

Assembly Bill No. 2742

CHAPTER 608

An act to add Section 19991.14 to the Government Code, relating to public employment.

[Approved by Governor September 30, 2010. Filed with
Secretary of State September 30, 2010.]

LEGISLATIVE COUNSEL'S DIGEST

AB 2742, Blakeslee. Public employment: retirement: survivors' benefits.

Existing law authorizes, at the discretion of the appointing power, excluded employees to transfer eligible leave credits to an excluded employee when a catastrophic illness or injury occurs.

This bill would authorize a request to be made of the employer of a retired state employee, as defined, who died from a nonwork-related illness or injury within 12 months of retirement to allow employees to donate leave credits to a leave bank. The donated leave, not to exceed \$50,000, would be cashed out to the person designated to receive the deceased employee's leave balance. The bill would provide that donations would be accepted for 30 days following approval of the request, except as described below.

The bill would apply retroactively to any employee who retired on or after December 1, 2009. The bill would require any leave donations for a retired state employee who died on or before December 31, 2010, to be accepted until January 31, 2011.

The bill's provisions would apply to any retired state employee who at the time of retirement was a member of a collective bargaining unit that had bargained for a survivor's benefit that authorizes the donation of leave credits from employees to a leave bank on behalf of an employee on pay status who dies from a nonwork-related illness or injury.

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

SECTION 1. Section 19991.14 is added to the Government Code, to read:

19991.14. (a) If a retired state employee dies from a nonwork-related illness or injury within 12 months of retirement, a request may be made to his or her employer to allow state employees to donate leave credits to a leave bank. This donated leave, not to exceed fifty thousand dollars (\$50,000), shall be cashed out to the person designated to receive the deceased employee's leave balance. Donations shall be accepted for 30 days following approval of the request, except as specified in subdivision (b).

(b) This section shall apply retroactively to any employee who retired on or after December 1, 2009. Any leave donations for a retired state employee who died on or before December 31, 2010, shall be accepted until January 31, 2011.

(c) For the purposes of this section, the following definitions shall apply:

(1) "Leave" includes annual leave, vacation, holiday, personal leave, or excess leave.

(2) "Retired state employee" means any retired state employee who at the time of retirement was a member of a collective bargaining unit that had bargained for a survivor's benefit that authorizes the donation of leave credits from employees to a leave bank on behalf of an employee on pay status who dies from a nonwork-related illness or injury.