

## **AB 1492, the Effective Period of Plans and Plan Extensions**

Assembly Bill 1492 was signed by Governor Brown on September 11, 2012 and goes into effect immediately. One of its provisions changes portions of Public Resources Code § 4590 to create the following four categories of plans:

### **Plans approved prior to 2010:**

- Effective 3 years only (or more based on any prior extensions or re-openings).
- May have a one-year extension for plans that have been extended for one year as of 8/31/12
- May have one 2-year extension otherwise [per 4590(a)(2)].
- Notice of extension provided not sooner than 30 days, but at least 10 days prior to expiration.

### **Plans approved on or after January 1, 2010 through June 30, 2012:**

- Effective 3 years.
- May have two 2-year extensions [per 4590(d)(1)].
- Notice of extension provided not sooner than 140 days, but at least 10 days prior to expiration.

### **Plans approved on or after July 1, 2012 through August 31, 2012:**

- Effective 5 years.
- May have one 2-year extension [per 4590(a)(2)]<sup>1</sup>.
- Notice of extension provided not sooner than 140 days, but at least 10 days prior to expiration.

### **Plans approved on or after September 1, 2012:**

- Effective 5 years.
- May have one 2-year extension [per 4590(a)(2)].
- Notice of extension provided not sooner than 30 days, but at least 10 days prior to expiration.

For a complete copy of Assembly Bill 1492, go the following link:

[http://www.leginfo.ca.gov/pub/11-12/bill/asm/ab\\_1451-1500/ab\\_1492\\_bill\\_20120905\\_enrolled.pdf](http://www.leginfo.ca.gov/pub/11-12/bill/asm/ab_1451-1500/ab_1492_bill_20120905_enrolled.pdf).

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<sup>1</sup> The Department has been informed that the legislative intent for plans approved from July 1, 2012 to August 31, 2012 was for an effective length of 5 years with eligibility for only one two-year extension; any request for an additional or second two-year extension will be denied by the department.