

**ASSEMBLY BILL**

**No. 1067**

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**Introduced by Assembly Member Quirk-Silva**

February 20, 2025

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An act to add Section 7522.76 to the Government Code, relating to public employees' retirement.

LEGISLATIVE COUNSEL'S DIGEST

AB 1067, as introduced, Quirk-Silva. Public employees' retirement: felony convictions.

Existing law, the California Public Employees' Pension Reform Act of 2013, requires a public employee who is convicted of any state or federal felony for conduct arising out of, or in the performance of, the public employee's official duties in pursuit of the office or appointment, or in connection with obtaining salary, disability retirement, service retirement, or other benefits, to forfeit all accrued rights and benefits in any public retirement system from the earliest date of the commission of the felony to the date of conviction, and prohibits the public employee from accruing further benefits in that public retirement system.

This bill would require a public employer that is investigating a public employee for misconduct arising out of the actions described above, to continue the investigation even if the public employee retires while under investigation. The bill would require a public employer, if the investigation indicates that the public employee may have committed a crime, to refer the matter to the appropriate law enforcement agency. Under the bill, if a felony conviction results arising out of any conduct described above, the public employee would forfeit all accrued rights and benefits in any public retirement system pursuant to the provisions described above.

By imposing new duties on public employers who are local governmental entities, 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 the statutory provisions noted above.

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 7522.76 is added to the Government  
2 Code, to read:

3 7522.76. (a) If a public employee retires while under  
4 investigation by a public employer for misconduct arising out of  
5 or in the performance of the public employee's official duties, in  
6 pursuit of the office or appointment, or in connection with  
7 obtaining salary, disability retirement, service retirement, or other  
8 benefits, the public employer shall continue the investigation even  
9 after the employee retires.

10 (b) If the public employer's investigation indicates that a public  
11 employee may have committed a crime, the public employer shall  
12 refer the matter to the appropriate law enforcement agency. If a  
13 felony conviction results arising out of any conduct described in  
14 subdivision (a), the public employee shall forfeit all accrued rights  
15 and benefits in any public retirement system in which the employee  
16 is a member in accordance with Section 7522.72 or 7522.43, as  
17 applicable, effective on the date of the conviction.

18 SEC. 2. If the Commission on State Mandates determines that  
19 this act contains costs mandated by the state, reimbursement to  
20 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.

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