

## TENTATIVE AGREEMENT

### COUNTY PROPOSAL #2 v3

#### ARTICLE 2: DEFINITIONS

##### 2.1

Domestic Partner: A “domestic partnership” shall exist between two persons, one of whom is an employee of the County, covered by this Memorandum of Understanding, and has valid declaration of Domestic Partnership per California Family Code Section 297 et. seq. Within 60 days of any changes to California Family Code Section 297 et. seq., ESC may request to meet and confer over the impacts of said changes. As of the adoption of the 2023-2026 MOU, California Family Code Section 297 reads:

(a) Domestic partners are two adults who have chosen to share one another’s lives in an intimate and committed relationship of mutual caring.

(b) A domestic partnership shall be established in California when both persons file a Declaration of Domestic Partnership with the Secretary of State pursuant to this division, and, at the time of filing, all of the following requirements are met:

(1) Neither person is married to someone else or is a member of another domestic partnership with someone else that has not been terminated, dissolved, or adjudged a nullity.

(2) The two persons are not related by blood in a way that would prevent them from being married to each other in this state.

(3) Both persons are at least 18 years of age, except as provided in Section 297.1.

(4) Both persons are capable of consenting to the domestic partnership.

This definition will not apply to domestic partnerships recognized by the County as of the adoption of the 2023-2026 MOU, regardless of their gender and each of them shall be the “domestic partner” of the other if they both complete, sign, and cause to be filed with the County an “Affidavit of Domestic Partnership” attesting to the following:

a. The two parties reside together and share the common necessities of life;

b. The two parties are not married to anyone, eighteen years or older, not related by blood closer than would bar marriage in the State of California, and mentally competent to consent to contract and are not acting under fraud or duress;

c. The two parties declare that they are each other’s sole domestic partner and they are responsible for their common welfare;

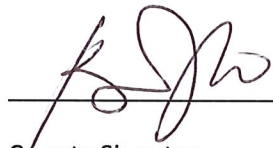
d. The two parties agree to notify the County in writing if there is a change of circumstances attested to the affidavit; and

~~e. The two parties affirm, under penalty of perjury, that the assertions in the affidavit are true to the best of their knowledge.~~

~~Termination: A member of a domestic partnership may provide notice of the end of said relationship by filing a statement with the County. In the statement, the person filing must affirm, under penalty of perjury, that (1) the partnership is terminated and (2) a copy of the termination statement has been mailed to the other partner.~~

~~New Statements of Domestic Partnership: No person who has filed an affidavit of domestic partnership may file another such affidavit until six months after a statement of termination of the previous partnership has been filed with the County. This requirement does not apply if the earlier domestic partnership ended because of the death of either partner~~

\*No other definitions change except as provided herein.



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County Signature



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ESC Signature

Date: 4/26/2023