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Circular Letter

TO: ALL STATE AGENCIES, CONTRACTING EMPLOYERS, CALPERS-AFFILIATED EMPLOYEE AND RETIREE ASSOCIATIONS, AGRICULTURAL DISTRICTS, STATE COLLEGES & UNIVERSITIES, COUNTY SUPERINTENDENTS OF SCHOOLS, AND INDIVIDUAL SCHOOL DISTRICTS

SUBJECT: IMPLEMENTATION OF NEW DOMESTIC PARTNER LEGISLATION (AB 205) EFFECTIVE JANUARY 1, 2005

This Circular Letter is to inform you that a new California law has expanded benefits available to domestic partners of California Public Employees' Retirement System's (CalPERS) members. Effective January 1, 2005, current and former domestic partners registered in California (registered domestic partners) shall have the same rights, protections, and benefits, as well as the same responsibilities, obligations, and duties provided to current and former spouses under California state law.

In California, domestic partnerships are formalized through a registration process with the Secretary of State's Office. Your employees can obtain detailed information about legal requirements and how to register by visiting the Secretary of State's Web site at www.ss.ca.gov. A same-sex legal union other than marriage validly formed in another jurisdiction that is substantially equivalent to a registered domestic partnership in California may also be recognized. Because each state/jurisdiction has different laws, CalPERS will need information specific to your partnership to determine whether or not it could be recognized.

The Frequently Asked Questions (FAQ's) attached will help you and your employees understand how this new legislation may impact them or their registered domestic partner. This information and updated publications will also be available on the CalPERS Web site at www.calpers.ca.gov or by calling our toll-free number, **888 CalPERS** (or **888-225-7377**).

Currently, CalPERS' health coverage is generally available to the domestic partners of state or contracting agency employees and annuitants pursuant to collective bargaining or by a contracting agency resolution. The new, expanded domestic partner legislation

requires state and local agencies contracting for health coverage with CalPERS to provide domestic partners with health care coverage notwithstanding collective bargaining or contracting agency board resolutions. The Health Benefits Program Implementation Guidelines are attached along with samples of Health Benefit Enrollment forms (HBD-12's) for a Domestic Partner or a Domestic Partner child.

We hope you find this information helpful. We will continue to communicate any modifications to the current processes resulting from this new legislation on the CalPERS' Web site and in future member and employer publications.

If you have additional questions, please call the Employer Contact Center at **888 CalPERS** (or **888-225-7377**).

Lori McGartland, Acting Division Chief
Actuarial and Employer Services

Attachments (2):

Frequently Asked Questions (FAQ's)
Health Benefits Program Implementation Guidelines