

AB 17
State Contractor Requirement/Domestic Partner Benefits
Effective 1/1/07

Existing law authorizes the Department of General Services to contract with suppliers to acquire goods and services for state agencies.

This bill would prohibit a state agency from entering into a contract for the acquisition of goods or services in the amount of \$100,000 or more (cumulative in a fiscal year) with a contractor who, in the provision of group health benefits, discriminates between employees with spouses and employees with domestic partners, or discriminates between the domestic partners and spouses of those employees.

"Domestic partner" means one of two persons who has filed a declaration of domestic partnership with the Secretary of State

This bill would also require that every state contract to acquire goods and services contain a statement by the contractor certifying that the contractor is in compliance with these provisions. The bill would require that the contract be subject to certain penalties if the contractor falsely certifies its compliance, unless the contractor provides proof that it has complied, or is in the process of complying, with these provisions.

This bill does not apply to any contracts executed or amended prior to January 1, 2007, or to bid packages advertised and made available to the public, or any competitive or sealed bids received by the state, prior to January 1, 2007, unless and until those contracts or property contracts are amended after December 31, 2006, and would otherwise be subject to this bill.

If there is a difference in the cost to provide a certain benefit to a domestic partner or spouse, the contractor is not deemed to be in violation of this section so long as it permits the employee to pay any excess costs.