

AMENDED IN ASSEMBLY APRIL 7, 2003

CALIFORNIA LEGISLATURE—2003–04 REGULAR SESSION

ASSEMBLY BILL

No. 1082

Introduced by Assembly Member Laird

February 20, 2003

An act to amend Sections 22869 and 22872 of the Government Code, relating to public employee health care benefits, and making an appropriation therefor.

LEGISLATIVE COUNSEL'S DIGEST

AB 1082, as amended, Laird. ~~Public employees'~~ *employee* health care benefits: domestic partners.

Existing law authorizes public agencies that contract with the Public Employees' Retirement System (PERS) for employee and annuitant health care benefits to provide those benefits to domestic partners. For these purposes, a domestic partnership is defined according to existing state law. Employer, employee, and annuitant contributions for health care benefits are deposited in one of 2 continuously appropriated funds.

This bill would authorize a contracting agency, that adopted a local definition of domestic partnership ~~and that provided health care benefits for members of those domestic partnerships before contracting with the system prior to January 1, 2000,~~ to provide health care benefits to those domestic partners ~~after contracting with the system.~~ By expanding the eligibility for benefits, the bill would increase the contributions that are deposited into a continuously appropriated fund and, thereby, make an appropriation.

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

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

1 SECTION 1. Section 22869 of the Government Code is
2 amended to read:

3 22869. For purposes of this part, a “domestic partnership”
4 shall be either of the following:

5 (a) Two people who meet all of the criteria set forth in Section
6 297 of the Family Code.

7 (b) Two people who meet all of the criteria of a ~~“domestic~~
8 ~~partnership,”~~ *“domestic partnership,”* as defined by the
9 governing board of a contracting agency, if the contracting agency
10 adopted that definition ~~and provided health care benefits coverage~~
11 ~~for members of those domestic partnerships before the contracting~~
12 ~~agency elected to be or otherwise became subject to this part. prior~~
13 ~~to January 1, 2000.~~

14 SEC. 2. Section 22872 of the Government Code is amended
15 to read:

16 22872. (a) In order to receive any benefit provided by this
17 article, an employee or annuitant shall present the board with proof
18 in a manner designated by the board that the employee or annuitant
19 and his or her domestic partner have filed a valid Declaration of
20 Domestic Partnership pursuant to Division 2.5 (commencing with
21 Section 297) of the Family Code or have established a valid
22 domestic partnership, as defined by his or her contracting agency
23 in accordance with subdivision (b) of Section 22869.

24 (b) The employee or annuitant shall also provide a signed
25 statement indicating that the employee or annuitant agrees that he
26 or she may be required to reimburse the employer, their designated
27 health services plan, and the system, for any expenditures made by
28 the employer, their designated health services plan, and the
29 system, for medical claims, processing fees, administrative
30 charges, costs, and attorney’s fees on behalf of the domestic
31 partner if any of the submitted documentation is found to be
32 incomplete, inaccurate, or fraudulent.

33 (c) The employee or annuitant shall notify the employer or the
34 board when a domestic partnership has terminated, as required by
35 subdivision (c) of Section 299 of the Family Code or as required



1 by his or her contracting agency in accordance with subdivision (b)
2 of Section 22869.

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