic partners and spouses of those employees. Requires every State contract to acquire goods and services contain a statement by the contractor of compliance.

[AB 67 \(Negrete-McLeod\) Chapter 10 - Public Employees' Retirement](#)

Provides that the amount of compensation used to compute benefits for specified members of the Legislator's Retirement System cannot exceed the limitations placed upon retirement systems by certain provisions of the federal Internal Revenue Code. Revises and recasts provisions which allow the Public Employees' Retirement System to dispense with a recalculation of benefit payments under certain circumstances. Relates to judges' retirement law.

Effective May 14, 2003

AB 268 (Mullin) Chapter 165 - State Employment Supervisor Training

Requires the supervisor training required of each supervisory employee employed by the State to include training on the subject of employment law relating to persons with disabilities.

AB 375 (Bermudez) Chapter 615 – Memorandum of Understanding

Approves provisions that require the expenditure of funds of memoranda of understanding entered into between the State employer and State Bargaining Units 1, 4, 10, 11, 14-17, and 19-21. Defines final compensation for purposes of retirement benefits. Provides for employer healthcare contributions. Relates to scientists, engineers, publishing, doctors, dentists, podiatrists, social workers and school librarians.

AB 385 (Nakano) Chapter 433 - State Employees: Salary or Wages

Requires each state agency to furnish each employee, at his or her discretion, an itemized statement in writing or electronically showing all deductions made from his or her salary or wages. Specifies that the provisions of an electronic statement would be contingent upon the funding and implementation of a specified project and that it would be provided only to the extent the project enables the Controller to provide the information electronically.

AB 577 (J. Horton) Chapter 836 - State Employees: Dismissed Employees

Requires the State Personnel Board to provide for a grant of a blanket waiver that would allow a dismissed employee who meets standards to be determined by the board to apply for any civil service examination so that he or she would not need a separate waiver for each examination. Would require the board to prepare a written notice that explains the effect of dismissal on eligibility to take civil service examinations and the examination process.

AB 719 (Negrete McLeod) Chapter 838 - Public Employees' Retirement Enhancement

Would authorize specified members of the Public Employees' Retirement System, including employees or officers of the the State, the university, a school employer or a contracting agency and certain legislative employees, to elect to make additional contributions and receive up to 5 years of additional retirement service credit, subject to specified limitations.

AB 986 (J. Horton) Chapter 569 – Tax Collections: Consolidation

Would require the Legislative Analyst to submit a report to the Legislature regarding the possible consolidation of the remittance processing and cashier functions and the mail processing operations, of the Franchise Tax Board, the State Board of Equalization and the Employment Development Department, based upon specified criteria. Would require said agencies to assist the Legislative Analyst in the preparation of the report.

[SB 1 \(Speier\) Chapter 241 – Financial Institutions: Nonpublic Information](#)

Enacts the California Financial Information Privacy Act, which requires a financial institution to provide a specified written form to a consumer relative to the sharing of the consumer's nonpublic personal information. Allows a consumer to direct the financial institution to not share the nonpublic information with affiliated companies or with nonaffiliated financial companies with which the financial institution has contracted to provide services.

Effective July 1, 2004

[SB 25 \(Bowen\) Chapter 907 - Personal Information: Security](#)

Would provide a person who uses a consumer credit report in connection with approval of credit may not lend money, extend credit, or complete the purchase, lease, or rental of goods or noncredit related services without taking steps to verify the consumer's identity to ensure against identity theft. Would revise credit agency disclosures. Relates to deposit account information services companies. Relates to financial institutions and social security number usage.

[SB 41 \(Bowen\) Chapter 699 - Public Contracts: Services](#)

Relates to existing law prohibiting persons, firms or their subsidiaries who are awarded State contracts from submitting a bid or being awarded a contract on or after a specified date for any action related to the end product of the consulting services contract. Would provide existing provisions do not apply to consulting services that comply with the requirements for the selection of professional service firms. Relates to assigning contractor ID numbers.

[SB 268 \(Soto\) Chapter 855 - Public Employees' Retirement: Service Credit](#)

Would authorize Public Employee Retirement Service members who have elected to purchase service credit on an installment basis to prospectively discontinue the payments if the member becomes disabled and the service credit purchase will not result in a higher retirement allowance than the member's disability retirement allowance. Relates to survivor benefits. Would require any service credit purchase payments after a certain date, meet certain requirements.

Vetoed Legislation

Each bill title is linked to the veto message in Adobe Acrobat pdf format.

[AB 274 \(Koretz\) – Vetoed – Employment](#)

Would create a rebuttable presumption that an adverse employment action taken within 60 days after an employee exercises his or her employment rights is retaliatory, unless there is clear and convincing evidence that the employee made up the claim to prevent the employer from taking adverse employment action. Provides this presumption would not apply to the criminal penalty for retaliation. Provides these provision do not apply to limited-term employment.

AB 446 (Matthews) – Vetoed – State Employees: Wages

Would require that wages earned by State employees with regularly scheduled pay days be paid on those days. Provides that for labor performed in excess of the normal work period, requires that employees be paid no later than the next payroll period. Specifies when permanent intermittent State employees and State employees that do not have regularly designated pay days are paid.

AB 457 (Negrete McLeod) – Vetoed – Public Employees' Retirement: Early Retirement

Would authorize specified State, local and school employees, including State judicial and legislative and California State University employees to receive credit for up to 2 additional years of service or 2 additional years of age or both, and, in certain circumstances, to receive credit for accrued leave time if those employees retire within a designated period, prior to a specified date and certain conditions are met.

AB 697 (Maldonado) – Vetoed – State Employees

Relates to the Bill of Rights for State Excluded Employees. Revises the definition of meet and confer for the purpose of that law. Requires the state to meet and confer with the employee organizations representing excluded employees.