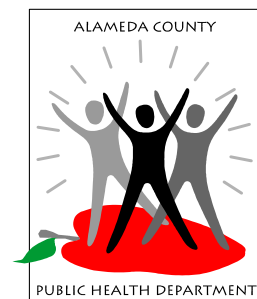


Public Health Legislation from the 2003 California Legislative Session

Prepared by Joe Rois, June 2003

Updated March 2004

Legislative Council,
Alameda County Public Health Department



Purpose

This document was created to serve as a reference guide for Alameda County Public Health Department (ACPHD) staff and community members. It provides a brief summary of all public health related legislation considered during the 2003 session of the California State Legislature and is organized by Divisions and the Department's strategic directives (shelter and safety).

The intent of this document is to provide you with background on existing legislation, to help you identify gaps requiring additional legislation, and to motivate you to become active in the legislative process. A more detailed description of all included legislation can be found at www.leginfo.ca.gov, which was the main source for this document and the bill summaries.

Definitions

The final status of each bill will be listed as one of the following:

- **CHAPTERED** – A chaptered bill is one that was passed by the legislature, delivered to the governor, and signed into law by the governor.
- **VETOED** – A vetoed bill is one that was passed by the legislature, delivered to the governor, and vetoed by the governor. This bill did not become law.
- **All others** – Any other status listed other than chaptered or vetoed indicates that the bill did not make it through the legislature and was not delivered to the governor.

Legislative Council

This document was prepared under the auspices of the Alameda County Public Health Department Legislative Council. The Legislative Council is comprised of eight active members from the following divisions and areas: Administrative Services, Community Health Services, Communicable Disease Control & Prevention, Emergency Medical Services, Family Health Services, Public Health Nursing, the Office of AIDS, and the Office of the Director. The mission of the Council is to raise awareness of public health issues throughout Alameda County and to develop and implement a locally focused, strategic legislative plan for ensuring that public health policies and programs are based on community needs and interests. We encourage you to participate in the legislative process by helping to shape the legislative priorities of the department, by encouraging the department to adopt a position on legislation, and by developing legislative proposals. You are also welcome to attend one of the Council's bi-weekly meetings to observe the Council's process. For additional information about the Legislative Council contact Pam Willow, the Legislative Council Coordinator, at 208-5905 or Pam.Willow@acgov.org or visit us on the web at <http://www.acgov.org/publichealth/>.

Feedback

We would appreciate any feedback on the usefulness of this document and how it can be improved upon in the future. Please forward any questions or comments to Pam Willow, the Legislative Council Coordinator, at 208-5905 or Pam.Willow@acgov.org.

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Community Health Services

- AB 9
Dymally *Urban community health institute*
This bill would establish at the Charles R. Drew University of Medicine and Science the Urban Community Health Institute: Centers to Eliminate Health Disparities to address disparities in the delivery of health services to multicultural populations in specified areas of Los Angeles County. This bill would provide that the institute would consist of 3 clinical centers (a Stroke and Hypertension Center, an Obesity and Nutrition Center, and a Human Immunodeficiency Virus (HIV)/Acquired Immune Deficiency Syndrome (AIDS) Center) and a shared resource core. This bill would require the President of the Charles R. Drew University of Medicine and Science to appoint an internal steering committee, as well as an external advisory committee to oversee and evaluate all institute activities. This bill would require the institute to sponsor and conduct an annual community wide symposium, known as the Urban Community Health Forum, to report on the progress of the institute, offer technical assistance workshops, and provide an overview of local, regional, and national efforts in health disparities.
Status: CHAPTERED
- AB 71
Horton *State and local government*
This bill would create the California Cigarette and Tobacco Products Licensing Act of 2003 to provide for the licensure by the State Board of Equalization of manufacturers, distributors, wholesalers, importers, and retailers of cigarette or tobacco products that are engaged in business in California. The bill would prohibit retailers, manufacturers, distributors, and wholesalers from distributing or selling those cigarette and tobacco products unless they are licensed. The bill would authorize the board to suspend or revoke the license of any manufacturer, distributor, wholesaler, importer, or retailer of tobacco products that is in violation of the bill's provisions. The bill would prohibit a manufacturer, distributor, wholesaler, importer, retailer, or any other person from selling counterfeit cigarette and tobacco products and would provide that a violation of that prohibition is a crime. The bill would impose specified fines or imprisonment for possessing, selling, or buying false or fraudulent cigarette tax stamps. The bill also would require manufacturers and importers of cigarette products that provide those products to distributors or wholesalers to pay the board a fee for cigarettes sold in this state. The bill would require all moneys collected pursuant to its provisions to be deposited in the Cigarette and Tobacco Products Compliance Fund, which would be created in the State Treasury, and all funds therein would be available for appropriation by the Legislature solely for the purpose of implementing, enforcing, and administering the California Cigarette and Tobacco Products Licensing Act of 2003. This bill would appropriate from that fund the amount of \$11,000,000, subject to specified conditions, for the 2003-04 fiscal year for the purpose of implementing, enforcing, and administering the California Cigarette and Tobacco Products Licensing Act of 2003. This bill would repeal the California Cigarette and Tobacco Products Licensing Act of 2003, effective January 1, 2010. This bill would provide that this act does not preempt or supersede any local tobacco control laws or ordinances other than those laws or ordinances that are related to the collection of the taxes imposed under the Cigarette and Tobacco Products Tax Law.
Status: CHAPTERED
- AB 147
Nation *Food products: alcohol notice*
This bill would require any food facility, with a specified exception, that serves or sells over the counter an unlabeled or unpackaged food that is not a confectionary that contains alcohol in excess of a required limit to provide oral notice to the consumer of that fact. This bill would require the office of the Legislative Analyst to report to the Legislature on or before January 1, 2005, regarding the implementation of the bill.
Status: Died. (last activity 02/02/04)
- AB 154
Chan *Health and managed care plans: culturally and linguistically appropriate services*
This bill would require any health plan or managed care plan that contracts to participate in the Healthy Families Program or the Medi-Cal program, respectively, to submit annually, commencing on April 1, 2004, a report to the board or the department, as appropriate, regarding the culturally and linguistically appropriate services that the plan provided during the prior calendar year and proposes

to be provided during the current calendar year to meet the needs of its limited English proficient applicants and subscribers or beneficiaries. The bill would require specified information to be included in the report. This bill would also require that the board or department submit annually, commencing on June 1, 2004, a report to the Legislature regarding the reports submitted by the contracting plans regarding their compliance with cultural and linguistic requirements.

Status: Died. (last activity 2/02/04)

AB 165
Chan

School Accountability Report Card: requirements

Existing law, the Classroom Instructional Improvement and Accountability Act, requires each school district that maintains an elementary or secondary school to develop and implement a School Accountability Report Card, as prescribed. This bill would require each school district to include within the School Accountability Report Card information regarding the availability of credentialed school nurses, and would declare that its provisions further the purposes of the act.

Status: Died. (last activity 2/02/04)

AB 195
Chan

Health education

Existing law requires the Department of Education to prepare and distribute to school districts guidelines for the preparation of comprehensive health education plans and programs. This bill would specify that pupils may receive instruction on, among other topics, preventative health care. The bill would further specify that the instruction on nutrition may include instruction on related topics such as obesity and diabetes. The bill would prohibit participating entities from marketing their services when undertaking activities related to the program and would define marketing as the making of a communication about a product or service with the purpose to encourage the purchase or use of the product or service. The bill would exempt specified entities that provide certain services from these marketing prohibitions. Existing law requires that the plans provide for, among other things, the utilization and participation of health care professionals. This bill would specify that the health care professionals should represent the varied fields of health care, including voluntary collaborations with managed health care and health care providers.

Status: CHAPTERED

AB 210
Chan

Tobacco: dwellings

This bill would provide that the drifting, wafting, or blowing of tobacco smoke into the interest of any other person in a common interest development is a nuisance, with specified exceptions. The bill would also prohibit the smoking of any tobacco-related product within any common area in a common interest development. The bill would permit specified persons or entities to assess additional fines or penalties for a violation of these provisions. The bill would also make specified findings and declarations. This bill would prohibit, on January 1, 2006, the smoking of tobacco in units of multifamily residential housing, except those units that have been specifically designated by a landlord, property manager, or building owner as units where smoking is permitted. This bill would exempt a person from this requirement who, on December 31, 2005, is living in a unit of multifamily residential housing, but would apply the requirement to that person if he or she subsequently moves to a different housing unit. This bill would define, for the purposes of these provisions, multifamily residential housing to mean housing that is occupied by more than one family, including both owner- and renter-occupied apartments and condominiums.

Status: Died. (last activity 2/02/04)

AB 221
Koretz

Tobacco products: minimum legal age: advertising, display, and distribution limitations

Existing law prohibits persons from making various promotional or advertising offers of smokeless tobacco products without taking specified actions to ensure that the product is not available to persons under 18 years of age. This bill would extend the applicability of those provisions to persons under 21 years of age, except those born before January 1, 1986. The Stop Tobacco Access to Kids Enforcement (STAKE) Act is designed to reduce the availability of tobacco products to minors through specified sales restrictions and enforcement activities. The act, among other things, prohibits the furnishing of tobacco products to, and the purchase of tobacco products by, any person under the age of 18 years, authorizes the assessment of civil penalties of a violation of the act, and makes the violation of the act a criminal offense. This bill would extend the applicability of the act

to persons under the age of 21 years, except for those who were born before January 1, 1986.

Status: Died. (last activity 2/02/04)

AB 391 *New school construction*

Montanez

This bill would require any new schoolsite construction or modernization project to an existing school kitchen and dining facility to have an instructional garden area, as specified, and a fully functional modern school kitchen and dining facility. This bill would also require the State Department of Education to develop design and management guidelines for school kitchen and dining facilities that ensure adequate space and design to allow pupils a minimum of 15 minutes to consume a meal after service.

Status: Died. (last activity 2/02/04)

AB 409 *Childhood asthma screening*

Reyes

This bill would require the State Department of Health Services to designate questionnaires and adopt regulations in implementing a program for the early detection of early childhood asthma, and would authorize the department to enter into contracts with local entities for the implementation of these procedures.

Status: Died. (last activity 2/02/04)

AB 568 *Community Law Enforcement and Recovery Demonstration Project*

Goldberg

Existing law establishes the Community Law Enforcement and Recovery Demonstration Project, a multiagency gang intervention program composed of local agencies in Los Angeles County. Existing law provides that these provisions will be repealed on January 1, 2004. This bill would instead provide that the provisions establishing the project would become inoperative on July 1, 2004, and would be repealed on January 1, 2005

Status: CHAPTERED

AB 573 *Public health: traditional Asian medicine and herbal health products*

Chu

This bill would establish the Traditional Asian Medicine Certification Program to be administered by the State Department of Health Services. The bill would require the department to establish a list, to be published annually, of traditional Asian medicines and the products used in their production. This bill would require the department to adopt certification standards for traditional Asian medicines, and either test, or designate a certifying organization to test, every traditional Asian medicine that is to be produced, sold, or imported into this state, to determine if certification is warranted. This bill would require that the department monitor the list and labels of traditional Asian medicine and the ingredients used in the production to prevent the use of endangered species of flora and fauna. This bill would also require that a fee be assessed, as established by the department, as a condition for the receipt of certification, with the fee to be used to defray the cost of implementing the bill. Fees collected under the bill would be deposited into the Traditional Asian Medicine Certification Program Fund created by the bill, the moneys in which would be continuously appropriated for purposes of the bill.

Status: Died. (last activity 2/02/04)

AB 703 *Racial discrimination: definition*

Dyamally

Section 31 of Article I of the California Constitution prohibits the state from discriminating against, or granting preferential treatment to, any individual or group on the basis of race, sex, color, ethnicity, or national origin in the operation of public employment, public education, or public contract. This bill would provide that "racial discrimination" and "discrimination on the basis of race" for the purposes of this constitutional provision have the same meaning as the term "racial discrimination" is defined and used in paragraphs 1 and 4 of Article 1 of Part I of the International Convention on the Elimination of All Forms of Racial Discrimination. The bill would also provide that Section 31 of Article I of the California Constitution shall not be interpreted as (1) granting an individual a private cause of action except as to its prohibition of granting preferential treatment, to challenge any special measures for the purpose of securing adequate advancement of those racial groups requiring protection, or (2) requiring the government to prove racial discrimination before undertaking special measures for the purpose of securing adequate advancement of those racial

minority groups needing that protection, pursuant to specified provisions of that international convention.

Status: CHAPTERED

AB 713
Chu

State Department of Alcohol and Drug Programs

Existing law establishes the State Department of Alcohol and Drug Programs in the California Health and Human Services Agency. Existing law provides that the department shall be the single state agency authorized to receive any federal funds payable to the state by the Substance Abuse and Mental Health Services Administration to implement programs that provide services to alleviate the problems related to the inappropriate use of alcoholic beverages and also the problems related to the use of other drugs. This bill would delete from that provision the reference to "inappropriate" use of alcohol, thereby making the provision applicable to any use of alcohol, and would make other changes that are technical and nonsubstantive.

Status: Died. (last activity 2/02/04)

AB 756
Montanez

Instruction: physical education

Existing law requires a pupil in grades 1 to 8, inclusive, to attend physical education courses for no less than 200 minutes each 10 schooldays. This bill would require a school district to annually certify in writing to the parent or guardian of a pupil in grades 1 to 8, inclusive, that it offers physical education courses for no less than 200 minutes each 10 schooldays, thereby imposing a state-mandated local program. Existing law declares the intent of the Legislature that it encourages school districts maintaining any of grades 1 to 6, inclusive, to take one of various enumerated actions in benefit of the physical fitness of pupils. This bill would, in addition, encourage a school district maintaining any of grades 1 to 6, inclusive, to designate a period of time during the schoolday, on a weekly basis, sufficient to allow a physical education specialist to prepare lesson plans, encourage a school district to operate an after school physical education program, and encourage a school district to annually evaluate its physical education programs. Existing law requires the governing board of a school district maintaining any of grades 5, 7, and 9 to administer to each pupil a physical performance test designated by the State Board of Education. This bill would require a school district to provide timely written notification of a pupil's individual results to the parent or guardian of the pupil. The bill would provide that the notice may be sent separately or included with any other written communication sent to parents and guardians. By imposing the new notification requirement, the bill would impose a state-mandated local program.

Status: Died. (last activity 2/02/04)

AB 766
Longville

Type 2 diabetes mellitus: pupil screening

This bill would establish a 3-year pilot program any school district may participate in the program and would require those participating school districts, in conjunction with the scoliosis screening, to screen pupils for the risk of developing type 2 diabetes mellitus. The bill would specify individuals who may perform and supervise the screenings, and would prescribe procedures for the screening process including, but not limited to compliance with standards and procedure developed by the State Department of Education. The bill would provide for parent or guardian notification of any pupil suspected of being at elevated risk of developing type 2 diabetes mellitus, as described in the bill. The bill would repeal the pilot program on January 1, 2008, and would prescribe other, related matters.

Status: CHAPTERED

AB 769
Maddox

Registered dietitians and dietetic technicians, registered

Under existing law, in order to use the title registered dietitian or dietetic technician, registered, a person is required to complete a certain number of hours in a supervised practice program. This bill would authorize a person to perform certain regulated activities as part of his or her supervised practice program for a registered dietitian or dietetic technician, registered, subject to certain requirements, including enrollment in or completion of a specified course curriculum. The bill would also authorize a person who has applied to take the required examination for a registered dietitian or dietetic technician, registered to perform certain regulated activities under a registered dietitian's supervision for 6 months while waiting for an examination date, subject to specified

requirements.

Status: CHAPTERED

AB 801
Diaz

Dentists and physicians and surgeons

Existing law, the Licensed Physicians and Dentists from Mexico Pilot Program, allows licensed physicians and dentists from Mexico to practice medicine or dentistry in California for a period not to exceed 3 years. The program establishes requirements for the participants in the program. This bill would revise the requirements applicable to the dentists who participate in the program. Existing law requires the Division of Licensing of the Medical Board of California to establish continuing medical education requirements for physicians and surgeons and to administer other specified programs. This bill would enact the Cultural and Linguistic Competency of Physicians Act of 2003 where local medical societies of the California Medical Association, while monitored by the division, would operate a voluntary competency program for physicians. The program would develop educational classes to teach foreign languages to interested physicians and would offer classes designed to teach physician participants about cultural practices and beliefs that impact health care. The bill would require the formation of a workgroup to examine and recommend whether successful participating physicians receive credit for the program and to evaluate the program. The bill would require funding of the program by fees charged to physicians who elect to take the educational classes and by any other funds secured by local medical societies.

Status: CHAPTERED

AB 846
Vargas

Smoking: public buildings

Existing law prohibits any state employee or member of the public from smoking a tobacco product inside a state-owned or state-occupied building, or a state-leased and state-occupied building, as defined, or within 5 feet of the main exit or entrance of these buildings, or in a passenger vehicle owned by the state. This bill would instead prohibit smoking inside a public building, as defined, and within 20 feet of a main exit, entrance, or operable window of a public building. It would also provide that these provisions would not preempt the authority of any county, city, city and county, California Community College campus, campus of the California State University, or campus of the University of California to adopt and enforce additional smoking and tobacco control ordinances, regulations, or policies that are more restrictive than the standards required by this bill.

Status: CHAPTERED

AB 942
Leno

Emergency medical services: diabetes

Existing law provides that each pupil who is required to take, during the regular schoolday, medication prescribed for him or her by a physician, may be assisted by the school nurse or other designated school personnel if the school district receives a written statement from the physician detailing the method, amount, and time schedules by which the medication is to be taken and a written statement from the parent or guardian of the pupil indicating the desire that the school district assist the pupil in the matters set forth in the physician's statement. This bill would, in the absence of a credentialed school nurse or other licensed nurse, authorize each school district to provide voluntary emergency medical training to school personnel, as defined, to administer emergency medical assistance to pupils with diabetes suffering from severe hypoglycemia if certain performance standards for training and supervision are developed by the American Diabetes Association in cooperation with several other entities for approval and distribution by the State Department of Health Services' Diabetes Control Program. The bill would permit certain pupils with specified authorization to test their blood glucose level and provide diabetes self-care in any area of the school or school grounds, during any school-related activity, and, upon the request of the pupil's parent or guardian, in a private location. The bill would declare the Legislature's intent that immunity from civil liability, as specified in existing law, shall apply to activities authorized by the bill's provisions.

Status: CHAPTERED

AB 963
Bogh

Criminal street gangs

Existing law provides that participation in any criminal street gang with knowledge that its members engage or have engaged in a pattern of criminal gang activity along with promotion, furtherance, or assistance by that person in felonious criminal conduct, as specified, by members of that gang is a

crime. This bill would provide that a duly qualified street gang expert may testify as to whether a pattern of criminal gang activity exists and as to what the primary activities of a particular street gang are.

Status: Died. (last activity 2/02/04)

AB 973
Yee

Interpretation services

Existing law establishes the Department of Consumer Affairs in the State and Consumer Services Agency for the purpose of regulating various businesses and professions that have potential impact upon the public health, safety, and welfare in order to protect the people of California. This bill would require the department to create a Web site to present information regarding language interpretation services and resources for this state.

Status: Died. (last activity 2/02/04)

AB 975
Mullin

Courses of study: nutrition education

Existing law establishes a nutrition education program and encourages nutrition education instructional activities that emphasize the appeal of healthy eating; are participatory, developmentally appropriate, and enjoyable; include families in the education process; encourage teachers responsible for nutrition education to be adequately prepared; and are integrated across the general curriculum as part of a comprehensive health program. This bill would further encourage nutrition education instructional activities that include, but are not limited to, gaining nutritional knowledge and nutrition related skills and learning how to assess personal eating habits. The bill would require the State Department of Education to produce a standardized written summary regarding nutrition education, as specified, and to make this summary available to requesting school districts and on the department's Web site. Existing law requires the State Department of Education to include in the health curriculum framework curriculum that is designed to help pupils learn, among other things, how to assess their own personal eating habits, set goals for improving eating habits, and achieve these goals by using the Food Guide Pyramid, Dietary Guidelines for Americans, Nutrition Fact Labels, and the Physical Activity Pyramid. This bill would additionally require, in teaching pupils how to attain better personal eating habits, the use of other publications from recognized nutrition education authorities that are approved by the department.

Status: Died. (last activity 2/02/04)

AB 993
Ridley-Thomas

Crime prevention: Youth Gang Violence Task Force

This bill would establish the Youth Gang Violence Task Force, as specified, to study the issues of youth gang-related homicides in California. The bill would require the task force to make recommendations for reducing and preventing gang-related homicides to the Legislature not later than January 1, 2006. The bill would repeal these provisions on January 1, 2007.

Status: Died. (last activity 2/02/04)

AB 999
Horton

Medi-Cal: dental restorative materials

This bill would authorize Medi-Cal providers to recommend, after consultation with the beneficiary, and to receive reimbursement for, certain dental restorative materials other than the covered benefit of amalgam.

Status: CHAPTERED

AB 1033
Montanez

Tobacco: prohibition on nonsale distribution

Under existing law, it is unlawful for any person, agent, or employee of a person in the business of selling or distributing smokeless tobacco or cigarettes to engage in the nonsale distribution of any smokeless tobacco or cigarettes to any person in certain public areas, as defined, and on any private property that is open to the public, except as specified. This bill would prohibit, except as specified, the nonsale distribution, as defined, of tobacco products and other related products to any person.

Status: Died. (last activity 2/02/04)

AB 1040
Leno

Cigarette taxes

This bill would, subject to specified requirements, authorize the board of supervisors of a county to impose a tax, in addition to other local taxes, on the privilege of selling cigarette and tobacco

products at retail within its boundaries, whether or not within an incorporated city. Among other things, the tax would be subject to approval by a majority vote of the board of supervisors and by a 2/3 vote of the qualified voters of the county and would be imposed at an unspecified rate in increments of 1/8%. The ordinance levying the tax would, among other things, require the county to contract with the State Board of Equalization with respect to the administration of the tax, as provided.

Status: Died. (last activity 2/02/04)

AB 1100
Longville

Alcohol and drug abuse counselors

This bill would enact the Alcohol and Drug Abuse Counselors Licensing Law to be administered by the Board of Behavioral Sciences in the Department of Consumer Affairs. The bill would require that one of the 2 licensed clinical social workers on the board also have a license as an alcohol and drug abuse counselor. The bill would require the board to adopt rules and regulations regarding alcohol and drug abuse counselors, administer a semiannual licensing examination to applicants, discipline licensees, and establish a program for alcohol and drug abuse interns. The bill would require the board to issue a license to an applicant meeting specified qualifications. The bill would require the board to complete an occupational analysis on alcohol and drug abuse counseling and report its findings to the Legislature on or before July, 2006. The bill would impose unspecified licensing and registration fees on licensees and a \$75 registration fee on interns. These fees would be deposited into the Behavioral Sciences Fund and continuously appropriated to the board for the purposes of the bill.

Status: Died. (last activity 2/02/04)

AB 1220
Berg

Heart disease and stroke prevention

This bill would create the Heart Disease and Stroke Prevention and Treatment Task Force within the State Department of Health Services. The task force would be composed of 12 members, as specified, and would be required to perform a number of duties, including the creation of a Heart Disease and Stroke Prevention and Treatment State Master Plan. This bill would require the task force, by November 1, 2005, to submit the master plan to the Legislature, the Governor, and the department. This bill would also make implementation of its provisions contingent upon the receipt of private funding. The provisions of this bill would become inoperative March 1, 2006, and would be repealed January 1, 2007.

Status: CHAPTERED

AB 1269
Wiggins

Tobacco products

This bill would prohibit the owner or operator of a retail store from advertising cigarettes in the interior of the store, except by reference to brand and price. The bill would provide an exception for a business that excludes persons under 18 years of age. This bill would also prohibit cigarette manufacturers and importers from conditioning monetary payments or other inducements to cigarette retailers or their customers on specified conduct.

Status: Died. (last activity 2/02/04)

AB 1276
Horton

Tobacco Settlement Agreement: escrow compliance

The Cigarette and Tobacco Products Tax Law generally requires licensed cigarette distributors to purchase and affix an appropriate stamp to, or make an appropriate meter impression upon, each package of cigarettes prior to distribution, as provided. Under existing law, states' attorneys general and various tobacco product manufacturers have entered into a Master Settlement Agreement (MSA), in settlement of various lawsuits, that provides for the allocation of money to the states and certain territories. Existing law requires any tobacco product manufacturer that does not participate in the MSA, and that sells cigarettes to consumers in California, to place specified amounts into a qualified escrow fund by April 15 of each year. This bill would require the Attorney General to develop and post on the Attorney General's Internet web site a list of tobacco product manufacturers that have provided current and accurate certifications in accordance with the requirements of the bill. This bill would require the Attorney General's Web site to also include all brand families, as defined, that have been listed in the certifications. The bill would prohibit any tax stamp or meter impression to be affixed unless the tobacco product manufacturer and brand family in question is

included on the Attorney General's list. The bill would give the Attorney General and the board specified authority and duties in this regard. The bill would deem it unfair competition for any person to affix any tax stamp or meter impression, or to pay any tax in violation of the requirements of the bill. The bill would provide for disgorgement of any profits, gains, gross receipts, or other benefits from a violation of the bill, as specified. The bill would require those moneys to be paid as restitution, with any residue to be paid into the Tobacco Control Fund created by the bill.

Status: Died. (last activity 2/02/04)

AB 1301
Simitian

Alcoholic beverages and controlled substances: minors

This bill would provide that a parent or legal guardian who knowingly permits his or her child, or a person in the company of the child, or both, who are under the age of 18 years, to consume an alcoholic beverage or use a controlled substance at the home of the parent or legal guardian is guilty of a misdemeanor, if the parent knowingly permits that child or other underage person, after leaving the home of the parent or legal guardian, to drive a vehicle while he or she has a blood-alcohol concentration of 0.05% or greater, as measured by a chemical test, or is under the influence of a controlled substance, and that child or underage person is found to have caused a traffic collision.

Status: CHAPTERED

AB 1398
Vargas

Alcoholic beverages

The Alcoholic Beverage Control Act contains various provisions regulating the application for, the issuance of, the suspension of, and the conditions imposed upon, alcoholic beverage licenses by the Department of Alcoholic Beverage Control. That act also prohibits, subject to a criminal penalty, the use, in any advertisement, of alcoholic beverages, of any subject matter, language, or slogan addressed to and intended to encourage minors to drink the alcoholic beverages. This bill would create the presumption that any signage or flyers that advertise establishments that serve alcoholic beverages to individuals under the age of 21 years are prohibited, if one of the establishment's principal business activities is the selling of alcoholic beverages and the advertisement expressly states that the jurisdiction in which the establishment is located has a legal drinking age of under 21 years, or that individuals under the age of 21 years may patronize the establishment.

Status: CHAPTERED

AB 1534
Firebaugh

Drug paraphernalia

Existing law makes it unlawful to possess an opium pipe or any device, contrivance, instrument, or paraphernalia used for unlawfully injecting or smoking specified controlled substances. This bill would provide that a personal smoking device may be manufactured, possessed, delivered, transferred, furnished, or sold for the purpose of administering medical marijuana to a person who has the recommendation or approval of a physician, as specified. It would also provide that a personal smoking device under these conditions is not drug paraphernalia, and that its manufacture, possession, delivery, transfer, furnishing, or sale is not a violation of any provision of law.

Status: Died. (last activity 2/02/04)

AB 1549
Frommer

Asthma benefits

Existing law, the Knox-Keene Health Care Service Plan Act of 1975, provides for the regulation and licensure of health care service plans by the Department of Managed Health Care. Under the act, a health care service plan contract that covers prescription drug benefits is required to provide coverage for specified medications. This bill would require the department to convene a workgroup to develop a universal drug and device formulary to treat asthma in children and to adopt a regulation outlining that formulary.

Status: Died. (last activity 2/02/04)

AB 1666
Cogdill

Cigarettes and tobacco products

This bill would, until January 1, 2007, reduce the amount of the security deposit required to be provided by a distributor that defers payments for stamps or meter register settings and elects to make those payments on a twice-monthly basis, as authorized by this bill, to an amount that is at least 50% of, but not more than twice the amount of, stamps and meter register settings for which payment is deferred. Existing law requires distributors that defer payments for stamps and meter register

settings to remit the payments on or before the 25th day of the month following the month in which the payments were deferred. This bill would, until January 1, 2007, require distributors that defer payments for stamps and meter register settings to elect to remit those payments either on a monthly or on a twice-monthly basis. Existing law requires distributors of cigarettes and tobacco products to file returns for, and remit the taxes collected on, the distributions of cigarettes and tobacco products on or before the 25th day of the month following the month during which the cigarettes or tobacco products were distributed. This bill would, until January 1, 2007, require distributors of cigarettes and tobacco products to elect to file those returns and remit those taxes, as specified, either on a monthly basis or on a twice-monthly basis.

Status: CHAPTERED

SB 65
Torlakson

School district governing boards: contracts

Existing law prohibits the governing board of a school district from entering into a contract that grants exclusive advertising rights, or grants the right to the exclusive sale of carbonated beverages, throughout the district to a person, business, or corporation unless the governing board of the school district has adopted a policy after a public hearing to ensure that the district has internal controls in place regarding the expenditure of public funds. This bill would make those provisions applicable to any contract for the sale of carbonated beverages or nonnutritious beverages or nonnutritious food, as defined, within the school district. The bill would, in addition, prohibit a governing board from entering into or renewing that contract or authorizing a school within the district to enter into or renew that contract, unless the governing board provides to parents, guardians, pupils, and members of the public an opportunity to comment on the contract during a public hearing conducted at a regularly scheduled board meeting. The bill would require the board to clearly identify in the meeting agenda the contract to be discussed. The bill would, in addition, specify certain activities that would meet the public hearing requirements for beverage and food contracts. The bill would prohibit the contract from including a confidentiality clause, and would require the board to make the contract accessible to the public.

Status: CHAPTERED

SB 78
Torlakson

Physical education

Existing law requires the State Department of Education to encourage school districts offering instruction in kindergarten and any of grades 1 to 12, inclusive, among other things, to provide quality physical education that develops the knowledge, attitudes, skills, behavior, and motivation needed to be physically active for life, to provide extracurricular physical activity programs and clubs, and to encourage the use of school facilities for physical activity programs outside of school hours. This bill would additionally require the department to encourage those schools to provide quality physical education that develops the knowledge, attitudes, skills, behavior, and motivation needed to be physically fit for life. The bill would require the department to encourage those schools to provide extracurricular physical fitness programs and clubs, in addition to physical activity programs and clubs, and to encourage the use of school facilities for physical fitness programs, in addition to physical activity programs, outside of school hours.

Status: CHAPTERED

SB 167
Escutia

Childcare: nutrition

Existing law declares the policy of the state that each childcare and development facility, as defined, has an obligation to provide for the nutritional needs of the children attending that childcare and development facility. This bill would express the encouragement of the Legislature that each childcare and development facility, as defined, provide to the children in its care only those foods and beverages that meet specified nutritional requirements.

Status: Died. (last activity 2/02/04)

SB 189
Escutia

Environmental health tracking system: chronic disease

This bill would enact the California Health Tracking Act of 2003, and would require the State Department of Health Services, the California Environmental Protection Agency, and the University of California to jointly develop and sign a memorandum of understanding to assess the feasibility of integrating existing environmental hazard, exposure, and health outcome data, and describing how

the data correspond to specified recommendations of the working group, on or before July 1, 2004. This bill would also require the California Environmental Health Tracking Program to obtain specified information. The bill would authorize the California Environmental Health Tracking Program to collect any relevant information from state agencies, boards, departments, and offices. This bill would make legislative findings that activities requested under the bill are within the scope of existing federal contracts and funding. It would provide that specified provisions of the bill relating to these activities shall be implemented only to the extent that federal funds remain available for the activities specified in those provisions, and that no General Fund moneys shall be used to implement these provisions

Status: CHAPTERED

SB 295
Vasconcellos

California Marijuana Research Program

Existing law authorizes the creation by the University of California of a 3-year program, the California Marijuana Research Program, the purpose of which is to develop and conduct studies intended to ascertain the general medical safety and efficacy of marijuana, and if found valuable, to develop medical guidelines for the appropriate administration and use of marijuana. Existing law provides for the implementation of these provisions only to the extent that funding for its purpose is appropriated by the Legislature in the annual Budget Act. This bill would eliminate the program's 3-year duration limit.

Status: CHAPTERED

SB 352
Escutia

Schoolsites: sources of pollution

Existing law, the Leroy F. Greene School Facilities Act of 1998, requires the State Allocation Board to allocate to applicant school districts, prescribed per-unhoused-pupil state funding for construction and modernization of school facilities, including hardship funding, and supplemental funding for site development and acquisition. Existing law requires a school district that submits an application for modernization funding after January 1, 2004, to certify that it has considered the potential for the presence of lead-containing materials in the modernization project and will follow all relevant federal, state, and local standards for the management of any identified lead. This bill would, in addition, would require an applicant to certify that it plans to take reasonable steps to mitigate air quality problems that may result from being within 500 feet of the edge of the closest traffic lane of a freeway or other significant source of hazardous air pollutants. This bill would, in addition, prohibit the approval of a schoolsite within 500 feet from the edge of the closest traffic lane of a freeway or busy roadway, unless prescribed conditions are met and would make conforming changes. Existing law requires the lead agency to consult with prescribed agencies to identify facilities that might reasonably be anticipated to emit hazardous materials, within 1/4 of a mile of the schoolsite. This bill would define "facility" for this purpose and would require the lead agency to consult to identify freeways and other busy traffic corridors, as defined, large agricultural operations, and railyards, within 1/4 of a mile of the schoolsite, and would make conforming changes.

Status: CHAPTERED

SB 362
Figueroa

Boards, bureaus, and commissions

Existing law requires the Dental Board of California to adopt regulations prescribing the functions that may be performed by dental assistants, registered dental assistants, and registered dental assistants in extended functions. Existing law also authorizes registered dental hygienists in alternative practice to perform certain functions. This bill would authorize specific functions that may be performed by dental assistants, registered dental assistants, or registered dental assistants in extended functions and would also revise the functions to be performed by a registered dental hygienist in alternative practice.

Status: CHAPTERED

SB 377
Chesbro

Indian health services: grants

Under existing law, the State Department of Health Services administers a program for American Indian health services and is required to use funds appropriated to the department for the purposes of the program to provide specified assistance to urban and rural American Indian health programs and

to assist these programs in planning, implementing, and upgrading programs to attain a comprehensive health services delivery system for American Indians in urban and rural areas. Existing law provides for the award of contracts and grants for purposes of the program. This bill would require the department to provide semiannual prospective payments to a grantee during a 12-month fiscal period, in accordance with specified criteria, to the extent funds are available.

Status: CHAPTERED

SB 420 *Medical Marijuana*
Vasconcellos This bill would require the State Department of Health Services to establish and maintain a voluntary program for the issuance of identification cards to qualified patients and would establish procedures under which a qualified patient with an identification card may use marijuana for medical purposes. The bill would specify the department's duties in this regard, including developing related protocols and forms, and establishing application and renewal fees for the program. The bill would impose various duties upon county health departments relating to the issuance of identification cards, thus creating a state-mandated local program. The bill would create various crimes related to the identification card program, thus imposing a state-mandated local program. This bill would authorize the Attorney General to set forth and clarify details concerning possession and cultivation limits, and other regulations, as specified. The bill would also authorize the Attorney General to recommend modifications to the possession or cultivation limits set forth in the bill. The bill would require the Attorney General to develop and adopt guidelines to ensure the security and

Status: CHAPTERED

SB 433 *Tobacco products: licensing of retailers*
Ortiz The Cigarette and Tobacco Products Licensing Act of 2003 requires the State Board of Equalization to take action against a retailer convicted of furnishing tobacco products to a person under 18 years of age. Prior to suspending or revoking a retailer's license to sell cigarette and tobacco products, the act requires the board to notify the retailer and include instructions for appealing the license suspension or revocation. The act prescribes penalties for the first through 8th convictions. The act limits when the board has authority to take action against retailers. This bill would make changes to those penalties for convictions by requiring the board to revoke a licensee's license for specified periods upon multiple convictions. The bill would provide that convictions for violations at one retail location or against a prior retail owner shall not be accumulated against other locations of the licensee or against a new retail owner. The bill would authorize a hearing to appeal a license revocation. The bill would repeal the limitations on the board's authority to take action against retailers. The bill would also require a state or local law enforcement agency to notify the board of any violation involving a licensee or licensed premises within 30 days of a final judgment. By creating additional duties for a local law enforcement agency, the bill would impose a state-mandated local program.

Status: Died. (last activity 2/02/04)

SB 473 *Public schools: State School Health Advisory Council*
Florez This bill would require the Superintendent of Public Instruction to appoint a State School Health Advisory Council to make recommendations regarding model health services programs and practices by January 1, 2005. The bill would require the council to collaborate with the State Department of Education and the State Department of Health Services to develop school health services and school nursing services criteria. The bill would appropriate \$144,000 from the General Fund to the superintendent for the costs of the advisory council.

Status: Died. (last activity 2/02/04)

SB 514 *Crime*
Dunn Existing law provides that active participation in, promotion, or assistance of a criminal street gang, with knowledge of its pattern of criminal gang activity is a crime punishable by imprisonment in a county jail for a period not to exceed one year, or by imprisonment in the state prison for 16 months, or 2 or 3 years. Existing law defines a pattern of criminal gang activity as the commission of, attempted commission of, conspiracy to commit, solicitation of, sustained juvenile petition for, or

conviction of, certain enumerated offenses committed on separate occasions or by 2 or more persons, as specified. This bill would change the definition of pattern of criminal gang activity to mean the commission of, attempted commission of, conspiracy to commit, solicitation of, sustained juvenile petition for, or conviction of, certain enumerate offenses committed on separate occasions and by two or more persons.

Status: Died. (last activity 2/02/04)

SB 582
Speier

Ephedrine group alkaloids

This bill would prohibit the sale or distribution of any dietary supplement product containing ephedrine group alkaloids, notwithstanding specified existing law relating to the sale and distribution of these supplements.

Status: CHAPTERED

SB 632
Aanestad

Cardiovascular disease

Existing law requires the State Department of Health Services to conduct a program for the control of high blood pressure. This bill would declare the intent of the Legislature to enact legislation to provide incentives for promoting and supporting cardiac care services.

Status: Died. (last activity 2/02/04)

SB 677
Ortiz

The California Childhood Obesity Prevention Act

Existing law prohibits the sale of certain beverages at elementary schools regardless of the time of day and restricts the sale of certain food items on those campuses during specified times. Existing law further prohibits the sale of carbonated beverages in middle schools from 1/2 hour before the start of the schoolday until after the end of the last lunch period. Existing law makes those provisions operative on January 1, 2004, if funding is appropriated for specified nutrition purposes on or before that date. This bill would instead make those restrictions on the sale of food items operative if funding is appropriated for those specified nutritional purposes regardless of the date on which the appropriation is made. The bill would prohibit the sale of certain beverages to pupils in elementary, middle, or junior high schools commencing July 1, 2004. The bill would, in addition, exempt the sale of certain beverages at specified school events from those prohibitions.

Status: CHAPTERED

SB 689
Ortiz

Healthy Californians Biomonitoring Project

This bill would establish the Healthy Californians Biomonitoring Project, to be administered by the State Department of Health Services. This bill would require the department, as part of its duties in regard to the pilot program, to develop a biomonitoring pilot program using breast milk as a marker of community health in a minimum of 3 economically, racially, and geographically diverse communities throughout the state. This bill would also require the department to conduct and complete additional pilot projects using other biomonitoring markers, including blood and urine, by January 1, 2007. This bill would also require the department to appoint an advisory committee of experts from the breast cancer, public health, environmental health, environmental justice, research, and scientific communities to assist the department in designing and implementing the biomonitoring project and to perform other specified functions. This bill would also create the Healthy Californians Biomonitoring Fund in the State Treasury, which would be available upon appropriation by the Legislature. This bill would, beginning on January 1, 2004, impose an additional tax on the distribution of cigarettes and tobacco products at the rate of 0.5 mills for each cigarette distributed. The revenues collected from this additional tax would be deposited in the Healthy Californians Biomonitoring Fund, created by this act, to be used for specified biomonitoring purposes.

Status: Died. (last activity 2/02/04)

SB 726
Romero

Taxation: alcoholic beverages

The Alcoholic Beverage Tax Law provides that taxes imposed by that law are in lieu of all county, municipal, or district taxes on the sale of beer, wine, or distilled spirits. This bill would, notwithstanding those provisions, authorize the board of supervisors of a county, subject to certain conditions that include voter approval, to levy on a countywide basis for revenue purposes a tax on

the privilege of selling at retail beer, wine, and distilled spirits, as defined, for consumption on the premises of the seller, at a rate of at least 1/8% of 1%, but not to exceed 5%, of the sale price, as provided. The bill would require the board of supervisors of a county either to notify the State Board of Equalization that the county will administer its tax on its own behalf or that it will contract with the State Board of Equalization to administer the tax, as provided. This bill would also specify that a tax imposed under those provisions shall conform to certain tax laws and not prohibit the concurrent application or administration of other taxes.

Status: Died. (last activity 2/02/04)

SB 853
Escutia

Health care language assistance

This bill would require the Department of Managed Health Care to adopt, not later than January 1, 2006, regulations establishing standards and requirements to provide health care service plan enrollees with access to language assistance in obtaining health care services. Pursuant to the bill, the regulations would require health care service plans and specialized health care service plans to implement programs to assess enrollee needs, and to provide translation and interpretation for medical services and translation of vital documents to enrollees, and to report to the department regarding internal policies and procedures related to cultural appropriateness. The bill would require the regulations to provide that a health care service plan is in compliance with the requirements if it is required to meet and meets the same or similar standards, as imposed by the Medi-Cal program. The bill would require the department to consider specified factors and to seek public input. The department would be required to regularly review information regarding compliance and make recommendations for changes and to report certain information biennially to the Legislature and specified advisory committees. This bill would impose similar requirements on the Insurance Commissioner and health insurers that contract with health care providers for alternative rates of payment to ensure that insureds have access to translated materials and language assistance in obtaining health care services.

Status: CHAPTERED

SB 875
Escutia

Child nutrition

Existing law requires the State Department of Health Services to maintain a program of maternal and child health. Existing law requires the department to investigate and disseminate educational information relating to conditions affecting the health of the children of the state. This bill would require the department to develop or obtain a brochure to educate pregnant women and new parents about issues related to maintaining a healthy lifestyle and preventing chronic diseases in pregnant women, new mothers, and young children. The bill would require the department to include the brochure on the department's Web site. The bill would also require that the brochure be distributed by the department to each individual who contacts the BabyCal program and receives certain information and by a provider to each participant in the Access for Infants and Mothers (AIM) program, as prescribed. The bill would provide that it shall only be implemented if, and to the extent that, federal or private funds, or both, are available for that purpose.

Status: CHAPTERED

SB 1016
Bowen

Tobacco products

Existing federal law, known as the Jenkins Act, requires any person that sells or transfers in interstate commerce cigarettes into a state that taxes the sale or use of cigarettes to file certain information with the tobacco tax administrator of that state. Existing law requires, except under specified circumstances, each retail sale of cigarettes in the state to be a vendor-assisted, face-to-face sale, as defined. Existing law exempts a person from this restriction on face-to-face sales when all applicable state taxes have been paid or when the outside of a shipping container of cigarettes has been labeled, as specified. This bill would, in addition to the other requirements for an exception from the restriction on face-to-face sales of cigarettes in this state, also require a person to fully comply with the requirements of the federal Jenkins Act.

Status: CHAPTERED

Division of Communicable Disease Control & Prevention

- AB 685
Leno *HIV counselors: education and training*
Existing law authorizes an HIV counselor who is trained by the Office of AIDS and working in an HIV counseling and testing site funded by the department through a local health jurisdiction to perform specified HIV tests, in accordance with prescribed conditions, and to order and report these test results to patients without authorization from a licensed health care professional or his or her authorized representative. This bill would provide that an HIV counselor acting in accordance with the above provisions who successfully completes the HIV counselor training shall be deemed to have demonstrated sufficient literacy and comprehension to advance to the limited phlebotomy technician (LPT) training and to substitute completion of the HIV counselor training for the requirement for a high school diploma or General Education Development (GED) equivalent for a limited phlebotomy technician, and would revise the conditions under which an HIV counselor may perform these HIV tests. The bill would also declare that it is the intent of the Legislature that the office, in consultation with the Laboratory Science Division of the department, develop a comprehensive curriculum that integrates appropriate training for an HIV counselor and an LPT that meets the LPT training standards set forth in designated statutes and regulations
Status: CHAPTERED
- AB 879
Koretz *Human immunodeficiency virus: post-exposure prophylaxis: task force*
This bill would require the State Department of Health Services, through the Office of AIDS, to appoint and convene a task force, under specified conditions, to develop recommendations for the use of post-exposure prophylaxis (PEP) in the general population, for the prevention of HIV infection. The bill would also establish requirements for task force membership.
Status: CHAPTERED
- AB 946
Berg *AIDS: clean needle and syringe exchange*
Existing law authorizes pharmacists and physicians to furnish hypodermic needles and syringes without a prescription or permit for human use in the administration of insulin or adrenaline if certain conditions are met. Existing law prohibits any public entity, and its agents or employees, from being subject to criminal prosecution for distribution of hypodermic needles or syringes to participants in clean needle and syringe exchange projects authorized by the public entity pursuant to a declaration of a local emergency due to the existence of a critical local public health crisis. This bill would authorize cities, counties, or cities and counties to develop clean needle and syringe exchange projects, and would make related changes.
Status: VETOED
- AB 950
Pavley *Comprehensive sexual health and HIV/AIDS prevention instruction*
The existing California Comprehensive Sexual Health and HIV/AIDS Prevention Education Act, authorizes school districts to provide comprehensive sexual health education, as defined, in any kindergarten to grade 12, inclusive, and ensures that all pupils in grades 7 to 12, inclusive, receive HIV/AIDS prevention education, as defined. Existing law enumerates various requirements for comprehensive sexual health education and HIV/AIDS prevention education. Existing law requires a school district to notify the parent or guardian of a pupil about instruction in comprehensive sexual health education and HIV/AIDS prevention and empowers a parent or guardian to excuse his or her pupil from all or part of that instruction. This bill would prohibit that instruction in comprehensive sexual health education and HIV/AIDS prevention from advocating drug use, a particular sexual practice, or sexual activities. The bill would authorize a school district to require the consent of a pupil's parent or guardian prior to giving instruction in comprehensive sexual health education and HIV/AIDS prevention. The bill would require, if the instruction in comprehensive sexual health education and HIV/AIDS prevention will be taught by outside consultants, or if that instruction is to be given in an assembly, a school district to notify the parent or guardian of a pupil about that instruction, as specified, no fewer than 10, and no more than 15 days in advance of the instruction.
Status: Died. (last activity 2/02/04)

- AB 1363
Berg *AIDS: clean needle and syringe exchange program*
Existing law authorizes pharmacists and physicians to furnish hypodermic needles and syringes without a prescription or permit for human use in the administration of insulin or adrenaline if certain conditions are met. Existing law prohibits any public entity, and its agents or employees, from being subject to criminal prosecution for distribution of hypodermic needles or syringes to participants in clean needle and syringe exchange projects authorized by the public entity pursuant to a declaration of a local emergency due to the existence of a critical local public health crisis. This bill would authorize cities, counties, or cities and counties to develop clean needle and syringe exchange projects that contain prescribed components. This bill would require that a participating county, city, or city and county assess the project using certain criteria, and submit a progress report that takes into consideration data from the assessment to the Director of Health Services, the Governor, and the chairpersons of both health committees of the Legislature.
Status: Died. (last activity 2/02/04)
- AB 1406
Wolk *Mosquito abatement: West Nile Virus*
Existing law establishes, until January 1, 2005, the Suisun Marsh Wetlands Enhancement and Mosquito Abatement Demonstration Program, for the purpose of devising and evaluating methods by which wetland management techniques in the Suisun Marsh can be better integrated with mosquito abatement programs. This bill would express the intent of the Legislature to expand the Suisun Marsh demonstration program statewide by developing a cooperative program to combat the impending spread of the mosquito-borne West Nile Virus and funding mosquito and vector control districts to abate mosquito producing wetlands. The bill would state that the purpose of the program is to reduce mosquito production from early and late flooding, as defined, through the cooperative efforts of mosquito districts, as defined, and private wetlands landowners. This bill would require wetlands landowners and mosquito districts to meet and confer each year to discuss and develop habitat, water, and land management techniques to reduce the production of mosquitos on wetlands, and to determine whether they will conduct early or late flooding. The bill would require landowners to cooperate and assist in devising management plans to reduce mosquito production on wetlands.
Status: Died. (last activity 2/02/04)
- AB 1676
Dutra *Human immunodeficiency virus: maternal and newborn health*
Existing law requires a physician and surgeon to obtain a blood specimen from a pregnant woman before or at the time of delivery. Existing law requires the blood specimen to be tested for rhesus (Rh) blood type and the presence of the hepatitis B surface antigen. This bill would require that the blood specimen also be tested for the presence of the human immunodeficiency virus (HIV). Under the bill, HIV testing would not be required if the pregnant woman has been previously determined to be chronically infected with HIV, as specified. The bill would require certain medical care providers to report a positive test result to the local health officer and to ensure that the woman is informed of, among other things, the purpose of testing and that the woman has a right to refuse testing. This bill would also require the department, in consultation with the Office of AIDS and other specified organizations, to develop, by December 31, 2004, culturally sensitive informational material concerning HIV testing to assist the medical care provider in fulfilling his or her obligations under these provisions. The bill would require that the materials provide information on available referral and consultation resources of experts in prenatal HIV treatment. This bill would require that once the results of any tests conducted are received, the physician and surgeon or applicable care provider shall ensure that the woman receives information and counseling, as appropriate, to explain the results and the implications to the mother's and infant's health, including any followup care that is indicated.
Status: CHAPTERED
- SB 71
Kuehl *Education: sexual health and HIV/AIDS prevention instruction*
Existing law contains various provisions relating to the instruction in the public schools on AIDS prevention, venereal disease and other sexually transmitted diseases, sex, and abstinence from sexual activity, the surrender of physical custody of a minor child 72 hours or younger, and the manner in which parents or guardians may excuse their child from this instruction. This bill would

consolidate those provisions by establishing the California Comprehensive Sexual Health and HIV/AIDS Prevention Education Act. The act would, among other things, authorize school districts to provide comprehensive sexual health education, as defined, in any kindergarten to grade 12, inclusive, and to ensure that all pupils in grades 7 to 12, inclusive, receive HIV/AIDS prevention education, as defined.

Status: CHAPTERED

SB 267
Knight

Abstinence education

Existing federal law provides for grants to states to enable the states to provide abstinence education. This bill would require the State Department of Health Services to develop and implement a program of abstinence education in a manner that would maximize federal financial participation, and would specify the purpose of the program and the subjects to be included in the abstinence education program.

Status: Died. (last activity 2/02/04)

SB 280
Vasconcellos

Sexually transmitted diseases: vaccines

This bill would declare legislative intent to enact legislation to promote the research and development of vaccines for sexually transmitted diseases, and address how the state can expedite the development and distribution of prophylactic vaccines for these diseases.

Status: Died. (last activity 2/02/04)

SB 774
Vasconcellos

Hypodermic needles and syringes

This bill would authorize a licensed pharmacist to sell or furnish 30 or fewer hypodermic needles or syringes to a person for human use without a prescription if the pharmacy is registered with a local health department in the Disease Prevention Demonstration Project that would be created by the bill to evaluate the long-term desirability of allowing licensed pharmacies to sell or furnish nonprescription hypodermic needles or syringes to prevent the spread of blood-borne pathogens, including HIV and hepatitis C. The bill would require local health departments to register pharmacies in the program and to cooperate with the Office of AIDS of the State Department of Health Services, thereby imposing a state-mandated local program. The bill would require the Office of AIDS of the State Department of Health Services, in conjunction with an advisory panel, to evaluate the effects of allowing the sale of hypodermic needles or syringes without prescription, and would require a report to be submitted to the Governor and the Legislature by January 15, 2007, subject to funding being available from federal or private sources. The demonstration program would terminate on December 31, 2007. Alternatively, the bill would also authorize the sale or furnishing of hypodermic needles or syringes to a person for human use without a prescription if the person is known to the furnisher and has previously provided the furnisher with a prescription or other proof of a legitimate medical need. This bill, until December 31, 2007, would authorize a person to possess 30 or fewer hypodermic needles or syringes if acquired through an authorized source.

Status: VETOED

SB 1081
Committee on
Health and
Human
Services

Human blood

Existing law requires each blood bank or plasma center to notify the department and county health officer, as specified, if the presence of viral hepatitis, or the antigen thereof, is found in the blood tested, and in these cases, to provide additional information, as prescribed. Existing law also requires a physician to report to the department and the county health officer certain information regarding all carriers of viral hepatitis under his or her treatment, and requires a hospital to report to the department and to the county health officer certain information regarding all confirmed cases of AIDS carriers and all carriers of viral hepatitis hospitalized for treatment of viral hepatitis or AIDS. This bill would instead require a physician, hospital, or other health care provider to report to local health officers all AIDS cases, HIV infections, and viral hepatitis infections, as prescribed. It would delete the requirement that the report be made to the department. Existing law requires the county health officer to investigate all transfusion-associated hepatitis cases and transfusion-associated AIDS cases and to trace the sources of human whole blood that was transfused. This bill would instead require the local health officer, upon receipt of a report concerning any transfusion-associated

hepatitis or transfusion-associated HIV or AIDS case, to identify which blood bank or plasma center is the source of the infectious blood or blood components and to report this fact to the blood bank or plasma center that issued the blood or blood components. It would require the blood bank or plasma center to undertake an investigation to determine the donor source of the infectious blood or blood components. By expanding the duties of local health officers, this bill would impose a state-mandated local program. Existing law requires blood banks to require a photographic identification, as specified, from all donors of human whole blood who receive payment, as defined, in return for the donation of that blood. This bill would also apply these requirements to plasma centers, and would expand the category of donors required to present photographic identification to include donors of blood components.

Status: CHAPTERED

Emergency Medical Services

- AB 206
Richman *Emergency Health Powers Act*
This bill would enact the Emergency Health Powers Act. The bill would require the Governor to appoint a Public Health Emergency Planning Commission with a specified membership that would be required to submit to the Governor a designated public health emergency plan and report annually to the Legislature on the status of the plan. The bill would designate the State Department of Health Services, a local health officer who has principal responsibility to protect the public's health in a city, county, or city and county, and any person designated by the department or the local health officer, as public health authorities for purposes of the act, and would require a public health authority to ascertain the existence of cases of any illness or health condition that may be the cause of a public health emergency, as defined, and to report, at least weekly, certain information to the Director of Health Services. This bill would require health care providers, coroners, medical examiners, pharmacists, and veterinarians and other persons who care for animals to report certain information to the health authority. This bill would authorize the Governor to declare a state of public health emergency if the Governor finds an occurrence or imminent threat of an illness or health condition that may be the cause of a public health emergency. The bill would grant to the Governor certain powers during a state of public health emergency. The bill would prescribe the conditions for the termination of a state of public health emergency. The bill would provide that the declaration of a state of public health emergency shall activate the disaster response and recovery aspects of state, local, and interjurisdictional disaster emergency plans in affected areas. The bill would make the director responsible for coordinating all matters pertaining to the public health emergency response of the state during a state of public health emergency. The bill would require a public health authority to disseminate specific information to the public regarding a declared state of public health emergency. The bill would authorize any public health authority, during a state of public health emergency, to close, compel the evacuation of, and decontaminate facilities, decontaminate or destroy materials, use and control facilities, materials, roads, and public areas, regulate the disposal of infectious waste and human remains, and purchase and regulate the distribution of certain pharmaceutical agents or medical supplies. The bill would require, as a condition of licensure or the authority to operate or continue to do business in the state, businesses and facilities dealing with infectious waste and human remains to provide or perform services or provide the use of facilities to respond to a public health emergency. The bill would authorize, during a state of public health emergency, any public health authority or local health officer to perform medical examinations and testing, and any public health authority to vaccinate and treat individuals for, communicable disease. The bill would also authorize, during a state of public health emergency, a public health authority to isolate or quarantine an individual or group of individuals and would prescribe requirements applicable to isolation and quarantine proceedings, including the appointment of counsel at the state's expense to represent certain individuals subject to isolation or quarantine proceedings. The bill would authorize the department, during a state of public health emergency, to collect specimens and perform tests on any deceased person or living or deceased animal, and acquire previously collected specimens and test results. The bill would authorize the department, during a state of public health emergency, to appoint health personnel and to authorize medical examiners and coroners to appoint assistants.
Status: Died. (last activity 2/02/04)
- AB 372
Kehoe *Poison control centers: funding*
Existing law, the Emergency Medical Services System and the Prehospital Emergency Medical Care Personnel Act, requires the Emergency Medical Services Authority to establish minimum standards for the operation, geographical service areas, and criteria for designation of poison control centers. This bill would express legislative intent with respect to the funding of poison control centers.
Status: Died. (last activity 2/02/04)
- AB 472
Correa *Bioterrorism preparedness and other public health threats: federal funding*
Existing law establishes procedures and requirements to govern the allocation to, and expenditure by, local health jurisdictions of federal funding received for the prevention of, and response to, bioterrorist attacks and other public health emergencies under specified circumstances. Existing law

provides that federal funding received by the State Department of Health Services for bioterrorism preparedness and emergency response is subject to appropriation in the annual Budget Act commencing with the 2003-04 fiscal year. This bill would require, beginning with the 2003-04 fiscal year, that in any fiscal year in which the Budget Act is not enacted by July 1 of that fiscal year, any federal funding received by the state for bioterrorism preparedness and emergency response is continuously appropriated to the department for those purposes, in accordance with the procedures and requirements established under existing law. This bill would declare that it is to take effect immediately as an urgency statute.

Status: Died. (last activity 2/02/04)

AB 602
Koretz

Ammunition: Trauma Center Fund

This bill would impose a fee of 10 cents on every munition, as defined, sold at retail. The fees would be paid to the State Board of Equalization, and deposited in the Trauma Center Fund, a continuously appropriated fund that would be established by the bill. The Trauma Center Fund would be used to reimburse emergency services providers for the costs of treating gunshot wounds and injuries, as specified. The funds in the Trauma Center Fund would be allocated by the Emergency Medical Services Authority to the medical providers by a specified formula.

Status: Died. (last activity 2/02/04)

AB 968
Correa

Workers' compensation

This bill would provide that any adverse reaction, injury, disability, or death incurred by an employee as a result of a vaccination or medication that is administered at the request or direction of the employer, or, pursuant to a specified provision of federal law, to prevent the transmission of, infection by, or exposure to, a biochemical substance, as defined, or blood-borne infectious disease, as defined, shall be deemed to have arisen out of and in the course of employment for the purposes of workers' compensation benefits.

Status: VETOED

AB 1145
Horton

State buildings: defibrillators

This bill would require the Department of General Services to apply for specified federal funds for the purchase of automated external defibrillators to be located within state-owned and leased buildings. It would require, subject to receipt of federal funds for this purpose, the Department of General Services, in consultation with the Emergency Medical Services Authority, the American Red Cross, and the American Heart Association to develop and adopt policies and procedures relative to the placement and use of automated external defibrillators in state-owned and leased buildings and ensure that training is consistent with specified requirements.

Status: CHAPTERED (last activity 1/21/04)

AB 1261
Cohn

Hospitals: ownership restrictions

This bill would prohibit, on and after January 1, 2004, the Department of Health Services from issuing an initial license for a general acute care hospital, or renewing such a license originally issued after January 1, 2004, unless the applicant intends to provide a broad range of adult acute inpatient medical and surgical services and at least a basic emergency medical service, as defined, at all times during the term of the license and meets other requirements. The bill would also require the department to deny an application for an initial license for a general acute care hospital or the renewal of such a license originally issued after January 1, 2004, if the department finds that the applicant will not provide a broad range of adult acute inpatient medical and surgical services when compared with other general acute care hospitals providing a broad range of those services, or will not provide a basic emergency medical service. The bill would require the owner of a general acute care hospital to notify the department, as prescribed, when the hospital ceases to operate at least a basic emergency medical service or to provide any adult acute inpatient medical or surgical services listed on its initial application or renewal application.

Status: Died. (last activity 2/02/04)

AB 1509
Benoit

Office of Emergency Services: demonstration project

This bill would require the Office of Emergency Services to conduct a demonstration project on the

use of satellite linked devices that utilize geographic position system and geographic information system technologies in the management and deployment of mobile emergency response equipment and personnel. It would require the office to report, no later than January 1, 2005, to the Governor, the Legislature, and the Department of Justice on the results of the demonstration project, at which time the demonstration project would be terminated. It would also specify that the demonstration project shall not be implemented until the Director of Emergency Services certifies to the Department of Finance that sufficient nonstate funding is available to the office for that purpose.

Status: CHAPTERED

SB 108
Romero

Emergency medical services: alcohol: fee

This bill would enact the Alcohol-Related Emergency Services Reimbursement Act of 2003, which would require the State Board of Equalization to collect a \$0.05 per drink fee, based upon a specified formula, from any wholesaler located within the state who distributes alcoholic beverages to retailers for consumption in the state. The bill would establish the Alcohol-Related Emergency Services Reimbursement Trust Fund, to be administered by the department, into which moneys collected by the Board from the imposition of the fees, would be deposited and would continuously appropriate money from the fund to the department for allocation to local emergency medical services providers that meet the qualifications established by the department for reimbursement of expenses incurred in providing services for alcohol-related emergencies, and to the State Board of Equalization and the department for costs associated with implementing the above provisions.

Status: Died. (last activity 2/02/04)

SB 476
Florez

Emergency medical services

Existing law authorizes each county to establish an emergency medical services fund, and makes money in the fund available for the reimbursement of physicians and surgeons and hospitals for losses incurred in the provision of emergency medical services when payment is not otherwise made for those services. This bill would authorize each administering agency to maintain a reserve in specified portions of its emergency medical services fund, and would revise the formula for distribution of the moneys in the fund. Existing law requires each county establishing an emergency medical services fund to report to the Legislature on each January 1. The bill would require the authority to compile and submit a report to the Legislature. Existing law provides that no physician and surgeon shall be reimbursed in an amount greater than 50% of those losses. This bill would authorize the reimbursement of funds remaining at the end of the fiscal year in excess of the specified reserve in the portion of the fund reimbursable to physicians and surgeons, under specified circumstances. Existing law requires each agency administering an emergency medical services fund to select an administering officer, and specifies the duties of that officer. This bill would require the administering officer to solicit input from physicians and hospitals to review payment distribution methodologies to ensure fair and timely payments.

Status: CHAPTERED

SB 725
Romero

Emergency oncall physician services

Existing law requires any health facility that operates an emergency department for the public to provide emergency services and care to any person requesting the services or care for any life-threatening condition or serious injury or illness when the facility has appropriate facilities and qualified personnel available to provide the services or care. This bill would state the intent of the Legislature to enact legislation pertaining to the availability of and accessibility to emergency oncall physician services in the state.

Status: Died. (last activity 2/02/04)

SB 911
Alpert

Local emergency telephone systems: 911 Administrative Board

This bill would create the State 911 Advisory Board comprised of specified members appointed by the Governor to advise the Telecommunications Division of the Department of General Services on specified subject areas. Members of the board would serve for not more than two 2-year consecutive terms, except as specified. The bill would also require the board to meet quarterly in public session and the division to provide administrative support to the board.

Status: CHAPTERED

Family Health Services

- AB 178
Oropeza *Health services: Women's Reproductive Health and Responsibility Act*
The Budget Act of 2002 appropriates specified amounts for the Adolescent Family Life Program, the Teen SMART Program, Information and Education Grants on Reproductive Health, the Teen Pregnancy Prevention Media Campaign, the Male Involvement Program, Community Challenge Grants, the Local Maternal and Child Health Program, the Access for Infants and Mothers Program, the Black Infant Health Program, the California Diabetes and Pregnancy Program, the Comprehensive Perinatal Services Program, the Breast Cancer Early Detection Program, the Breast and Cervical Cancer Control Program, the Gynecological Cancer Information Program, the Cancer Research Program, the Rape Prevention Program, the Domestic Violence Prevention Program, and the Battered Women's Shelter Program. This bill would appropriate for these programs from the General Fund the amount appropriated in the Budget Act of 2002 for the 2002-03 fiscal year, and would continuously appropriate these amounts thereafter. The bill would provide for a reimbursement to the General Fund for these programs from other specified sources, to the extent that funds are available from those other sources.
Status: Died. (last activity 2/02/04)
- AB 179
Chan *California Children and Families Commission*
Existing law establishes a state commission, the California Children and Families Commission, with specified powers and duties relating to the administration of the California Children and Families Act of 1998 on a state level. This bill would provide that the state commission may also be known as First 5 California, and would delete reference to the name of the state commission used for mass media and other communication purposes. This bill would change the date the state commission is required to annually conduct an audit and prepare a written report from October 15 to January 31, and would revise the minimum content of the Report.
Status: CHAPTERED
- AB 200
Richman *Developmental centers*
This bill would authorize the State Department of Developmental Services to sell or lease the state-owned property of developmental centers at fair market value that are closed, and would require that the proceeds be placed in the State Developmental Services Community Living Fund, created by the bill, the moneys in which are required to be used by the department, upon appropriation by the Legislature, for specified purposes. The bill would establish requirements as to the move of consumers from developmental centers that will be closed into community living arrangements. The bill would permit the department to establish a system of small residential developmental facilities for community living, with priority to be given to their location in communities in which consumers reside who are moving from developmental centers that will be closed. The bill would require the department to develop incentives, as specified, for employees to remain at developmental centers until they are closed, and would permit those employees to transfer to other facilities, as specified. The bill would also require the department to ensure that adequate levels of staffing are in place at regional centers prior to moving individuals from developmental centers to community living arrangements. It would authorize regional centers to negotiate rates with service providers of community living arrangements in order to hold space for consumers who are moved from developmental centers that are closed. The bill would restrict the expenditure of money for repairs at developmental centers to be closed to those necessary for the immediate protection of the health and safety of consumers.
Status: Died. (last activity 2/02/04)
- AB 367
Koretz *Postpartum Mood and Anxiety Disorder: information program*
This bill would establish within the Maternal and Child Health Branch the Postpartum Mood and Anxiety Disorder (PPMAD) Information Program, to increase awareness and education among pregnant women and new mothers, and in the health care community, about specified postpartum mood and anxiety disorders. The bill would specify the required elements of the department's public information program, and would require the department to convene a workgroup of experts for purposes of developing the program. The bill would require the Maternal and Child Health Branch

to consult and coordinate with the Office of Women's Health in developing and implementing the program. This bill would be implemented only to the extent that state, federal, or private funding is allocated for its purposes. The bill would, however, require the department to design the information program and secure federal and private funding using existing departmental staff and resources.

Status: Died. (last activity 2/02/04)

AB 368
Chan

Healthy Families Program: local educational agency billing option

Under existing law, health, dental, and vision services are provided through the Healthy Families Program to eligible children. This bill would require the Managed Risk Medical Insurance Board, prior to July 1, 2004, to establish a Healthy Families local educational agency billing option. The bill would authorize the Healthy Families Program to reimburse a local educational agency for covered services, as defined, provided by the agency during the school term to a child who is enrolled in the program.

Status: Died. (last activity 2/02/04)

AB 458
Chu

Foster care

Existing law provides that it is the policy of the state that foster children have specified rights. This bill would add to the rights contained in the policy referred to above, the rights of a foster child to have fair and equal access to all available services, placement, care, treatment, and benefits, and to not be subjected to discrimination or harassment on the basis of actual or perceived race, ethnic group identification, ancestry, national origin, color, religion, sex, sexual orientation, gender identity, mental or physical disability, or HIV status. This bill would require training for administrators, licensing personnel, licensed foster parents, and relative caretakers to include training about these rights. This bill would also state that it is the policy of this state that all persons engaged in providing care and services to foster children are to have fair and equal access to all available programs, benefits, services, and licensing processes, and shall not be subjected to discrimination or harassment, as specified. This bill would provide that this policy shall not be interpreted to create or modify existing preferences for foster placements, or to limit the local placement agency's ability to make placement decisions for the child based on the child's best interests.

Status: CHAPTERED

AB 636
Frommer

Developmental disabilities: autism

This bill would establish, within the State Department of Health Services, an Autism Information Resource Center, to be headed by an Autism Information Resources Director who would be appointed by the Governor. This bill would provide that the duties of the office shall include developing educational and informational guides for families with autistic children and identifying existing services for families, including, but not limited to, private health insurance plans, departmental services, and services within the State Department of Education and local school districts. This bill would also make the department the designated entity within the state responsible for planning and coordinating functions for families and persons with autism, and would require the department, in cooperation with all other state departments involved in serving persons with autism, to develop a long-term plan to properly serve this population. It would require the plan to be submitted to the Legislature by January 1, 2009. This bill would also provide that the department shall use existing resources, and seek federal and private funding, to implement the provisions of the bill.

Status: Died. (last activity 2/02/04)

AB 1062
Bermudez

Health care coverage: Integrated Child and Youth Health Program

This bill would require the State Department of Health Services to integrate the Child Health and Disability Prevention Program, the Medi-Cal program, and the Healthy Families Program into one Integrated Child and Youth Health Program. The bill would require the department to develop a plan for the integration of these programs on or before April 1, 2004, and implement the plan, subject to certain conditions, on or before January 1, 2005. The bill would require the department to seek any federal waiver or approval necessary to maximize all federal funds available for purposes of the programs and seek the amendment of the state's waiver to the State Child Health Insurance

Program to move the existing Healthy Families Program from an insurance model to a public health model in the State Department of Health Services. The bill would provide that it would only be implemented if, and to the extent that, any federal waiver and approval that is necessary to implement integration of the programs under these provisions is obtained. The bill would make eligible for coverage under the program any uninsured child under the age of 19 years who is a resident of the state with a household income that is equal to or less than 250% of the federal poverty level and, for one year, any infant born to a woman receiving benefits under the Medi-Cal program. The bill would specify procedures for application to the program, the issuance of a health access card, annual renewal, and provider participation in the program.

Status: Died. (last activity 2/02/04)

AB 1130
Diaz

Health care coverage: Children's Health Initiative Matching Fund

Existing law creates the Children's Health Initiative Matching Fund in the State Treasury, which is administered by the Managed Risk Medical Insurance Board, in collaboration with the State Department of Health Services, for the purpose of providing matching state funds and local funds received by the fund through intergovernmental transfers to a county agency, a local initiative, or a county organized health system to provide health insurance coverage to certain children in low-income households who do not qualify for health care benefits through the Healthy Families Program or Medi-Cal. This bill would instead create the County Health Initiative Matching Fund in the State Treasury for those purposes. The bill would appropriate, for the 2002-03 fiscal year, a specified sum to the board that would be available for encumbrance for the purposes of these provisions.

Status: CHAPTERED

AB 1163
Frommer

Medi-Cal program and Healthy Families Program: bridge health insurance coverage

Existing law provides for the creation of various programs to provide health care services to persons who have limited incomes and meet various eligibility requirements. These programs include the Healthy Families Program, administered by the Managed Risk Medical Insurance Board, and the Medi-Cal program, administered by the State Department of Health Services. This bill would require by October 1, 2004 the board and the department, in consultation with counties and consumer advocates, to establish county bridge health insurance coverage options for eligible children leaving the Healthy Families Program or the Medi-Cal program and switching to county-sponsored health insurance programs. The bill would require that, by October 1, 2004, the board and the department synchronize the eligibility processes for both programs. The bill would require that, commencing January 1, 2004, the board and the department release an annual report regarding, among other things, the number of children participating in the bridge programs. The bill would require that the board develop a payment procedure whereby families experiencing temporary financial hardship may make payments to the program for delinquent family contributions.

Status: Died. (last activity 2/02/04)

AB 1524
Richman

County Health Initiative Matching Fund

Existing law authorizes the County Health Initiative Matching Fund, which is administered by the Managed Risk Medical Insurance Board in collaboration with the State Department of Health Services, to provide matching state funds and local funds received by the fund through intergovernmental transfers to a county agency, a local initiative, or a county organized health system for health insurance coverage to certain children in low-income households who do not qualify for health care benefits through the Healthy Families Program or Medi-Cal. This bill would expand the scope of the fund's health insurance coverage to include adults who are parents of or responsible for children eligible for the Healthy Families or Medi-Cal programs and who meet specified criteria. The bill would only authorize funding for adults in a fiscal year if the funds are not needed for the children's expansion program.

Status: CHAPTERED

SB 606
Vasconcellos

Pupil health: vision appraisal

Existing law requires, upon first enrollment in a California school district of a pupil at a California elementary school, and at least every 3rd year thereafter until the pupil has completed the 8th grade,

the pupil's vision to be appraised by the school nurse or other authorized person, as specified. This bill would also require that if a vision appraisal is conducted, each pupil is to receive a notice and questionnaire regarding pupil vision, which he or she would be instructed to deliver to his or her parent or guardian. The bill would require each school to commence that distribution no later than September 1, 2004. The bill would, in addition, set forth the text of the notice and the manner in which the department is required to develop the questionnaire. The bill would provide that the notice and questionnaire may be included with any other written communication sent to a parent or guardian and that in the interest of efficiency, it may be sent to the parents or guardians of pupils not subject to a vision appraisal in addition to the parents or guardians of pupils that have received a vision appraisal. By imposing additional duties on school districts relating to vision appraisals, this bill would impose a state-mandated local program.

Status: VETOED

SB 665
Perata

Medical providers: information summary: brain development

This bill would require that the medical care provider primarily responsible for providing medical care to a child under 6 years of age shall provide to the parent or guardian of the child a standardized summary, in layperson's language and in a language understood by the parent or guardian, containing information about the importance of proper brain development for children from birth to age 6 years, and ways to promote proper brain development.

Status: Died. (last activity 2/02/04)

SB 1075
Committee on
Health and
Human
Services

Health and social services

Existing law establishes the Office of Women's Health within the State Department of Health Services. The functions of the office include, among others, to communicate and disseminate information and perform a liaison function within the department and to providers of health, social, educational, and support services to women. Existing law requires the department to place priority on providing information to consumers, patients, and health care providers regarding women's gynecological cancers, as specified. This bill would require the department to include in any literature regarding breast cancer that it produces prescribed information regarding breast cancer.

Status: CHAPTERED

Public Health Administration

- AB 293
Daucher *Health care coverage: small business*
This bill would create the Small Business Employees Access to Health Care Coverage Act, establishing a voluntary program in which a small business may limit, as specified, the amount its full-time employees are required to contribute toward the cost of their health care coverage. The bill would allow a participating small business to authorize its full-time employees to work up to 5 extra hours each week, with those earnings applied towards the employee's health care contribution amount. The bill would exempt these particular earnings from the employee's income for various purposes, including state personal income tax.
Status: Died. (last activity 2/02/04)
- AB 362
Garcia *Health care service plans*
This bill would require the Department of Managed Health Care to maintain a database indicating for each county, the names of the health care service plans operating in that particular county.
Status: CHAPTERED
- AB 438
Lieber *Health care coverage: osteoporosis screening*
Existing law deems health care service plan contracts, nonprofit hospital service plan contracts, and specified disability insurance policies and certificates of group disability insurance that are issued, amended, delivered, or renewed in this state, to provide coverage for osteoporosis services. This bill would, on and after January 1, 2005, require osteoporosis coverage to include osteoporosis screening for female patients 50 years of age and older.
Status: Died. (last activity 2/02/04)
- AB 820
Nakanashi *National Health Service Corps State Loan Repayment Program*
Existing federal and state law contain programs that authorize loan forgiveness to physicians and surgeons, dentists, and individuals enrolled in a postsecondary institution studying medicine or dentistry who agree to practice in medically or dentally underserved areas. Pursuant to existing federal law, one of these programs is the National Health Service Corps State Loan Repayment Program, which is administered at the state level by the Office of Statewide Health Planning and Development. This bill would require the office, in administering the program, to strive, whenever feasible to equitably distribute loan repayment awards between urban and rural program sites, after taking into account the availability of health care services in the communities to be served and the number of individuals to be served in each program site. This bill would also require the office to set a reasonable deadline for when all applications are required to be received, and to consider all eligible applications before awarding any grant.
Status: CHAPTERED
- AB 823
Nunez *Clinic grants*
Existing law requires the State Department of Health Services to conduct a program of grants-in-aid to certain clinics. The purposes of these grants-in-aid are to assist in stabilizing the health care operations of community clinics and free clinics that provide a wide range of primary health care services and to fund innovative and creative programs of certain clinics designed to provide a high quality of health services at minimum cost. Existing law limits the payment of individual grants to a maximum of \$60,000, including grants to nonprofit corporations comprised of more than one clinic. This bill would delete this limitation on grants to these nonprofit corporations. Existing law requires the department, in developing policies and priorities pertaining to the allocation of grant funds, under this program, to give primary consideration to specified factors. This bill would add to these factors the number of clinic closures in the area in the previous 12 months.
Status: Died. (last activity 2/02/04)
- AB 910
Diaz *Hospitals: service changes: ownership*
This bill would establish the Hospital Community Responsibility Act. The bill would require, except for public hospitals, as defined, that, before approving a downgrade or closure of a hospital or emergency service, the department shall receive a copy of a hospital protection review (HPR)

from the county in which the hospital or emergency service is located. The bill would require the county board of supervisors to appoint a hospital protection committee (HPC), with specified membership, to review the HPR. The bill would require a hospital to give 120 days notice before a proposed downgrade or closure, and would require the HPR to be completed within 60 days, and to incorporate one or more public meetings. The bill would require the HPR to include a thorough review of the impact of the downgrade or closure on the community. This bill would require the HPC to hold a hearing to release the results of the HPR, including the HPC's recommendations for mitigation, to specified entities no less than 45 days before the scheduled downgrade or closure, if the HPR reveals that the capability of the community's health care delivery system would be detrimentally affected by the downgrade or closure. The bill would provide that these procedures would be in addition to the notice required under existing law. The bill would require the hospital to pay the board of supervisors for contract costs and other specified costs related to the development of the HPR. This bill would also prohibit any person, commencing January 1, 2004, from obtaining or continuing to possess an ownership interest, as defined, in more than one licensed hospital within the same county, or in any geographic area within a 25-mile radius, regardless of county boundaries, unless that person obtains the approval of the Attorney General and enters into a Community Responsibility Contract (CRC) pursuant to the bill. The bill would require the Attorney General, in consultation with the department and the Office of Statewide Health Planning and Development, to establish related regulations, as well as the specific terms of the CRC and initial approval criteria for multiple hospital ownership. The bill would provide that these provisions shall not apply to a public hospital, as defined. The bill would require the person or entity seeking the CRC, or the entity selling or acquiring a hospital, as appropriate, to pay the Attorney General for contract costs, and other specified costs related to the development and monitoring of the CRC pursuant to the requirements of the bill.

Status: Died. (last activity 2/02/04)

AB 988
Maze

Personal income and corporation taxes: credits: doctors

The Personal Income Tax Law authorizes various credits against the taxes imposed by that law. This bill would authorize a credit against the personal income taxes for each taxable year beginning on or after January 1, 2003, and before January 1, 2008, in an amount equal to either 20% of the amount received by a qualified medical care professional, as defined, for treating Medi-Cal beneficiaries in a qualified county, as defined, or 10% of the salary received by a qualified medical care professional as an employee in a qualified health center, as defined, or a clinic operated by a federally recognized Indian tribe or the Indian Health Service. This bill would also require the Franchise Tax Board to report annually to the Legislature on the use of the credit.

Status: Died. (last activity 2/02/04)

AB 1087
Frommer

Venipuncture

This bill would provide, in addition, that a person who has obtained certification as a "certified phlebotomy technician" may perform venipuncture or skin puncture to obtain a specimen for nondiagnostic tests, for insurance purposes, with general supervision, as defined. The bill would require that records documenting the procedure be available to the State Department of Health Services upon request.

Status: CHAPTERED

AB 1161
Maldonado

Health care service plans

Existing law, the Knox-Keene Health Care Service Plan Act of 1975, provides for the regulation and licensing of health care service plans by the Department of Managed Health Care. This bill would require the department to maintain a comprehensive and accurate list of each health care service plan that operates in the state and the counties in which the health care service plan operates. The bill would require the department to report to the Legislature annually, commencing January 1, 2005, regarding any changes in the counties in which a health care service plan operates.

Status: Died. (last activity 2/02/04)

AB 1196
Montanez

Drugs

Existing law provides for the electronic monitoring of prescribing and dispensing of Schedule II

controlled substances pursuant to the Controlled Substance Utilization Review and Evaluation System (CURES) program. The program is contingent upon the availability of adequate funds from the Contingent Fund of the Medical Board of California, the Pharmacy Board Contingent Fund, the State Dentistry Fund, and the Osteopathic Medical Board of California Contingent Fund. This bill would add the Board of Registered Nursing Fund to the fund list.

Status: CHAPTERED

AB 1241
Parra

Nursing education scholarships

This bill would require the OSHPD, until January 1, 2009, to establish, by regulation, the statewide Associate Degree Nursing (A.D.N.) Scholarship Pilot Program and to allocate a portion of the funds contained in the Registered Nurse Education Fund for purposes of providing scholarships to associate degree nursing students in counties determined to have the most need based on designated criteria. Scholarship recipients would, pursuant to these provisions, be required to meet specified requirements. The bill would require the Health Professions Education Foundation to consider specified factors when selecting program recipients, and would authorize the foundation to accept private or federal funds for purposes of the pilot program.

Status: CHAPTERED

AB 1401
Wolk

Hospital charity care

This bill would require a licensed general acute care hospital, acute psychiatric hospital, or special hospital to develop and implement a charity care policy and discounted payment policy including financial criteria and the procedure used by the hospital to determine whether a patient is eligible for reduced or waived payment, as specified. The bill would require a general description of the hospital's charity care and discounted payment policies to be posted in the hospital's emergency room, and other appropriate locations. This bill would impose specified billing and collection requirements on hospitals, including requiring hospital bills to include a statement regarding the patient's eligibility for government-sponsored programs or hospital payment assistance. The bill would require the hospital to provide a written statement outlining these programs, upon admission or initial registration of a patient. The bill would also require the hospital to assist the patient in determining eligibility for these programs or assistance, and would require the patient or patient's representative to provide the hospital with information necessary to determine eligibility. This bill would require a hospital to report to the office specified information regarding the hospital's charity care policy.

Status: Died. (last activity 2/02/04)

AB 1528
Cohn

Healthy California Act of 2003

This bill would state the intent of the Legislature to make available valid performance information to encourage hospitals and physicians to provide care that is safe, medically effective, patient-centered, timely, efficient, and equitable. The bill would require the Governor to convene the California Health Care Quality Improvement and Cost Containment Commission and would specify the composition of the commission. The bill would require the commission to examine and address specified health care issues. The bill would require the commission to issue a report to the Legislature and the Governor, on or before January 1, 2005, making recommendations for health care cost containment.

Status: CHAPTERED

AB 1543
Firebaugh

Community colleges: nursing programs

This bill would require the Chancellor of the California Community Colleges, in collaboration with the board of governors and in consultation with nursing programs of the California Community Colleges from around the state, to submit, by September 1, 2005, to the appropriate policy and fiscal committees of the Legislature, as well as to each California Community College nursing program, recommendations for standardized admission policies, including prerequisite requirements and methods for allocating slots in oversubscribed programs, to establish a clear statewide admission practice for community college nursing programs.

Status: Died. (last activity 2/02/04)

- AB 1559
Daucher *Hospitals: information*
This bill would require every general acute care hospital to post on its Internet Web site the full current charge to uninsured patients for all health care services rendered, identified by prescribed procedure codes. This bill would also require any hospital that provides emergency services to post a sign that lists the current rates charged for the 10 services most commonly provided to uninsured patients during the previous year. The bill would also require the sign to include a statement that information regarding collection procedures is available upon request.
Status: Died. (last activity 2/02/04)
- SB 2
Burton *Health care coverage*
This bill would create the State Health Purchasing Program, which would be administered by the Managed Risk Medical Insurance Board. The bill would require specified health benefits to be provided directly by employers or through the program. The bill would require the board to arrange health plan coverage for certain employers, who would be required to pay a fee for employee health coverage, except that employers who provide health care coverage directly would receive a credit against the fee. The bill would require employees and dependents of large employers to be covered beginning January 1, 2006, while it would require employees of medium employers to be covered beginning January 1, 2007, subject to certain conditions. Small employers would be exempt from the requirement to provide coverage and from the fee. The bill would require the board to determine the fee to be paid by employers, and would provide that the associated employee contributions, which employers would be required to collect from employees, may not exceed 20% of the employer fee. The fees, including the employee contributions, would be collected by the Employment Development Department and would be deposited in the newly created State Health Purchasing Fund. The moneys in the fund would be continuously appropriated to the board for the purposes of the program. The bill would authorize the board to coordinate coverage under the program with coverage available under the Medi-Cal program, the Healthy Families Program, and other public programs, and would impose various requirements on the board and the State Department of Health Services in that regard. The bill would authorize a loan from the General Fund to the board for startup costs related to the State Health Purchasing Program, subject to appropriation by the Legislature. The bill would enact other related provisions.
Status: CHAPTERED
- SB 24
Figueiroa *Health care: accelerated enrollment*
Existing law establishes the Access for Infants and Mothers (AIM) program, administered by the Managed Risk Medical Insurance Board, to provide health insurance coverage for certain eligible persons who pay a subscriber contribution. This bill would require that the form used to implement the above-described medicaid option also qualify as a simplified application for the Medi-Cal program for those pregnant women or, if necessary to ensure federal financial participation, that the form be modified to add only those elements required for federal financial participation. The bill would require, for purposes of this provision, the department to determine whether to grant eligibility for temporary benefits under the medicaid option, the county to make the final eligibility determination for the Medi-Cal program, the department to develop and adopt a process for transferring the application to the county, and, based on the department's instructions, the county to determine if followup is necessary to determine the woman's final eligibility for the Medi-Cal program or to refer the woman to the AIM program. The bill would require the department to adopt an electronic enrollment process, that would be known as the Prenatal Gateway, for pregnant women to use when applying for Medi-Cal from a provider's office, if sufficient funding is obtained and sufficient new staff is available, as specified.
Status: CHAPTERED
- SB 101
Chesbro *Health care coverage: substance related disorders*
Existing law requires a health care service plan or a disability insurance policy that covers hospital, medical, or surgical expenses to offer coverage for the treatment of alcoholism. This bill would require these health care service plans and disability insurance policies to provide coverage for the treatment of medically necessary substance related disorders, excluding caffeine-related disorders,

on the same basis as they provide coverage for any other medical condition. Additionally, the bill would require these plans and insurers to reimburse providers of the services and would prohibit a health care service plan that directly contracts with an individual provider or organization from delegating the risk-adjusted treatment cost of providing these services, unless certain requirements are met. The bill would authorize these plans and insurance policies to limit nonhospital residential care, as defined, to 60 days per calendar year. The bill would not apply to Medi-Cal, vision-only, dental-only, accident-only, specialized disease, hospital indemnity, Medicare supplement, or long-term care coverage.

Status: Died. (last activity 2/02/04)

SB 358
Figueroa

Nursing: vocational nursing: psychiatric technicians

This bill would extend the sunset date of the Board of Registered Nursing to January 1, 2009. The bill would change the composition of the board to 4 public members and 3 registered nurses, one of whom is an advanced practice nurse, as defined. The bill would provide that, with certain exceptions, no other state agency, other than the board, may define or interpret the practice of nursing. This bill would extend the termination date applicable to the Board of Vocational Nursing and Psychiatric Technicians of the State of California and its executive officer to January 1, 2009. The bill would require both categories of licensees to report known violations of the act to the board. The bill would specify that a licensee who fails to report this information to the board may have his or her license suspended or revoked for unprofessional conduct. This bill would also require the employers of these licensees to report to the board any suspension or termination for cause of a licensee. This bill would create the Vocational Nurse Education Program in the Health Professions Education Foundation on July 1, 2004. The bill would, as a condition of being accepted into the program, require vocational nursing students to agree to serve in specified facilities or underserved areas. The bill would, on July 1, 2004, create the Vocational Nurse Education Fund which would be funded by a \$5 license renewal assessment for vocational nurses and would be collected by the board. The bill would require the Health Professions Education Foundation to solicit advice from the Board of Vocational Nursing and Psychiatric Technicians, the California Licensed Vocational Nurses' Association, the Licensed Vocational Nurses League of California, Inc., the Chancellor of the California Community Colleges, and the California Association of Hospitals and Health Systems when developing the program.

Status: CHAPTERED

SB 485
Poochigian

Medical Board of California

Existing law, the Medical Practice Act, establishes the Medical Board of California. Under the act, the board, through its Division of Licensing and Division of Medical Quality, issues physicians' and surgeon's certificates and regulates the practice of medicine. This bill would require the board to evaluate its requirements and procedures for issuing a physician's and surgeon's certificate to determine if they provide adequate access for medically underserved communities to medical residents and if a modification is required to attract physicians and surgeons who are licensed by another state to those communities. The bill would also require the board to report its findings on those issues to the Legislature.

Status: Died. (last activity 1/29/04)

SB 490
Alpert

Pharmacy: prescriptions

Existing law authorizes a pharmacist to initiate emergency contraception drug therapy in accordance with standardized protocols developed by the pharmacist and an authorized prescriber acting within his or her scope of practice. This bill would also authorize a pharmacist to furnish emergency contraception drug therapy in accordance with a standardized procedure or protocol developed and approved by both the board and the Medical Board of California, in consultation with specified entities. The bill would require a pharmacist to complete a specified training program before performing emergency contraception drug therapy.

Status: CHAPTERED

SB 545
Speier

Emergency contraception drug therapy

Existing law, the Pharmacy Law, provides for the licensing and regulation of the practice of

pharmacy under the jurisdiction of the California State Board of Pharmacy. Existing law requires a pharmacist to provide consultation when furnishing drugs, with certain exceptions, and the board has set forth specific requirements applicable to the provision of consultation and the maintenance of patient medication records. Existing law authorizes a pharmacist, in addition to other functions, to initiate emergency contraception drug therapy if the pharmacist has completed a training program on emergency contraception and certain other conditions are met. This bill would instead authorize the pharmacist to furnish emergency contraception drug therapy subject to those conditions and would revise the training requirement. The bill would prohibit a pharmacist from requiring a patient to provide individually identifiable medical information, except as specified. The bill would also prohibit a pharmacist, or his or her employer or agent, from charging a separate consultation fee for the initiation of emergency contraception drug therapy, but would authorize an administrative fee not to exceed \$10 above the retail cost of the drug. The bill would require a pharmacist, upon request, to disclose the total retail drug price for emergency contraception drug therapy.

Status: CHAPTERED

SB 767
Florez

Health care safety net

This bill would enact the California Health Care Safety Net Act of 2003, that would set a minimum level of funding for specified health care programs, and would prohibit these programs from being included in any transfer of responsibility and funding from state government to local governments. It would also require a hospital, as a condition of receiving funds allocated for emergency departments from public sources, to have a written memorandum of understanding or other formal agreement between the hospital and nonprofit community health centers in its area that would require emergency departments to establish a process, including protocols, whereby an emergency department would refer nonemergency care patients to nonprofit health centers for preventive primary care services and nonprofit community health centers would refer inpatient care cases to hospitals. This bill would require the Director of Health Services to establish a task force composed of representatives of specified provider groups for purposes of assessing whether other programs should be added to the programs included in the health care safety net. It would require the task force, on or before March 1, 2004, to report to the Legislature regarding the status of the health care safety net. This bill would declare that it is to take effect immediately as an urgency statute.

Status: Died. (last activity 2/02/04)

SB 797
Machado

Health: osteoporosis screening

Existing law establishes the California Osteoporosis Prevention and Education Program administered by the State Department of Health Services. Existing law requires the department, in consultation with the California Department of Aging, to convene an advisory panel of persons with specified knowledge and expertise to guide the program's development. This bill would require the department, in consultation with the advisory panel, to develop a program to provide osteoporosis screening services to eligible individuals annually during the month of May, and other times during the year that the department and other participating groups deem appropriate, as specified.

Status: Died. (last activity 2/02/04)

SB 827
Aanestad

Health care providers: billing procedures

Existing law requires the Office of Statewide Health Planning and Development, in consultation with specified state officers and agencies, to adopt a California uniform billing form format for professional health care services and a California uniform billing form format for institutional provider services, for use by health care providers when an insurance carrier provides coverage for these services. Existing law requires the State Department of Health Services to adopt the California uniform billing form formats for use in all health care payment programs it administers. This bill would additionally require a health care provider, as defined, that submits a bill for medical services to a patient to ensure that the bill includes an itemized list of all charges that is understandable at the 8th grade reading level.

Status: Died. (last activity 2/02/04)

SB 847
Aanestad

Health facilities: nurse-to-patient ratios

Existing law requires the State Department of Health Services, by January 1, 2002, to adopt

specified regulations with respect to licensed nurse-to-patient ratios for general acute care hospitals, acute psychiatric hospitals, and special hospitals. This bill would, by January 1, 2005, require the department to evaluate, as prescribed, the proposed regulations relating to nurse-to-patient ratios in the medical/surgical care unit in these health facilities. This bill would provide that the department may not impose the 1:5 nurse-to-patient ratio requirement upon these health facilities unless the department is able to demonstrate that certain conditions are satisfied.

Status: Died. (last activity 2/02/04)

SB 953
Dunn

Children's Hospital Bond Act of 2004

This bill would enact the Children's Hospital Bond Act of 2004 which, if adopted, would authorize, for purposes of financing a specified Children's Hospital Program to fund capital improvement projects for children's hospitals, the issuance, pursuant to the State General Obligation Bond Law, of bonds in an unspecified amount. The bill would provide for submission of the bond act to the voters at the next statewide election in accordance with specified law.

Status: Died. (last activity 2/02/04)

SB 969
Bowen

Telephone medical advice services

This bill would require a health care service plan to ensure that staff handling enrollee or subscriber calls, but who are not licensed, certified, or registered in various healing arts professions, do not provide telephone medical advice. The bill would also require a health care service plan and a telephone medical advice service to ensure that no staff member uses a title or designation that would cause a reasonable person to believe the staff member is licensed, certified, or registered as a specified type of health care professional unless the staff member meets those requirements.

Status: CHAPTERED

Housing

- AB 304
Mullin *Housing: downpayment assistance and guaranty insurance*
Under existing law, the California Housing Finance Agency administers a downpayment assistance program under which the amount of downpayment assistance may not exceed 3% of the home sales price. This bill would limit that downpayment assistance to those low-income first-time homebuyers to 6% of the home sales price.
Status: CHAPTERED
- AB 494
Garcia *Redevelopment*
The Community Redevelopment Law generally requires redevelopment agencies to use not less than 20% of all tax revenue allocated to the agency for low-and moderate-income housing, as specified. This bill would prohibit the transfer of any funds from the agency's Low and Moderate Income Housing Fund to the General Fund or the Educational Revenue Augmentation Fund, pursuant to other provisions, in any county where prescribed general plan housing element requirements have not been met.
Status: Died. (last activity 2/02/04)
- AB 518
Salinas *Local agency formation*
Existing law specifies various factors that a local agency formation commission is required to consider in the review of a proposal for a change of organization or reorganization of local agencies. One of those factors is the extent to which the proposal will assist the receiving entity in achieving its fair share of the regional housing needs. This bill would revise that factor to instead require consideration of the extent to which the proposal will affect a city or cities and the county in achieving their respective fair shares of the regional housing needs.
Status: CHAPTERED
- AB 668
Cox *General plans: housing elements*
Existing law requires each city, county, or city and county to prepare and adopt a general plan for its jurisdiction that contains certain mandatory elements, including a housing element. One part of the housing element is an assessment of housing needs and an inventory of resources and constraints relevant to meeting those needs. The assessment includes the locality's share of regional housing needs. That share is determined by the appropriate council of governments or by the Department of Housing and Community Development, subject to revision by the department. This bill would provide that, in the event of an incorporation of a new city after the revised allocation of regional housing needs, the city and county may reach a mutually acceptable agreement on that determination and report it to the council of governments and the department, or to the department for areas with no council of governments, or request the council of governments or the department to revise the determination of those housing needs, as specified.
Status: CHAPTERED
- AB 980
Salinas *Housing element: self-certification*
This bill, until January 1, 2016, would provide procedures whereby a city or county may elect to participate in alternative production-based certification of its housing element and would make those cities and counties eligible for specified state housing funds in the same manner as other jurisdictions.
Status: Died. (last activity 2/02/04)
- AB 994
Cox *Housing: prison beds*
The Planning and Zoning Law prescribes the provisions to be included in the housing element of a city or county general plan. The housing element is required to identify adequate sites for housing, to make adequate provision for the existing and projected needs of all economic segments of the community, and to contain an assessment of housing needs and an inventory of resources and constraints relative to meeting those needs. This bill would require that assessment and inventory to include the amount of land within the city or county owned by the state or federal government and unable to be rezoned by the city or county. Existing law requires prescribed data to be taken into

consideration in determining the share of a city or county of the regional housing needs. This bill would require that data to include the amount of land within the city or county owned by the state or federal government and unable to be rezoned by the city or county.

Status: Died. (last activity 2/02/04)

AB 1034
Mullin

Housing: building standards

This bill makes several changes regarding local governments' authority for residential building code enforcement, including providing additional authority related to collecting for health and safety inspection costs and requiring the repair of buildings identified as potentially hazardous.

Status: CHAPTERED

AB 1089
Dutton

Redevelopment: mobilehomes

The Community Redevelopment Law requires redevelopment agencies to provide a certain percentage of affordable replacement housing, as specified, including provision of housing destroyed or removed as part of a redevelopment project, and allows that requirement to be satisfied by the acquisition of certain long-term affordability covenants on multifamily units. This bill, until January 1, 2010, would authorize redevelopment agencies to purchase, or otherwise acquire or cause by regulation or agreement the purchase or other acquisition of, long-term affordability covenants on mobilehome parks in which residents rent spaces and either rent or own the mobilehome occupying their spaces, that restrict the cost of renting or purchasing those units under prescribed conditions.

Status: Died. (last activity 2/02/04)

AB 1112
Lowenthal

Housing opportunity districts

This bill would enact the Housing Near Transit Act, which would authorize a city, county, or city and county that has adopted a resolution of intent, to create a housing transit district, subject to approval by the department. The department would be required to approve 6 housing transit districts. This bill would require the property tax revenues resulting from increases in assessed value due to affordable housing construction to be paid to the district, except as specified. This bill would also authorize a housing transit district to issue bonds and enter into other forms of indebtedness for the purpose of constructing affordable housing and transit oriented public improvements within a district or the adjacent area.

Status: Died. (last activity 2/02/04)

AB 1115
Oropeza

Senior housing: federal standards

Existing law presumes that a housing development for senior citizens constructed on or after January 1, 2001, is designed to meet the physical and social needs of senior citizens for purposes of meeting existing laws regarding age discrimination in housing if the housing development includes specified elements, except housing as to which these provisions are preempted by federal law. This bill would declare the intent of the Legislature to enact legislation to conform state law to the federal Fair Housing Act.

Status: Died at Desk. (last activity 2/02/04)

AB 1158
Lowenthal

General plans: housing elements

Existing law requires each city, county, or city and county to prepare and adopt a general plan for its jurisdiction that contains certain mandatory elements, including a housing element. One part of the housing element is an assessment of housing needs and an inventory of resources and constraints relevant to meeting those needs. The assessment includes the locality's share of the regional housing need. That share is determined by the appropriate council of governments, subject to revision by the Department of Housing and Community Development. A city, county, or city and county is required to submit a draft housing element or draft amendment to its housing element to the department for a determination of whether the draft complies with state law governing housing elements. This bill would revise the procedures for the submission and review of the draft housing element and for determining shares of the regional housing need.

Status: Died. (last activity 2/02/04)

- AB 1400
Wolk *Housing: accessibility*
This bill would, within the State Housing Law, require a developer of any new residential housing development, beginning 90 days after the Department of Housing and Community Development adopts a standard form, but no sooner than July 1, 2004, to provide a buyer a list of specified universal accessibility features that would make the home entrance, interior routes of travel, kitchen, and bathrooms, fully accessible to persons with disabilities. It would provide that a willful violation of these provisions shall be punishable by a civil penalty of \$500. Because a violation of the State Housing Law is a misdemeanor under other provisions, the bill would create a state-mandated local program by creating a new crime. The bill would authorize the Department of Housing and Community Development to adopt implementing regulations and to develop a standard form providing the information required by the bill.
Status: CHAPTERED
- AB 1475
Steinberg *Housing: homeless*
This bill would require counties that receive grants pursuant to the Adult and Older Adult Mental Health System of Care Act after January 1, 2004, to enter into contracts with sponsors of supportive housing projects to the greatest extent possible.
Status: CHAPTERED
- AB 1731
Committee on
Housing and
Development *Buildings and housing*
The Community Redevelopment Law prescribes time limits on the effectiveness of redevelopment plans and the establishment of loans, advances, and indebtedness, and prescribes criteria for the extension of those time limits. SB 1045 would further revise those provisions. This bill would, contingent on the chaptering of SB 1045, prescribe additional criteria for the amendment of redevelopment plans to extend time limits to fulfill affordable housing obligations, and would provide that the time limits on loans, advances, and indebtedness do not prevent the establishment of more debt to fulfill affordable housing obligations.
Status: CHAPTERED
- SB 69
Oller *Disability: access*
Existing law provides that individuals with disabilities are entitled to full and equal access to accommodations, advantages, facilities, privileges of various modes of transportation, and as specified. This bill would set forth the duty of an individual with a disability who in good faith believes that a public accommodation or housing accommodation does not provide full and equal access, to notify the owner or manager of that accommodation. The bill would also set forth the duty of the owner or manager, or other responsible party, to notify the individual of planned access improvements, as defined, and to make those improvements within a specified period, during which period the individual would be prohibited from commencing a cause of action under any state disabled access law.
Status: Died. (last activity 2/02/04)
- SB 465
Soto *Transit village plan: design*
The Transit Village Development Planning Act of 1994 authorizes a city or county to prepare a transit village plan for a transit village development district that includes all land within not less than 1/4 mile of the exterior boundary of the parcel on which is located a rail transit station and addresses specified characteristics, including a neighborhood centered around a transit station that is planned and designed, as specified, and demonstrable public benefits that reduce traffic congestion. This bill would extend the surrounding land of a transit village development district to 1/2 mile from a rail transit station. The bill would add as a characteristic of a transit village plan a provision that not less than 20% of new and substantially rehabilitated dwelling units constructed or developed within the district be available at affordable housing cost to persons and families of low or moderate income, as defined, with not less than 40% of these units to be available at affordable housing cost to very low income households, as defined.
Status: Died. (last activity 2/02/04)

SB 522

Housing: residential care: persons with disabilities

Soto

This bill would establish a licensing and inspection program, to be administered by the Department of Social Services, for residential hotels or motels, apartments, and room and board facilities in which over 25% of the residents are recipients of SSI/SSP or other federal or state disability assistance or have a disability. The bill would require as a condition of annual licensure under the program that the licensee provide a trained, certified administrator, on duty at all times, to meet the special needs of the residents who receive SSI/SSP or other federal or state disability assistance, have a physical disability, or have a mental disorder and, upon the request of the department, obtain and submit to the department a letter or letters from local enforcement agencies stating that there are no current violations of state or local laws at the residential hotel or motel, apartment, or room and board facility.

Status: Died. (last activity 2/02/04)

SB 619

Housing

Ducheny

The Planning and Zoning Law prohibits a local agency from prohibiting or discriminating against a residential development or emergency shelter because of specified reasons. This bill would additionally prohibit those actions from being taken because the development consists of a multifamily residential project or, in whole or in part, because of the method of financing or other specified assistance, or other specified reasons. Existing law restricts a local agency from disapproving an affordable housing development project, as prescribed. This bill would define "housing development project" for the purposes of that requirement. The bill would provide that a multifamily residential housing project is a permitted use not subject to conditional approval if it meets specified criteria. Existing law prescribes criteria for the awarding of costs of suit and attorney's fees to a prevailing public entity in an action to enjoin, or obtain a writ of mandate relative to, the carrying out or approval of a housing development, if the court makes certain findings. This bill would specify that those awards may also be given to a prevailing nonprofit housing corporation that is the real party in interest and the housing permit applicant, as specified.

Status: CHAPTERED

Safety

- AB 115
Horton *School Safety*
Existing law makes each school district and county office of education responsible for the overall development of comprehensive school safety plans for schools operating kindergarten and any of grades 1 to 12, inclusive. Existing law provides for the establishment of a schoolsite council and requires the council to develop and adopt a comprehensive school safety plan, as prescribed. This bill authorizes the filing with the department of a complaint of noncompliance with the school safety plans under the Uniform Complaint Procedures, and would increase the penalty for a willful failure to make a report to \$2,000.
Status: CHAPTERED (09/22/03)
- AB 145
Lowenthal *Probation officers: training: domestic violence*
This bill would require probation officers to receive, as part of their minimum required training, 3 hours of training and coursework on domestic violence, as specified, and to receive training and coursework in domestic violence as part of their continuing education requirements. This continuing education requirement must be met at least once every 2 years and must include 3 hours of training and coursework in domestic violence. The bill would authorize the chief probation officer of each county to exempt from these requirements any probation officer who by virtue of his or her job description and duties would not come in contact with domestic violence offenders or victims. In addition, the bill would provide that a probation department that has an established domestic violence training program that meets or exceeds the training requirements of this bill would be authorized to apply to the board to exempt its personnel from some or all of the domestic violence requirements of this bill.
Status: Died. (last activity 2/02/04)
- AB 319
Frommer *Firearms: prohibitions: juvenile offenders*
Existing law prohibits juveniles convicted of specified offenses from owning, possessing, or having under their custody or control, any firearm until the age of 30 years. This bill would add to the list of specified offenses resulting in the prohibition, specified offenses involving carrying concealed or loaded firearms, including firearms in vehicles.
Status: CHAPTERED (09/24/03)
- AB 371
La Suer *Blood tests*
Under existing law, only specified medical and laboratory personnel may withdraw blood for purposes of testing its alcoholic content at the request of a peace officer. These personnel include unlicensed laboratory personnel regulated under specified existing laws that provide for and determine the required qualifications for a category of "certified phlebotomy technicians." In the context of clinical laboratory work, certified phlebotomy technicians generally may not withdraw blood unless supervised by a physically available physician and surgeon, nurse, or clinical laboratory licensee. This bill would permit a person who has been issued a "certified phlebotomy technician" certificate to withdraw blood in certain locations, following policies and procedures approved by a physician and surgeon and with general supervision, as defined at the direction and in the presence of a peace officer, for forensic purposes regardless of whether the person is employed by a clinical laboratory.
Status: CHAPTERED
- AB 462
Haynes *Firearms: concealed firearms licenses*
Existing law authorizes the sheriff of a county or the chief or other head of a municipal police department, upon proof that the person applying is of good moral character, that good cause exists for the issuance, and certain other criteria are met, to issue a license to carry a concealed firearm. This bill would provide that for purposes of those provisions, "good cause" would be conclusively shown if the person is a victim of domestic violence, stalking or a hate crime, and has obtained a restraining order, as specified.
Status: Died. (last activity 2/02/04)

- AB 506
Maze
Sexual assault victims: toxicology testing
Existing law sets forth minimum standards for the examination and treatment of victims of sexual assault, including the collection of physical evidence. This bill would provide, in addition and subject to the victim's refusal, that where indicated by the history of the contact, the victim's urine and blood sample would be collected for toxicology purposes, to determine if drugs or alcohol were used in connection with the assault. The bill would provide that the toxicology results obtained would be inadmissible in any criminal or civil action or proceeding against any victim and would be confidential except for purposes of prosecuting the crime or crimes necessitating the examination. This bill would also require that victims be informed of specified information regarding the testing.
Status: CHAPTERED (09/26/03)
- AB 580
Nunez
Firearms
Existing law provides a procedure for eligible persons to have convictions dismissed, as specified, and be released from all penalties and disabilities resulting from the offense of which they have been convicted, subject to exceptions. Existing law also provides that dismissal pursuant to these provisions does not permit a person to own, possess, or have in his or her custody or control any firearm capable of being concealed upon the person. This bill would provide that dismissal pursuant to these provisions does not permit a person to own, possess, or have in his or her custody or control any firearm.
Status: CHAPTERED (07/14/03)
- AB 818
Jackson
Domestic violence: task force
This bill would create a task force in the Office of the Attorney General comprised of various representatives and chaired by the Attorney General to study criminal justice responses to domestic violence statewide. This bill would require the task force to examine promising policies and practices of local criminal justice agencies, identify law enforcement and community collaborations to reduce domestic violence, and identify challenges that may present barriers to these efforts. This bill would require the task force to report its findings and recommendations to the Legislature no later than January 1, 2005. This bill would provide that its provisions would become inoperative on January 1, 2006.
Status: Died. (last activity 2/02/04)
- AB 992
Ridley-Thomas
Ammunition: Firearm Victims' Reimbursement Fund
This bill would impose a fee of 10 cents on every munition, as defined, sold at retail. The fees would be paid to the State Board of Equalization, and deposited in the Firearm Victims' Reimbursement Fund. The Firearm Victims' Reimbursement Fund would be used, upon appropriation, to pay firearm-injury victims for uncompensated pecuniary losses and to pay for related administrative costs, as specified. The bill would require the Board of Equalization, on an annual basis beginning January 1, 2005, to adjust the fee for inflation.
Status: Died on inactive file. (last activity 2/02/04)
- AB 1044
Negrete
McLeod
Licenses to carry firearms
Existing law requires the Attorney General to maintain a registry of information reported to the Department of Justice regarding firearms, and including, among other things, copies of applications for licenses to carry firearms. This bill would recast those provisions to instead, require the registry include copies of the licenses to carry firearms. This bill would make other technical changes. Existing law specifies requirements and provides a procedure for obtaining a license to carry a firearm. Existing law also provides for a committee convened by the Attorney General to develop a standard application form for these licenses. Existing law authorizes the Attorney General to adopt and enforce regulations relative to these licenses. This bill would recast those provisions relating to the committee to authorize it to review and revise the license application form. The bill would also delete the provisions authorizing the Attorney General to adopt and enforce regulations relative to the licenses, and would provide instead that the license application forms are deemed a local agency form exempt from the Administrative Procedures Act.
Status: CHAPTERED (09/26/03)

- AB 1200
Longville *Vehicles: motorcycles: helmets*
Under existing law, it is unlawful for any person to operate a motorcycle, motor-driven cycle, or motorized bicycle if the driver or any passenger is not wearing a safety helmet. Existing law also makes it unlawful to ride as a passenger on a motorcycle if the driver or any passenger is not wearing a safety helmet. This bill would limit the above-referenced requirements for wearing safety helmets to drivers and passengers who are 17 years of age or less.
Status: Died. (last activity 2/02/04)
- AB 1290
Jackson *Firearms: prohibitions*
Existing law provides for various species of protective or restraining orders. Existing law provides that owning, possessing, purchasing, receiving, or attempting to purchase or receive a firearm in knowing violation of certain restraining or protective orders is a crime. This bill would expand the scope of restraining or protective orders the knowing violation of which in regard to owning, possessing, purchasing, receiving, or attempting to purchase or receive a firearm would be a crime.
Status: CHAPTERED (09/24/03)
- AB 1411
Wolk *School safety: hazing*
Existing law defines hazing as any method of initiation or preinitiation into a student organization or any pastime or amusement engaged in with respect to such an organization which causes, or is likely to cause physical or emotional harm to any pupil in any educational institution in the state. This bill would additionally include within this definition of hazing any method of initiation or preinitiation into a student body. This bill would authorize a superintendent or principal of a school to suspend or expel a pupil that engages in, or attempts to engage in, hazing.
Status: CHAPTERED (06/26/03)
- AB 1455
Negrete
McLeod *Imitation firearms*
Under existing law, any person who, except as specified, sells, manufactures, ships, transports, distributes, or receives an imitation firearm, as defined, is liable for a civil fine of not more than \$10,000 for each violation. Existing law also describes certain devices, among which is an instrument that expels a metallic projectile, as specified, that are not within the definition of "imitation firearm." This bill would revise those provisions to exempt instruments that expel a projectile, such as a BB or pellet not exceeding 6mm, as specified, from the definition of "imitation firearm." Existing law provides that it is a misdemeanor to furnish a minor with a BB device. Existing law defines the term "BB device" for those purposes. This bill would conform the definition of the term "BB device" to the definition used for purposes of the imitation firearms exclusion.
Status: CHAPTERED (09/02/03)
- AB 1697
Pavley *Vehicles: child passenger restraint system*
Under existing law, it is unlawful for a parent or legal guardian, when present in a motor vehicle, as defined, to permit his or her child or ward, or a driver to permit a child, who is less than 6 years of age or weighs less than 60 pounds to be transported on the highway in the vehicle without securing the child or ward in a specified child passenger restraint system. This bill would require, beginning January 1, 2005, the child or ward to be secured in a rear seat in that child passenger restraint system. The bill would allow a child under the age of 6 years who weighs less than 60 pounds to ride in the front seat if properly secured in a child passenger restraint system under specified circumstances. This bill would provide that, notwithstanding that authorization, a child or ward may not ride in the front seat of a motor vehicle with an active passenger air bag, if the child or ward is under one year of age, weighs less than 20 pounds, or is riding in a rear-facing child passenger restraint system.
Status: CHAPTERED (09/25/03)
- SB 35
Scott *Firearms: ballistic identification*
Under existing law, transactions concerning firearms are closely regulated, and individuals engaging in transactions concerning firearms must follow many legal requirements or face sanction. Existing law vests the Department of Justice with various powers and duties, such as managing the state's DNA database and data bank identification program, acting as a liaison to the Federal Bureau of

Investigation regarding the state's participation in a national DNA database, and maintaining statewide automated fingerprint identification systems. This bill would require the department to establish and maintain a qualified database containing specified information, including ballistic identifiers, for individual firearms, no later than January 1, 2005, unless a database containing the same information is established under the authority of a federal agency. This bill would require manufacturers, wholesalers, importers, and dealers who conduct certain firearms transactions in the state either to include ballistic identifier information in the box with a firearm, which information the dealer would be required to forward to the department, or submit ballistic identifier information directly to the department. This bill would require the department to adopt regulations to carry out its provisions and to ensure that local law enforcement agencies have access to the qualified database. This bill would authorize information in the qualified database to be accessed only for law enforcement purposes or statistical research or evaluation of the ballistic identification system. This bill would authorize the department to require each dealer to charge each firearm purchaser or transferee a fee not to exceed one dollar for each firearm transaction. This bill would prohibit a dealer from delivering any firearm if he, she, or it has been notified by the department that the qualified database does not contain required ballistic identifiers for that firearm.

Status: Died. (last activity 2/02/04)

SB 190
Scott

Firearms: chamber load indicators and magazine disconnect mechanisms

Existing law defines "unsafe handgun" in regard to pistols based on certain criteria. This bill would, commencing January 1, 2005, for firearms not already approved, as specified, include within the definition of an unsafe handgun, a center fire semiautomatic pistol that does not have a chamber load indicator that is plainly visible in a contrasting color that clearly indicates to a person who is unfamiliar with the operation of a semiautomatic pistol that a cartridge is in the firing chamber or a center-fire or rimfire semiautomatic pistol that does not have a magazine disconnect mechanism that prevents the pistol from operating to strike the primer of ammunition in the firing chamber when a detachable magazine is not inserted in the pistol if the pistol has a detachable magazine. The bill would, in addition, commencing January 1, 2007, include within the definition of an unsafe handgun, a center fire semiautomatic pistol that does not have both of those features. Existing law requires handguns to be submitted for testing to determine if they are unsafe handguns, as specified. This bill would provide that commencing January 1, 2005, no center-fire semiautomatic pistol would be allowed to be submitted for that testing if it did have a chamber load indicator, and no center-fire or rimfire semiautomatic pistol that has a detachable magazine would be allowed to be submitted for that testing if the pistol does not have a magazine disconnect mechanism, as specified.

Status: Died. (last activity 2/02/04)

SB 226
Cedillo

Firearms: elder and dependent adult abuse restraining orders

Existing law provides that every person who owns, possesses, purchases, or receives a firearm, or attempts to purchase or receive a firearm, knowing he or she is prohibited from doing so by the provisions of a protective order, as specified, is guilty of an offense. This bill would add to these provisions, violation of a protective order arising from elder or dependent adult abuse.

Status: CHAPTERED (09/24/03)

SB 238
Perata

Deadly weapons

Existing law requires police and sheriff's departments to report specified information about firearms to the federal Bureau of Alcohol, Tobacco, and Firearms, whenever they recover a firearm that is illegally possessed, has been used in a crime, or is suspected of having been used in a crime. This bill would authorize other law enforcement entities to report that information, and would additionally authorize any law enforcement entity to report the information, as described above, when a firearm is otherwise taken into custody by them, excepting the case where the firearm is voluntarily placed with the agency for safekeeping. Existing law provides that persons convicted of certain misdemeanors are prohibited from owning or possessing a firearm for a period of 10 years, as specified. This bill would delete the provisions imposing the 10-year prohibition for conviction of a specified misdemeanor regarding discharge of a firearm at a dwelling, other building, or vehicle, as specified. Existing law provides that a firearm owned or possessed in violation of certain provisions of law is a nuisance. This bill would provide that with regard to violations of those

specific provisions of law, if the firearm owner disposes of the firearm pursuant to a specified procedure, then the firearm would not be a nuisance. Existing law requires a firearms dealer to record specified information pertaining to a firearms transaction in a register or record of electronic transfer. This bill would additionally require the firearms dealer to record on the register or record of electronic transfer the date that the firearm is delivered. Existing law, subject to certain exceptions, makes it a crime, punishable either as a felony or a misdemeanor, for any person to possess any assault weapon, as defined. However, if a person charged with a first-time violation of that offense presents proof that he or she lawfully possessed the assault weapon within a specified period, and has since registered the weapon or relinquished it, the offense is punishable as an infraction, if the person has also complied with specified conditions, and the firearm would be returned to the person, subject to exceptions. This bill would eliminate the provisions authorizing return of the firearm and instead provide for destruction of the assault weapon. Existing law authorizes a licensed firearms dealer to sell an assault weapon to a person who has a permit to possess one. This bill would additionally require the firearms dealer to have a permit authorizing the dealer to sell assault weapons. This bill would repeal the provisions exempting retired peace officers from the application of the assault weapon ban. Existing law defines and generally regulates "destructive devices." This bill would add to the list of destructive devices, any flamethrower capable of projecting flames 10 feet or more.

Status: CHAPTERED (09/24/03)

SB 255
Ducheny

Firearms: firearm eligibility checks

Existing law requires a licensed firearms dealer to submit specified information to the Department of Justice in connection with the purchase of a firearm to enable the department to determine whether the prospective purchaser is prohibited from purchasing or otherwise possessing a firearm. This bill would provide a procedure to allow individuals to request that determination without the necessity of a firearm purchase. The bill would authorize the department to charge a fee for this service. This bill would also prohibit any person or agency from requiring or requesting another person obtain a firearms eligibility check or notification of a firearms eligibility check.

Status: CHAPTERED (09/04/03)

SB 357
Perata

Firearms

Existing law requires the Attorney General to keep and maintain various records relating to firearms transactions. This bill would additionally authorize the maintaining information relating to the delivery date of a handgun. Existing law requires firearms dealers to record specified information on a register or record of electronic transfer, including the transfer date that a handgun is delivered. This bill would additionally authorize the Department of Justice to require submission of the transfer date information to the department as specified.

Status: Died. (last activity 2/02/04)

SB 408
Torlakson

Vehicles: driving under the influence: driver's license sanctions

Existing law authorizes the department to impose restrictions on a person's privilege to drive, instead of a complete suspension, based upon a showing of a critical need to drive, after the department has issued an order suspending or delaying the driving privilege as a result of a violation of a specified provision prohibiting a person under the age of 21 years from driving with a blood-alcohol concentration of 0.01% or greater, as measured by a preliminary alcohol screening test or other chemical test. This bill, additionally, would require the department to determine that the person has no prior DUI convictions within 7 years of the current offense, and that the person's driving privilege has not been suspended or revoked under certain DUI provisions, prior to imposing a restriction instead of a suspension on the driving privilege.

Status: CHAPTERED (09/02/03)

SB 416
Alpert

Vehicles: driving under the influence: license restriction

Existing law requires the court to impose as one of the conditions of probation for a second conviction of a violation of a specified provision prohibiting driving under the influence (DUI) that the person have the privilege to operate a vehicle suspended until the person meets certain

conditions. However, the person may be granted a restriction instead of the suspension under certain conditions. This bill would require the Department of Motor Vehicles to grant a driver's license restriction instead of suspension to a person who (1) has been convicted of a second violation of the specified DUI provision that occurred on or before July 1, 1999; (2) was granted probation under a specified provision for that conviction; (3) is no longer subject to that probation; (4) has not completed the licensed driving-under-the-influence program requirements in existing law for reinstatement of the driving privilege; and (5) has no violations in his or her driving record that would preclude issuance of a restricted driver's license.

Status: CHAPTERED (10/09/03)

SB 489
Scott

Firearms: chamber load indicators and magazine disconnected mechanisms

Existing law defines "unsafe handgun" in regard to pistols based on certain criteria. This bill would, in addition, commencing January 1, 2005, for firearms not already approved, as specified, include within the definition of an unsafe handgun, a center-fire semiautomatic pistol that does not have a chamber load indicator that plainly indicates that a cartridge is in the firing chamber or a center-fire or rimfire semiautomatic pistol that does not have a magazine disconnect mechanism that prevents the pistol from operating to strike the primer of ammunition in the firing chamber when a detachable magazine is not inserted in the pistol if the pistol has a detachable magazine. The bill would, in addition, commencing January 1, 2007, include within the definition of an unsafe handgun, a center-fire semiautomatic pistol that does not have both of those features. Existing law requires handguns to be submitted for testing to determine if they are unsafe handguns, as specified. This bill would provide that commencing January 1, 2006, no center-fire semiautomatic pistol would be allowed to be submitted for that testing if it did have a chamber load indicator, and no center-fire or rimfire semiautomatic pistol that has a detachable magazine would be allowed to be submitted for that testing if the pistol does not have a magazine disconnect mechanism, as specified.

Status: CHAPTERED (09/24/03)

SB 601
Perata

.50 caliber handguns

Existing law provides that it is an offense for anyone who manufactures or causes to be manufactured, imports into the state, keeps for sale, or offers or exposes for sale, or who gives, lends, or possesses specified prohibited weapons, including certain firearms, punishable by imprisonment in a county jail not exceeding one year, or in the state prison. This bill would, subject to exceptions, expand that crime to include anyone who manufactures or causes to be manufactured, imports into the state, keeps for sale, or offers or exposes for sale, or who gives, lends, or possesses any prohibited .50 caliber handgun, as defined.

Status: Died. (last activity 2/02/04)

SB 664
Kuehl

Temporary assistance for needy families: domestic violence

This bill would require the State Department of Social Services to allocate an unspecified percentage of the marriage promotion moneys in the Temporary Assistance for Needy Families Fund to county welfare agencies for domestic violence services for CalWORKs recipients, as specified. This bill would also require the department to allocate to the Office of Women's Health in the State Department of Health Services an unspecified percentage of the marriage promotion moneys in the Temporary Assistance for Needy Families Fund to develop and implement a public education campaign to raise awareness about the health consequences of domestic violence. The bill would also require the State Department of Social Services to implement specified federal TANF provisions concerning victims of domestic violence. The bill would also require the department to seek any federal approval of state plan amendments necessary to implement the bill, and would make implementation of the provisions for allocation of funds to the counties and the Office of Women's Health subject to the availability of federal TANF funds for marriage promotion purposes.

Status: Died. (last activity 2/02/04)

SB 685
Hollingsworth

Vehicles: motorcycles: safety helmets

Existing law makes it unlawful to operate, or to be a passenger on a motorcycle, motor-driven cycle, or motorized bicycle if the driver or any passenger is not wearing a safety helmet that meets certain

requirements, except as specified. This bill would exempt from the safety helmet requirement a person who has on file with the Department of Motor Vehicles a certificate signed by a physician and surgeon or a licensed chiropractor substantiating a disability that renders the person unable to wear a safety helmet as required under existing law. The bill would require the certificate to include a description of the nature of the disability, a statement of the reason why the wearing of a safety helmet is inappropriate for the person, and the date, if any, that the disability is expected to terminate. The bill would require the physician and surgeon or chiropractor who signs the specified certificate to maintain information sufficient to substantiate the certificate and, upon request of the department, to make that information available for inspection by the Medical Board of California.
Status: Died. (last activity 2/02/04)

SB 719
Kuehl

School safety

Existing law establishes the Interagency School Demonstration Act of 1985 (1985 School Safety Act) with the purpose of supporting state public schools as they develop their comprehensive safety plans. The 1985 School Safety Act establishes the School/Law Enforcement Partnership and requires the partnership to sponsor biennial regional conferences to identify programs and techniques that have been effectively utilized to reduce school crime. Existing law establishes an Interagency School Safety Cadre to facilitate interagency coordination and collaboration among specified agencies and provide training to the cadre representatives in enabling them to initiate and maintain safety programs. Existing law requires the partnership to evaluate and report to the Legislature on the effectiveness of the programs implemented pursuant to the 1985 School Safety Act. The bill would repeal and recast the provisions of the 1985 School Safety Act. The bill would, instead, require the partnership to sponsor at least 2 regional conferences to identify programs and techniques that have been effectively utilized to reduce school crime. The bill would additionally require the partnership to provide training to the cadre representatives to enable them to initiate and maintain safety programs. The bill would delete the requirement that the partnership evaluate and report to the Legislature on the effectiveness of the 1985 School Safety Act and would instead require the partnership to assess the effectiveness of these programs.

Status: CHAPTERED (10/11/03)

SB 824
Scott

Firearms

This bill would authorize firearms dealers to require any agent who handles, sells, or delivers firearms to obtain and provide to the dealer a certificate of eligibility from the department. Existing law requires firearms dealers to record specified information pertaining to firearms transfers in a register or record of electronic transfer. This bill would additionally require the firearms dealer's salesperson to record the salesperson's certificate of eligibility number in the register or record of electronic transfer. The bill would also require the dealer to record on the register or record of electronic transfer, the date a handgun or other firearm is delivered by the dealer.

Status: CHAPTERED (09/24/03)

SB 825
Torlakson

Pedestrian and bicyclist safety

This bill would make various findings and declarations concerning pedestrian and bicyclist safety. The bill would create the Pedestrian and Bicyclist Mobility and Safety Fund in the State Treasury.

Status: Died. (last activity 2/02/04)