



**DECLARATION OF QUALIFICATION FOR
REGISTRATION AS DOMESTIC PARTNERS
(California Government Code §31760.7)**

**ALAMEDA COUNTY EMPLOYEES' RETIREMENT ASSOCIATION
475 14th Street, Suite 1000, Oakland, CA 94612-1900
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To qualify for domestic partner benefits under California Government Code §31760.7, we hereby declare as follows:

1. The member's retirement effective date was _____; and

2. At least one year before that date (or at that date if the member retired for disability rather than for service), we would have qualified to be registered as domestic partners under California Family Code §297, a copy of which is attached to and incorporated as Page 2 of this declaration.

We declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Member's Printed Name: _____

Member's Signature: _____ Date: _____

Domestic Partner's Printed Name: _____

Domestic Partner's Signature: _____ Date: _____

CALIFORNIA FAMILY CODE §297

297. (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) Both persons have a common residence.

(2) 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.

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

(4) Both persons are at least 18 years of age.

(5) Either of the following:

(A) Both persons are members of the same sex.

(B) One or both of the persons meet the eligibility criteria under Title II of the Social Security Act as defined in 42 U.S.C. Section 402(a) for old-age insurance benefits or Title XVI of the Social Security Act as defined in 42 U.S.C. Section 1381 for aged individuals. Notwithstanding any other provision of this section, persons of opposite sexes may not constitute a domestic partnership unless one or both of the persons are over the age of 62.

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

(c) "Have a common residence" means that both domestic partners share the same residence. It is not necessary that the legal right to possess the common residence be in both of their names. Two people have a common residence even if one or both have additional residences. Domestic partners do not cease to have a common residence if one leaves the common residence but intends to return.