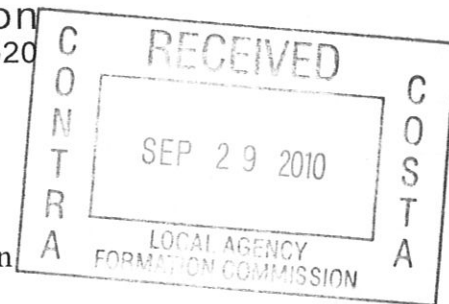




Employees' Retirement Association

1355 willow way suite 221 concord ca 94520

925.521.3960 fax 925.646.5747



Date: September 28, 2010  
To: CCCERA Participating Districts  
From: Contra Costa County Employees' Retirement Association  
Marilyn Leedom, Chief Executive Officer  
Karen Levy, General Counsel  
Regarding: Government Code Section 1234.

October 13, 2010  
Agenda Item 10

Please distribute this notice to those elected for office in your district:

Please be advised that Government Code section 1234 requires CCCERA to suspend the monthly retirement allowance being paid to any retired member of the system who is serving in an elective office, if the retirement allowance is based in whole or in part upon service in that elective office. The period of suspension is from the date the official is sworn into office until the last date of service in that office, after which the retirement allowance may then resume.

Please note that, if your retirement allowance is not based on any service in your elective office, this provision does *not* require the suspension of your retirement allowance.

For your convenience, we have included below the full text of Government Code section 1234:

No public officer while serving in any elective office in this state shall receive a retirement allowance which is based in whole or part upon service in that elective office.

The monthly retirement allowance shall be suspended during the period of such service and shall resume upon discontinuance of such service. Any retired person who renders such service shall not acquire any additional retirement rights or benefits thereunder because of such service. In the event that the retired person dies while rendering such service, his survivors shall receive the benefits provided by the system for the survivors of retired persons.

"Public officer" for purposes of this section includes every officer of the state, and every officer of a county, city, city and county, district, and authority, and each department, division, bureau, board, commission, agency, or instrumentality of any of the foregoing. "Public officer" shall not include a retired judge while serving under assignment by the Chairman of the Judicial Council.

This section shall only be applicable to persons elected to public office after its effective date. (Added by Stats. 1975)

Please consider this law when making decisions about your retirement and your continued service in elective office. Should you have any questions, please call the Retirement Office at (925) 521-3960, and ask to speak to a Retirement Counselor.