

**Introduced by Committee on Public Employment and Retirement
(Senators Correa (Chair), Ashburn, Corbett, Cox, Ducheny, and
Liu)**

February 18, 2010

An act to repeal and add Section 12479 of the Government Code, relating to state government.

LEGISLATIVE COUNSEL'S DIGEST

SB 1217, as introduced, Committee on Public Employment and Retirement. State government: warrants: employee designees.

Existing law authorizes an employee of the state to designate a person who, upon the death of the employee, is entitled to receive all warrants that would have been payable to the deceased employee had that employee survived.

This bill would repeal and recast this provision to additionally authorize an employee of the state to designate a primary person and up to 3 contingent persons for receipt of employee warrants upon death. This bill would require, if the first-designated person predeceases the employee, that the next-designated contingent person who survives the employee receive these warrants. This bill would specify that a corporation, a trust, or an estate may be a designated "person," entitled to receive these warrants pursuant to this provision.

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

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

- 1 SECTION 1. Section 12479 of the Government Code is
- 2 repealed.

1 ~~12479. Any person now or hereafter employed by the State~~
2 ~~may file with his appointing power a designation of a person who,~~
3 ~~notwithstanding any other provision of law, shall, on the death of~~
4 ~~the employee, be entitled to receive all warrants that would have~~
5 ~~been payable to the decedent had he survived. The employee may~~
6 ~~change the designation from time to time. A person so designated~~
7 ~~shall claim such warrants from the appointing power. On sufficient~~
8 ~~proof of identity, the appointing power shall deliver the warrants~~
9 ~~to the claimant. A person who receives a warrant pursuant to this~~
10 ~~section is entitled to negotiate it as if he were the payee.~~

11 SEC. 2. Section 12479 is added to the Government Code, to
12 read:

13 12479. (a) Notwithstanding any other law, an employee of the
14 state may file with his or her appointing power a designation of a
15 person or persons for receipt of employee warrants upon death.
16 The designation shall control who is entitled to receive the warrants
17 that would have been payable to the decedent had he or she
18 survived.

19 (b) An employee may designate a primary person and up to
20 three contingent persons pursuant to this section. The
21 first-designated person shall be the designated person that receives
22 the warrants. If the first-designated person predeceases the
23 employee, the next-listed designated person who survives the
24 employee shall be the designated person that receives the warrants.

25 (c) The appropriate designated person shall claim the warrants
26 from the appointing power. Upon sufficient proof of identity, the
27 appointing power shall deliver the warrants to the claimant. A
28 designated person who receives warrants pursuant to this section
29 shall be entitled to negotiate the warrants as if he or she were the
30 payee.

31 (d) The employee may change the designation from time to
32 time.

33 (e) For purposes of this section, “person” includes, but is not
34 limited to, a corporation, a trust, or an estate.