

**The following draft language is subject to further revision, including possible amendment as part of the legislative process.**

Election to Retain Coverage by this System – remittance conformity  
Amending Government Code (GC) section 20309

Amend GC 20309, as follows:

20309. (a) A member of the system described in subdivision (b) who subsequently is employed to perform service subject to coverage by the Defined Benefit Program of the State Teachers' Retirement Plan, may elect to retain coverage by this system for that subsequent service. An election to retain coverage under this system shall be submitted in writing by the member to the **employer system** on a form prescribed by the system, ~~and a copy of the election shall be submitted to the State Teachers' Retirement System,~~ within 60 days after the member's date of hire to perform service that requires membership in the Defined Benefit Program of the State Teachers' Retirement Plan. **The employer shall retain a copy of the employee's signed election form and submit the original signed form to the system.** A member who elects to retain coverage under this system pursuant to this section shall be deemed to be a school member while employed by a school employer.

(b) This section shall apply to a member of the system who either (1) was employed by a school employer, the Board of Governors of the California Community Colleges, or the State Department of Education within 120 days before the member's date of hire to perform service that requires membership in the Defined Benefit Program of the State Teachers' Retirement Plan or (2) has at least five years of credited service under this system.

(c) Any election made pursuant to this section shall become effective as of the first day of employment in the position that qualified the member to make an election.