



Home	Bill Information	California Law	Publications	Other Resources	My Subscriptions	My Favorites
------	------------------	----------------	--------------	-----------------	------------------	--------------

AB-444 State and local employees: pay warrants: designees. (2021-2022)

SHARE THIS:  

Date Published: 07/12/2021 09:00 PM

Assembly Bill No. 444

CHAPTER 55

An act to amend Sections 12479 and 53245 of the Government Code, relating to public employment.

[Approved by Governor July 09, 2021. Filed with Secretary of State July 09, 2021.]

LEGISLATIVE COUNSEL'S DIGEST

AB 444, Committee on Public Employment and Retirement. State and local employees: pay warrants: designees.

Existing law authorizes a state employee to designate with their appointing power a person who may receive the employee's warrants upon the employee's death. Existing law requires an appointing power, upon sufficient proof of identity from an appropriate designee, to deliver warrants to the person claiming them. Existing law entitles the designated person who receives warrants to negotiate the warrants as if they were the payee.

This bill would prescribe a process by which an appointing power would issue a check directly to a designated person instead of delivering employee warrants to that person, as described above. Upon sufficient proof of the designee's identity, the bill would require the appointing power to endorse and deposit the warrant issued to a deceased employee back into the Treasury to the credit of the fund or appropriation upon which it was drawn, as specified, and then issue a revolving fund check to the designated person in the original amount payable to employee.

Existing law, applicable to a county, city, municipal corporation, district, or other public agency, authorizes employees of these entities to designate with their appointing powers a person who is entitled, on the death of the employee, to receive all warrants or checks that would have been payable to the decedent.

This bill, for purposes of these provisions, would define "person" to include a corporation, a trust, or an estate.

Vote: majority Appropriation: no Fiscal Committee: yes Local Program: no

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 12479 of the Government Code is amended to read:

12479. (a) Notwithstanding any other law, an employee of the state may file with their appointing power a designation of a person or persons for receipt of employee warrants upon death. The designation shall control who is entitled to receive the warrants that would have been payable to the decedent had they survived.

(b) An employee may designate a primary person and up to three contingent persons pursuant to this section. The first-designated person shall be the designated person that receives the warrants. If the first-designated person predeceases the

employee, the next-listed designated person who survives the employee shall be the designated person that receives the warrants.

(c) The appropriate designated person shall claim the warrants from the appointing power. Upon sufficient proof of identity, the appointing power shall endorse and deposit the warrants in the manner provided in Section 17051 and shall issue a revolving fund check in the original amount payable to the designated person.

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

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

SEC. 2. Section 53245 of the Government Code is amended to read:

53245. (a) Any person now or hereafter employed by a county, city, municipal corporation, district, or other public agency may file with their appointing power a designation of a person who, notwithstanding any other provision of law, shall, on the death of the employee, be entitled to receive all warrants or checks that would have been payable to the decedent had they survived. The employee may change the designation from time to time. A person so designated shall claim such warrants or checks from the appointing power. On sufficient proof of identity, the appointing power shall deliver the warrants or checks to the claimant. A person who receives a warrant or check pursuant to this section is entitled to negotiate it as if they were the payee.

(b) For purposes of this section, "person" includes, but is not limited to, a corporation, a trust, or an estate.