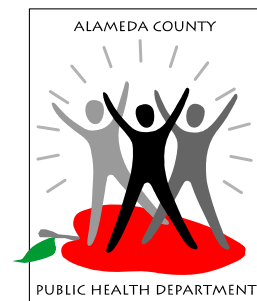


Public Health Legislation from the 2007 California Legislative Session

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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 2007 session of the California State Legislature and is organized by Divisions and the Department's strategic directives (safety, shelter, and transportation).

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 31
De Leon *Statewide Park Development and Community Revitalization Act of 2007*
The Urban Park Act of 2006 (act) requires the Department of Parks and Recreation (department) to establish a local assistance program to offer grants, on a competitive basis, to various local entities and nonprofit organizations, as defined, for the acquisition or development, or both, of urban parks and recreational areas and facilities. Heavily urbanized counties are authorized to apply for these grants. This bill would change the name of the act to the Statewide Park Development and Community Revitalization Act of 2007. A city, regional park district, district, joint powers authority, or county, in addition to specified nonprofit organizations, would be authorized to apply for local assistance program grants. The term "critically underserved community" would replace the term "heavily urbanized county" for purposes of the act and would be defined to include a community with less than 3 acres of usable parkland per 1,000 residents or is a disadvantaged community, as defined, and can demonstrate to the Department of Parks and Recreation that the community has insufficient or no park and recreation facilities. The bill would revise the criteria for awarding grants, and require the department on or before April 1, 2009, to adopt guidelines to amplify or clarify the grant criteria or develop a procedural guide for the administration of the act and the guidance of applicants. The department would be required to offer technical assistance to all applicants and potential applicants for both grant preparation and project development to encourage full participation in the grant program. The bill would make clarifying and conforming changes to other provisions of the act. The bill would require funds appropriated under the Safe Drinking Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006 for projects in accordance with the California River Parkways Act of 2004, and funds appropriated for the Statewide Park Development and Community Revitalization Act of 2007, be divided so that projects in counties receive a portion of funds that is based on the county's population.
Status: Referred to Senate Committee on Rules. (last activity 9-10-07)
- AB 68
Dymally *Schools: pupil services block grant*
Existing law establishes categorical education block grants for pupil retention, school safety, teacher credentialing, professional development, targeted instructional improvement, and school and library improvement. Existing law requires the governing board of a school district to give diligent care to the health and physical development of pupils and authorizes the governing board to employ properly certified persons for this work. The governing board of any school district is authorized to provide a comprehensive educational counseling program for all pupils enrolled in the schools of the district. That educational counseling is required to include, but not be limited to, academic counseling, career and vocational counseling, and personal and social counseling. This bill would establish the pupil services block grant for the purpose of providing education, mental health, and social services support services to pupils. Funds would be apportioned to school districts and used to hire, or expand services provided by, specified credentialed or certificated school professionals, including, among others, school psychologists, counselors, nurses, social workers, speech-language pathologists, and audiologists. A school district would be authorized also to use these block grant funds to reduce the size of special education classes for pupils with low incidence disabilities and other specified disabilities. As a condition of receiving funds, the governing board of the school district would be required to develop a districtwide mental health, physical health, and social services plan focused on the needs of the at-risk pupil population of the district and the mental health, physical health, and social services support services needed most by the classroom teachers in the district and require each mental health, physical health, or social services professional funded under this article to provide specified services. A school district would also be required to submit an annual report containing the number of pupils served, the number of school counselors, and mental health, physical health, and social services professionals involved with at-risk pupils, the number and percentage of pupils who received services, and the number of pupils designated as at-risk who graduated each year. The bill would require block grant funds to be allocated to school districts based on an equal amount per unit of average daily attendance and would prescribe minimum grant amounts.
Status: In Assembly Com. on Ed.: Set, first hearing. Hearing cancelled at the request of author. (last activity 4/25/07)

- AB 74
Dymally *University of California: obesity, diabetes, and related illness center*
Under existing law, the University of California is a public trust, administered by the Board of Regents. This bill would request that the Regents of the University of California establish and administer an Institute for the Study of the Phenomenon of Obesity and Diabetes Experimental Research (PODER) at the University of California, Irvine, in coordination with the Charles R. Drew University of Medicine and Science, and establish and administer one or more clinics that are affiliated with the PODER Institute to focus on individuals or groups who suffer from obesity and diabetes, as defined. The bill would express the intent of the Legislature to appropriate funds in the Budget Act of 2007 in order to implement the bill.
Status: In Asm. APPR. Com: Set, second hearing. Held under submission. (last activity 5/31/07)
- AB 86
Lieu *School food nutrition: trans fat*
Existing law prohibits the sale of certain food items at elementary, and at middle and high schools, and commencing July 1, 2007, requires snack and entree food items sold to pupils to meet certain nutritional standards, as specified. This bill would additionally prohibit these food items from containing partially hydrogenated or hydrogenated vegetable oils, except to the extent that these oils are naturally occurring in the food item.
Status: In Asm. ED. Com. Hearing postponed by committee. (last activity 3/14/07)
- AB 90
Lieu *Pupil nutrition: trans fats*
The Pupil Nutrition, Health, and Achievement Act of 2001 requires a school to follow the Enhanced Food Based Meal Pattern, Nutrient Standard Meal Planning, or Traditional Meal Pattern developed by the United States Department of Agriculture or the Shaping Health as Partners in Education (SHAPE) Menu Patterns developed by the state in order to qualify for reimbursement for free and reduced-price meals sold or served to pupils. The act prescribes nutrition standards for snacks sold to pupils in middle, junior, or high school with certain exceptions. The act also prohibits the sale of certain beverages to a pupil at an elementary school. This bill, commencing on July 1, 2009, would prohibit a school or school district from serving or selling to pupils, during school hours, any food containing artificial trans fat, as defined, and would prohibit the use of artificial trans fat in the preparation of a food item served or sold to pupils. This prohibition would impose a state-mandated local program.
Status: In Asm. APPR. Com.: Set, second hearing. Held under submission. (last activity 5/31/07)
- AB 92
Garcia *Pupil nutrition: school meals*
Existing law requires each school district or county superintendent of schools maintaining any kindergarten or any of grades 1 to 12, inclusive, to provide one nutritionally adequate free or reduced-price meal for each needy pupil during each schoolday, except as specified. Existing law permits a school district or county office of education to use funds made available through any applicable federal or state program or to use its own funds to provide the required meals. Existing law requires the State Department of Education to award grants, as specified, to school districts and county offices of education for the initiation and expansion of school breakfast programs and summer food service programs. Existing federal law provides additional funding, the lesser of specified meal reimbursement rates or 100% of the operating costs of a breakfast program, for school districts that meet certain qualifications deemed to indicate severe need and that are operating or desire to initiate a school breakfast program. This bill would require each schoolsite that meets the qualifications for federal severe need reimbursement to offer breakfast beginning with the 2008-09 school year. The bill would authorize the State Department of Education to consider granting waivers of this requirement if the local school governing board declares that the operation of the program is financially infeasible even with a startup or expansion grant, and requires the department to provide the school district or county office of education seeking a waiver with technical assistance to attempt to overcome any barriers the school district or county office of education is experiencing prior to granting the waiver. This bill would require that schools offering the federal School Breakfast Program for the first time pursuant to these provisions receive a priority for funding through the startup and expansion grant program.
Status: In Asm. APPR. Com: Set, second hearing. Held under submission. (last activity 5/31/07)

- AB 93
Garcia *Food facility: trans fat: study*
The Sherman Food, Drug, and Cosmetic Act contains various provisions regarding the contents, packaging, labeling, and advertising of food, drugs, and cosmetics. The State Department of Health Services administers and enforces the act. Effective July 1, 2007, these duties will be transferred to the State Department of Public Health. This bill would require the Secretary of the California Health and Human Services Agency, by July 1 2008, to prepare and provide a study to the Legislature on the benefits to public health from the elimination of saturated and trans fat from food facilities in the state.
Status: In Asm. Health Com: Set, third hearing. Failed passage. Reconsideration granted. (last activity 4/10/07)
- AB 97
Mendoza *Food facilities: trans fats*
The California Uniform Retail Food Facilities Law (CURFFL) provides for the regulation of health and sanitation standards for retail food facilities by the State Department of Public Health. Under existing law, local health agencies are primarily responsible for enforcing CURFFL. The violation of the law is a misdemeanor. This bill would require every food facility, except a public school cafeteria, to maintain on the premises the label *required* for any food or food additive that is or includes any fat, oil, or shortening, for as long as this food or food additive is stored, distributed, or served by, or used in the preparation of food within, the food facility. This bill would also, commencing Jan. 1, 2010, prohibit oil, shortening, or margarine containing specified trans fats for specified purposes, from being stored, distributed, or served by, or used in the preparation of any food within, a food facility. It would also, commencing on January 1, 2010, prohibit any food containing artificial trans fat, from being stored, distributed, or served by, or used in the preparation of any food within, a food facility. The bill would exempt from these prohibitions, specified public school cafeterias and food sold or served in a manufacturer's original, sealed package. The bill would, on and after January 1, 2013, authorize a local governing body to adopt a more stringent ordinance regulating the use of trans fat in food.
Status: Read third time, passage refused. (Ayes 18. Noes 22.) Motion to reconsider made by Senator Romero. Reconsideration granted. (last activity 3/14/07)
- AB 128
Dymally *Pupils: Gang Violence Mitigation Pilot Programs*
Existing law establishes various experimental school programs, including, among others, programs of individualized instruction, alternative schools, and the Single Gender Academies Pilot Program. This bill would require the State Department of Education to contract with the county office of education for the Compton Unified School District, the Inglewood Unified School District, the Long Beach Unified School District, the Oakland Unified School District, and the San Bernardino City Unified School District for the development, administration, and implementation of community-based Gang Violence Mitigation Pilot Programs to provide gang alternative education, counseling, and support services to pupils enrolled in any of grades 4 to 8, inclusive, in those school districts. The programs would become operative only upon the individual agreement of one or more of those school districts to participate. The county office of education for each school district that agrees to participate in a program would be required to conduct an evaluation of the program based on the Social Development Strategy developed by the Seattle Social Development Project using specified empirical data and transmit the evaluation to the department. The department also would be required to prepare and submit to the Legislature an interim report and a final report regarding the programs by January 1, 2010 and January 1, 2011, respectively. These provisions would be repealed on January 1, 2012.
Status: In Asm. APPR. Com: Set, second hearing. Held under submission. (last activity 2/1/07)
- AB 233
Jones *Diesel vehicles and engines: Healthy Heart and Lung Act*
(1) Existing law gives the State Air Resources Board the responsibility for control of emissions from motor vehicles and requires the state board to coordinate efforts of all levels of government as they affect air quality. The state board is required to identify toxic air contaminants and to establish airborne toxic control measures for toxic air contaminants. The state board has adopted an airborne toxic control measure to limit diesel-fueled commercial motor vehicle idling. Violations of this regulation are subject to a minimum civil penalty of \$100. This bill would increase this minimum

civil penalty to \$300. The bill would also require the state board, every 3 years, to review enforcement of specified diesel emission control regulations and develop a strategic plan for consistent, comprehensive, and fair enforcement of these regulations. The bill would require the state board to submit this plan to the relevant legislative policy and fiscal committees by January 1, 2009, and every 3 years thereafter. (2) Existing law requires a commercial motor vehicle that operates with a declared gross or combined gross vehicle weight that exceeds 10,000 pounds to register with the Department of Motor Vehicles, and subjects these vehicles to special weight fees. This bill would require the department to, for any diesel commercial vehicle subject to these provisions, refuse registration, or renewal or transfer of registration, if the owner or an operator of the vehicle has been cited for a violation pertaining to the vehicle of specified air pollution laws until the violation has been cleared, as determined by the State Air Resources Board.

Status: CHAPTERED

AB 269
Eng

Dentists: dental auxiliaries: licensure renewal

The Dental Practice Act provides for the licensure and regulation of dentists by the Dental Board of California, and provides for the licensure and regulation of dental auxiliaries by the Committee on Dental Auxiliaries. The act requires each licensee to apply to the board or the committee, as appropriate, for license renewal. This bill would require a licensee, as specified, to report, upon his or her initial licensure and any application for license renewal, information regarding his or her specialty board certification and practice status and would authorize this information to be posted on the board's or the committee's Internet Web site. The bill would authorize a licensee, including a dental auxiliary licensee, to report cultural background and foreign language proficiency in his or her licensure renewal application, and would require that this information be compiled and reported on the board's or the committee's Internet Web site on or before July 1 of each year. The bill would require the board and the committee to take certain actions to phase in this reporting mechanism by January 1, 2009. The bill would specify that if the committee ceases to exist its responsibilities pursuant to these provisions be transferred to the successor entity or entities responsible for licensing registered dental hygienists and registered dental assistants.

Status: CHAPTERED

AB 301
Soto

Criminal street gangs: statewide prevention

Existing law establishes the California Gang, Crime, and Violence Prevention Partnership Program to partner with and provide funds to local agencies, as specified, that provide services and activities designed to prevent or deter at-risk youth from participating in gangs, criminal activity, or violent behavior. Existing law also establishes the Gang Violence Suppression Program to provide funding to local organizations and agencies that are primarily engaged in the suppression of gang violence. This bill would create the position of the California Gang Prevention Coordinator within the Department of Justice who would be responsible for coordinating gang prevention efforts statewide, as specified. The bill would require the Attorney General to request funding for the position as part of the annual budget process and would make appointment to the position contingent on obtaining funding.

Status: In Asm. Com. on Pub. S. Hearing postponed by committee. (last activity 4/24/07)

AB 330
Hayashi

Health disparity report

Existing law provides that the Office of Statewide Health Planning and Development, within the California Health and Human Services Agency, is the single state agency designated to prescribed health facility or clinic data for use by all state agencies. This bill would require the office, with support from the agency, to develop a health disparity report based upon the inpatient hospital discharge data set. The bill would also require the office and agency, by January 1, 2010, to complete and deliver the report to the Legislature.

Status: In Asm. Com. On APPR: Set, second hearing. Held under submission. (last activity 5/31/07)

AB 345
Saldana

Alcoholic beverages: underage drinking prevention

Under the existing Alcoholic Beverage Tax Law, excise taxes are imposed at various rates on the privilege of selling or possessing for sale beer, wine, and distilled spirits, as defined, and are administered by the State Board of Equalization. The proceeds from these taxes are deposited in the

Alcohol Beverage Control Fund and, subject to the payment of refunds, are transferred to the General Fund. This bill would provide that, for calendar years beginning on or after January 1, 2008, the State Board of Equalization shall calculate the total amount of all surtaxes, interest, and penalties that would be collected as a result of a reclassification of any alcoholic beverage from beer to a distilled spirit. This bill would also require the board, for calendar years beginning on and after January 1, 2008, to provide the Legislature and the Legislative Analyst's Office with an annual revenue analysis of the amounts that would be collected as a result of a reclassification of an alcoholic beverage from a beer to a distilled spirit, including, but not limited to, the total amount of all surtaxes, interest, and penalties that would be collected by the board due to a reclassification and a projection of the amounts to be collected in the following year. This bill make findings and declarations regarding the impact of alcoholic beverages on the youth of this state and states the intent of the Legislature to transfer the amount, upon appropriation, of all surtaxes, interest, and penalties collected as a result of the reclassification of any alcoholic beverage from beer to a distilled spirit to the Department of Alcoholic Beverage Control and the State Department of Alcohol and Drug Programs, for specified purposes, including the prevention of underage drinking of, and access to, alcoholic beverages by minors, and to counties to reimburse the costs of publicly funded emergency and trauma services and youth alcohol treatment, recovery, and prevention programs.
Status: In Asm. Com. on G.O. Hearing for testimony only. (last activity 4/18/07)

AB 346
Beall

Alcoholic beverages: labels

The Alcoholic Beverage Control Act, administered by the Department of Alcoholic Beverage Control, regulates the sale and distribution of alcoholic beverages and the granting of licenses for the manufacture, distribution, and sale of alcoholic beverages within the state. The act also provides for specified labeling requirements for containers of alcoholic beverages sold within this state, as provided. This bill would require the Department of Alcoholic Beverage Control to promulgate regulations, on or before July 1, 2008, to require that any alcoholic beverage container, represented by the manufacturer to be a malt beverage, sold for consumption within this state to bear a label or a firmly affixed sticker, under specified circumstances, that includes specified information regarding its alcohol content and its status as an alcoholic beverage, if the department determines, using objective evidence, that the malt beverage container may be mistaken by a reasonable person for a beverage that does not contain alcohol. This bill also makes findings and declarations with regard to the need for these labeling requirements.

Status: To inactive file on motion of Senator Perata. (last activity 9/7/07)

AB 383
Tran

Medi-Cal: orthodontic services

Existing law provides for the Medi-Cal program, which is administered by the State Department of Health Care Services and under which qualified low-income persons receive health care services. Existing law requires that emergency and essential diagnostic and restorative dental services are covered benefits under Medi-Cal, except as specified, subject to certain limitations. This bill would, commencing July 1, 2008, notwithstanding these provisions, require that the active and retentive phases of orthodontic treatment covered under Medi-Cal be reimbursed on a quarterly basis pursuant to a specified formula, only until specified standards are implemented by the department, at which time the bill would exempt only covered retentive phase orthodontic services from those provisions.

Status: Read second time, amended, and re-referred to Sen. Com. on APPR. (last activity 7/5/07)

AB 413
Ruskin

Alcoholic beverages: licenses

Under existing law, an applicant for a retail license to sell alcoholic beverages, at a premises that is not currently licensed or for a different retail license, is required to mail a notification of the application to every resident of real property within a 500-foot radius of the premises for which the license is to be issued. Existing law also requires that notification to also be mailed to every owner of real property in that area, if the local jurisdiction in which the license is to be issued provides the applicant, free of charge, with the names and addresses of the owners of the real property. This bill would require the applicant to mail notifications to residents and owners of real property via a method that offers proof of mailing. The Alcoholic Beverage Control Act provides that a violation of any of its provisions for which another penalty or punishment is not specifically provided is a misdemeanor.

Status: CHAPTERED

- AB 420
Wolk *California Special Supplemental Nutrition Program for Women, Infants, and Children: gateway system*
Existing law, the California Special Supplemental Food Program for Women, Infants, and Children (WIC), authorizes establishment of a statewide program, administered by the State Department of Health Services, for providing nutritional food supplements to low-income pregnant women, low-income postpartum and lactating women, and low-income infants and children under 5 years of age, who have been determined to be at nutritional risk. The program, which implements a program authorized under existing federal law, provides for the redemption of nutrition coupons by recipients at any authorized retail food vendor. Effective July 1, 2007, responsibility for the administration of the above-mentioned provisions will be transferred to the State Department of Public Health. Existing law also requires the Managed Risk Medical Insurance Board and the department, in collaboration with WIC program offices and other designated entities, to design, promulgate, and implement policies and procedures for an automated enrollment gateway system to obtain presumptive eligibility for, and to facilitate application for enrollment in, the Medi-Cal program and the Healthy Families Program for children applying to the WIC program. Existing law requires the WIC gateway system to be constructed with the capacity to be used by entities operating the WIC program. This bill would require all WIC local agencies that serve large numbers of participants and a high proportion of uninsured participants, as specified, to use the WIC gateway system only to the extent funding is available, as specified, and would permit all other local WIC agencies to use the WIC gateway system at their option.
Status: In Asm. Com. on APPR: Set, second hearing. Held under submission. (last activity 5/21/07)
- AB 433
Beall *Food Stamp Program: categorical eligibility*
Existing law provides for the Food Stamp Program, under which each county distributes food stamps provided by the federal government to eligible households, and the CalWORKs program, under which each county provides cash assistance and other benefits to qualified low-income families and individuals. This bill would require the State Department of Social Services to propose a new name for the Food Stamp Program in California, and to convene with a diverse group of stakeholders to develop the new name. The bill would require the new name to reflect one or more designated concepts relating to the operation and significance of the program. Existing law also provides for the Medi-Cal program, which is administered by the State Department of Health Care Services, pursuant to which medical benefits are provided to public assistance recipients and other low-income persons. Under existing law, the State Department of Social Services is required to develop a program of categorical eligibility under the Food Stamp Program for persons receiving certain cash assistance for indigent persons. This bill would require the department to establish a similar categorical eligibility program for recipients of benefits under the Medi-Cal program, when those individuals will be receiving or are eligible to receive benefits or services funded under the federal Temporary Assistance for Needy Families (TANF) block grant. The bill would require the department to establish the program by July 1, 2008, and to fully implement it as to new food stamp applicants by January 1, 2009.
Status: To inactive file on motion of Senator Steinberg. (last activity 9/12/07)
- AB 528
Aghazarian *Graffiti prevention: "Tag, You're It" Act of 2007*
Existing law establishes various crime prevention programs. This bill would establish a graffiti prevention pilot program, to be known as the "Tag, You're It" Act of 2007, to fund, through grants, specified graffiti prevention and prosecution efforts in 5 counties, as specified and administered by the Office of Emergency Services. The bill would require a report to the Legislature and the Governor, not later than January 1, 2011, regarding the program, as specified. The bill would provide that these provisions would be repealed as of January 1, 2012. The bill would appropriate \$5,000,000 from the General Fund to the Office of Emergency Services to fund the program.
Status: In Asm. Com. on APPR: Set, second hearing. Held under submission. (last activity 5/31/07)
- AB 575
Arambula *The Highway Safety Traffic Reduction, Air Quality, and Port Security Fund of 2006: emission reductions*

Existing law, the Highway Safety, Traffic Reduction, Air Quality, and Port Security Bond Act of 2006, was approved by the voters as Proposition 1B at the November 7, 2006, statewide general election and authorizes the issuance of \$19.925 billion of state general obligation bonds for specified purposes. The act requires that of the proceeds of the bonds issued and sold \$1,000,000,000 be made available upon appropriation by the Legislature to the State Air Resources Board for emission reductions, not otherwise required by law or regulation, from activities related to the movement of freight along California's trade corridors. This bill would require the state board to develop guidelines meeting specified requirements for the allocation of the \$1,000,000,000 in funding. The bill would, upon appropriation by the Legislature, require the state board to allocate funds on a competitive basis to projects and measures that are shown to achieve the greatest emission reductions from activities related to freight movement along California's trade corridors. The projects and measures would be required to result in emission reductions not otherwise required by law or regulation in effect as of November 8, 2006. The bill would specify that the funds only be used to implement strategies described in a required emissions reduction plan to be included in funding applications. The bill would require the state board to report annually to the appropriate fiscal and policy committees of the Legislature in writing and at scheduled legislative informational hearings on the status of the projects and measures being funded. The bill would require the costs the state board in administering the program to be paid in an appropriation in the annual Budget Act and would limit those costs to \$15,000,000 for the duration of program funding.

Status: In Asm. Com. on APPR: Set, second hearing. Held under submission. (last activity 2/22/07)

AB 647
Salas

Tobacco use programs

Existing law establishes the Tobacco Education and Research Oversight Committee to provide advice to the State Department of Health Services and the State Department of Education with respect to policy development, integration, and evaluation of tobacco education programs. Existing law specifies the duties of the State Department of Education with respect to tobacco programs administered by local public and private schools, school districts, and county offices of education. Existing law requires the State Department of Education to award and administer grants for projects directed at the prevention of tobacco use among schoolage children. Existing law specifies the duties of county offices of education regarding antitobacco programs. This bill would revise the above-described provisions to, among other things, require the State Department of Education to administer a competitive grant program for school-based, antitobacco education programs and tobacco use intervention and cessation activities, and revise the duties of the county offices of education with respect to this grant program. The provisions of this bill would take effect July 1, 2009.

Status: CHAPTERED

AB 760
Coto

Pupil health: school health services

Existing law authorize a school nurse or other designed school personnel to perform certain health services, including assisting pupils in taking medication. This bill would, beginning in the 2008-09 school year for 3 years, require each school district to report to the State Department of Education the number of pupils who have acute or chronic health conditions, as specified. The bill would express the Legislature's intent to allocate funds to certain schools for the purpose of hiring a credentialed school nurse. Because the bill would impose additional reporting requirements on school districts, the bill would impose a state-mandated local program.

Status: In Asm. Com. on H.C. & D: Set, second hearing. Held under submission. (last activity 5/31/07)

AB 774
Houston

Physical education: volunteer instructors

Existing law requires the adopted course of study for grades 1 to 12, inclusive, to include physical education, and requires pupils to attend physical education for a specified minimum amount of time, based on grade level, unless otherwise exempted. Two courses in physical education are required to be completed by a pupil as part of the requirements for receipt of a diploma of graduation from high school, unless that pupil is otherwise exempted from physical education. Existing law authorizes the Commission on Teacher Credentialing to issue single subject credentials in the area of physical education, among other credentials. This bill would authorize a school district or a county office of education to establish a registry of volunteer after school physical recreation instructors. To be

included on a registry, a prospective registrant would be required to submit to a specified criminal background check, submit current contact information, and keep that information current. A school, school district, or county office of education would be authorized to contribute funds to pay for all or part of the cost of a criminal background check required of a prospective registrant. The bill also would authorize a school district or county office of education maintaining a registry to impose other requirements on prospective registrants, including, but not limited to, certification in cardiopulmonary resuscitation. The bill would authorize a school under the jurisdiction of a school district or county office of education maintaining a registry, upon approval of the person acting as the coordinator of, or overseeing, the after school activities of the school, to allow a registrant to provide instruction in physical recreation to pupils after school hours or provide other services. Instruction in physical recreation provided to a pupil by a volunteer would be prohibited from counting toward satisfaction of either the physical education course requirements for graduation from high school or the required number of minutes of instruction in physical education.

Status: CHAPTERED

AB 802
Salas

Criminal street gangs

Existing law establishes the California Gang, Crime, and Violence Prevention Partnership Program to partner with and provide funds to local agencies, as specified, that provide services and activities designed to prevent or deter at-risk youth from participating in gangs, criminal activity, or violent behavior. Existing law also establishes the Gang Violence Suppression Program to provide funding to local organizations and agencies that are primarily engaged in the suppression of gang violence. This bill would establish the California Commission on Gang Prevention and Intervention that would be responsible for creating a statewide strategy on gang violence prevention and intervention and collaborating with local agencies to implement the statewide strategy, as specified.

Status: In Asm. Com. on APPR: Set, second hearing. Held under submission. (last activity 5/31/07)

AB 833
Ruskin

California Toxic Release Inventory Program

Existing law authorizes the California Environmental Protection Agency (Cal-EPA) to request any business to submit the information required to be submitted in the toxic chemical release form pursuant to the federal Emergency Planning and Community Right-to-Know Act of 1986 (EPCRA). Existing law prohibits the Cal-EPA from requiring the form from certain businesses or in an amount lower than the applicable threshold amount specified in EPCRA. This bill would enact the California Toxic Release Inventory Program Act of 2007 to require the Department of Toxic Substances Control (department) to develop and implement, by January 1, 2009, the California Toxic Release Inventory Program to require a facility to submit a toxic chemical release form to the department, if the facility is not required to submit a toxic chemical release form containing that same information pursuant to the existing federal regulations, as defined. The bill would require the information to be reported under the program to be reported retroactively to the effective date of the changes made to EPCRA or the existing federal regulations to ensure no gap in data collection. The bill would require the department to determine whether existing California-specific reporting requirements can substitute, in whole or in part, for the information that would be required under the program. The bill would require the facility to utilize the same reporting forms required by the existing regulations, unless the department determines that an alternative form is necessary to substitute chemical release data reported under existing California-specific programs. The department would be authorized to adopt regulations to implement the program as emergency regulations and would require the Office of Administrative Law to deem these regulations to be necessary for the immediate preservation of the public peace, health, safety, and general welfare. The bill would also prohibit the department, if there is a legal challenge to the changes made to a specified provision of the federal act or the federal regulations adopted pursuant to that provision, that result in the changes being stayed or enjoined by a court, from requiring a facility to submit a toxic chemical release form, until the department determines that the court action has been settled or adjudicated.

Status: CHAPTERED

AB 834
Hayashi

Dental disease prevention program

Existing law authorizes local sponsors, as defined, to offer community dental disease prevention programs approved by the State Department of Public Health to school children in preschool through

6th grade, and in classes for individuals with exceptional needs. Existing law requires the program to include educational programs focused on the development of personal practices by pupils, as specified and preventative services. Existing law requires any acts performed or services provided pursuant to the program that constitute the practice of dentistry to be performed or provided by a licensed dentist. This bill would require the program, among other things, to include age-appropriate education that promotes oral health and focuses on development of personal practices by children in preschool through 6th grade, and would require the services included in the program to be age appropriate and to include dietary fluoride supplements. The bill would also require acts performed or services provided that constitute the practice of dentistry to be performed by a licensed dentist or a licensed or registered dental health professional. Existing law requires a local health officer that seeks to participate in the community dental disease prevention program to submit a proposal for the program to the department annually. This bill would, instead, require the local health officer to submit a proposal every 3 years. The bill would also, on or after July 1, 2008, permit increases in reimbursement rates to local sponsors. The bill would require the department to meet with an expert group of stakeholders, on a biennial basis, to review the educational and preventative components of the program, and provide input into programmatic changes.

Status: VETOED

AB 871
Davis

Hypertension and diabetes

Under existing law the State Department of Health Services administers various programs relating to disease prevention and health promotion, including programs that address hypertension and other cardiovascular disease. Effective July 1, 2007, these duties of the department will be transferred to the State Department of Public Health. This bill would declare legislative intent to enact legislation that would address the epidemic of hypertension and diabetes among low-income persons and persons of color in California

Status: From printer. May be heard in committee March 25. (last activity 2/23/07)

AB 895
Aghazarian

Health care coverage: dental care

Existing law, the Knox-Keene Health Care Service Plan Act of 1975, the willful violation of which is a crime, provides for the licensure and regulation of health care service plans and specialized health care service plans, including plans covering dental services. Existing law provides for the regulation of insurers by the Department of Insurance. Existing law imposes specified coverage and disclosure requirements on health care service plans and insurers. Existing law provides for, but does not require, a coordination of benefits in instances where coverage for a claim is available from more than one insurer or plan, as specified. This bill would require a health care service plan or a specialized health care service plan contract covering dental services, or a disability insurer that issues a dental insurance policy, to declare its coordination of benefits policy, as defined, prominently in its evidence of coverage documents or in its contracts or policies with both enrollees or insureds and subscribers or policyholders. The bill would require an enrollee's or insured's primary dental benefit plan, as defined, that is coordinating dental benefits with one or more other plans or insurers to pay the maximum amount required by its contract or policy with the enrollee or insured or the subscriber or policyholder. The bill would require a secondary dental benefit plan, as defined, to pay the lesser of either the amount that it would have paid in the absence of any other dental benefit coverage or the enrollee's or insured's total out-of-pocket cost payable under the primary dental benefit plan for benefits covered under the secondary dental benefit plan.

Status: CHAPTERED

AB 898
Saldana

Nutrition education

Existing law requires the State Department of Health Services to assess the availability and adequacy of existing state and local food and nutrition data systems. Existing law also requires the department to establish and implement, to the extent specified funds are available, a 5 a day for better health program for the purpose of promoting public awareness of the need to increase the consumption of fruits and vegetables as part of a low-fat, high-fiber diet. Effective July 1, 2007, these above-mentioned duties of the department will be transferred to the State Department of Public Health. Existing law requires the Superintendent of Public Instruction to monitor school district compliance with specified pupil nutrition and activity requirements, as specified, and requires certain school

districts to report their compliance to the Superintendent, as specified. This bill would require, until January 1, 2015, the State Department of Public Health to establish and administer a pilot grant program to award 3-year grants to at least 3 but not more than 5 school health centers, as defined, that utilize the "Promotores de Salud" model, as defined, to administer a nutrition education and obesity prevention program, as specified.

Status: In Asm. Com. on APPR: Set, second hearing. Hearing canceled at the request of author. (last activity 5/31/07)

AB 960
Hancock

Alcoholic beverages: licensing restrictions

The Alcoholic Beverage Control Act imposes upon the Department of Alcoholic Beverage Control the responsibility to administer and enforce state laws with respect to alcoholic beverages, including the implementation of alcoholic beverage licensing. Among other things, the act prohibits the issuance of any retail license for the sale of alcoholic beverages for any premises that are located in any territory where the exercise of the rights and privileges conferred by the license is contrary to a valid zoning ordinance of any county or city. The act provides that premises which had been used in the exercise of those rights and privileges at a time prior to the effective date of the zoning ordinance may continue operation under specified conditions. This bill would authorize a county or city to provide for a reasonable amortization period and termination of, or imposition of conditions on legal nonconforming uses pursuant to, a validly enacted zoning ordinance. These provisions would apply to premises that had been used in the exercise of rights and privileges conferred by the retail license at a time prior to the effective date of the zoning ordinance that are located in areas of undue concentration, as defined.

Status: In Asm. Com. on G.O.: Set, first hearing. Hearing canceled at the request of author. (last activity 4/25/07)

AB 967
Nava

Farm Fresh Schools Program

Existing law establishes various programs with purposes of disease prevention and health promotion, including the "5 A Day--For Better Health" program, which has the purpose of promoting public awareness of the need to increase the consumption of fruits and vegetables as part of a low-fat, high-fiber diet in order to improve health and prevent major chronic diseases, including diet-related cancers. This bill would establish the Farm Fresh Schools Program, which would be intended to reduce obesity, improve nutrition and public health, and strengthen local and regional agricultural economies by increasing access to and promoting the consumption of locally and regionally grown fruits and vegetables in schools and increasing access to physical activities and programs that promote pupil wellness. The Department of Food and Agriculture and the State Department of Public Health jointly would administer the program, in consultation with the State Department of Education, as appropriate, and would be required to establish a process to review grant proposals and award grants on a competitive basis to eligible applicants to carry out the purposes of the program, as specified. The state share of funding for a project funded pursuant to the program would be limited to 50% of the total amount of the program costs, with grantees required to provide matching funding and in-kind contributions, as specified. The bill also would establish the Farm Fresh Schools Account within the State Treasury and would permit moneys in the account, upon appropriation by the Legislature, to be expended by the departments, acting jointly as administrators of the program, for the purposes of this program.

Status: In Asm. Com. on APPR: Set, second hearing. Held under submission. (last activity 5/31/07)

AB 995
Nava

Highway Safety, Traffic Reduction, Air Quality, and Port Security Bond Act of 2006: trade corridors

The Highway Safety, Traffic Reduction, Air Quality, and Port Security Bond Act of 2006, approved by the voters as Proposition 1B in the November 2006 general election, establishes the Highway Safety, Traffic Reduction, Air Quality, and Port Security Fund of 2006 in the State Treasury. Existing law requires specified moneys in the fund to be deposited in the California Ports Infrastructure, Security, and Air Quality Improvement Account to be available upon appropriation by the Legislature, for certain purposes. The act requires \$1,000,000,000 from the account to be made available to the State Air Resources Board for emission reductions, not otherwise required by law or regulation, from activities related to the movement of freight along California's trade corridors. The act requires \$2,000,000,000 to be transferred to the Trade Corridors Improvement Fund for

infrastructure improvements along designated trade corridors. This bill would provide that projects eligible for funding from the Trade Corridors Improvement Fund would receive priority if they meet specified requirements. The bill would require the California Transportation Commission to coordinate with the state board for technical assistance in evaluating project applications.

Status: Read second time, amended, and re-referred to Sen. Com. on APPR. (last activity 7/17/07)

AB 1060
Laird

Public social services: CalWORKS and the Food Stamp Program: redetermination and recertification

Existing law requires each county to provide cash assistance and other social services to needy families through the California Work Opportunity and Responsibility to Kids (CalWORKs) program using federal Temporary Assistance to Needy Families (TANF) program, state, and county funds. Under existing law, the county is required to annually redetermine eligibility for CalWORKs benefits. Existing law additionally requires the county to implement a recipient monthly reporting system, consistent with federal law until the Director of Social Services makes a specified declaration, at which time the county would be required to redetermine recipient eligibility and grant amounts on a quarterly basis, using prospective budgeting, and to prospectively determine the grant amount that a recipient is entitled to receive for each month of the quarterly reporting period. Under existing law, a CalWORKs recipient is required to report to the county, orally or in writing, specified changes that could affect the amount of aid to which the recipient is entitled. Existing law requires the quarterly redetermination report form to be signed by the recipient under penalty of perjury. Existing law provides for the Food Stamp Program, under which food stamps are allocated by each county in accordance with federal requirements. Under existing law, the Food Stamp Program is administered at the state level by the State Department of Social Services. Existing law requires CalWORKs reporting requirements to be implemented in a manner that promotes compatibility between the CalWORKs program and the Food Stamp Program. This bill would repeal the quarterly redetermination requirements and instead would impose similar requirements for a semiannual redetermination, operative January 1, 2009. This bill would require the redetermination report form to be signed under penalty of perjury, thus creating a new crime and imposing a state-mandated local program. The bill would also repeal the requirements for prospective determination of a recipient's grant amount, and the requirement that the recipient report the specified changes to the county, operative January 1, 2009. Existing law continuously appropriates moneys from the General Fund to defray a portion of county costs under the CalWORKs program. This bill would instead provide that the continuous appropriation would not be made for purposes of implementing the bill.

Status: In Sen. Com. on APPR: Set, first hearing. Held under submission. (last activity 8/30/07)

AB 1118
Jones

Childhood poverty

This bill would establish the California Child Poverty Council, an advisory body that would be responsible for developing a comprehensive plan to reduce child poverty in California by 50% by January 1, 2017, and eliminate it by January 1, 2027. The bill would provide for the composition of the council, including as chair, the Secretary of California Health and Human Services. The bill would require the council to monitor and report at least annually to the Governor, the Legislature, and the public, the extent to which the state is meeting the numerical targets for reducing child poverty.

Status: In Asm. Com. on APPR: Set, second hearing. Held under submission. (last activity 5/31/07)

AB 1145
Huff

Graffiti: forfeiture of vehicle

Existing law establishes the offense of vandalism, which generally includes placing graffiti in or on public or private property, as well as other defacing or damaging acts. This bill would provide for the seizure and forfeiture of a vehicle when the owner of the vehicle uses the vehicle in connection with commission of a violation of the vandalism provisions described above.

Status: In Asm. Com. on Pub. S.: Set first hearing. Failed passage. Reconsideration granted. (last activity 4/17/07)

AB 1154
Leno

Diabetes

Existing law authorizes the State Department of Health Services to perform studies, demonstrate innovative methods, and disseminate information relating to the protection, preservation, and

advancement of public health. Effective July 1, 2007, these duties will be transferred to the State Department of Public Health. This bill would require the department, in consultation with the California Health Alliance Commission, to develop a diabetes risk reduction pilot program within 24 counties to analyze and report the outcomes from integrative care to the causes of diabetes through proactive prevention.

Status: In Asm. Health Com: Set, first hearing. Hearing canceled at the request of author. (last activity 4/24/07)

AB 1209
Karnette

State Air Resources Board: bond allocation: criteria

Existing law creates the Highway Safety, Traffic Reduction, Air Quality, and Port Security Bond Act of 2006 to authorize \$19.925 billion of state general obligation bonds for specified purposes. The Highway Safety, Traffic Reduction, Air Quality, and Port Security Bond Act of 2006 requires \$3,100,000,000 of these funds to be deposited in the California Ports Infrastructure, Security, and Air Quality Improvement Account within the Highway Safety, Traffic Reduction, Air Quality, and Port Security Fund of 2006, and requires \$1,000,000,000 of these funds to be made available, upon appropriation by the Legislature, to the state board for emissions reductions, not otherwise required by law or regulation, from activities related to the movement of freight along California's trade corridors. This bill would require the state board to develop guidelines meeting specified requirements for the allocation of the \$1,000,000,000 in funding. The bill would, upon appropriation by the Legislature, require the state board to allocate funds on a competitive basis to projects and measures that are shown to achieve the greatest emission reductions from activities related to freight movement along California's trade corridors. The projects and measures would be required to result in emission reductions not otherwise required by law or regulation in effect at the time the state board issues a notice of funding availability. The bill would specify that the funds only be used to implement strategies described in a required emissions reduction plan included in funding applications. The bill would require the state board to report annually to the appropriate fiscal and policy committees of the Legislature on the status of the projects and measures being funded. The bill would require the administrative costs of the state board to be paid in an appropriation in the annual Budget Act and limit those costs to \$15,000,000 for the duration of program funding.

Status: In Sen. Com. on APPR. Hearing postponed by committee. (last activity 8/20/07)

AB 1291
Mendoza

Antigang violence parenting classes

Under existing law, if a minor has been adjudged a ward of the juvenile court, and the court finds that a specified notice has been given to the parent or guardian of the minor and orders that the parent or guardian shall retain custody of the minor either subject to or without the supervision of the probation officer, the parent or guardian may be required to participate with the minor in a counseling or education program, including, but not limited to, parent education and parenting programs operated by community colleges, school districts, or other appropriate agencies designated by the court. This bill would authorize the juvenile court, if a minor is found to be a ward of the court by reason of the commission of a gang-related offense, and the court finds that the minor is a first-time offender and orders that a parent or guardian retain custody of that minor, to order the parent or guardian to attend antigang violence parenting classes. The bill would require the Department of Justice to establish the curriculum of those classes, including specified criteria. The bill would provide that the father, mother, spouse, or other person liable for the support of the minor, the estate of that person, and the estate of the minor shall be liable for the cost of the classes, unless the court finds that the person or estate does not have the financial ability to pay.

Status: CHAPTERED

AB 1303
Smyth

Urban Greening

Under existing law, programs have been established pursuant to bond acts for, among other things, the development and enhancement of state and local parks and recreational facilities. The Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006, an initiative statute approved by the voters at the November 7, 2006, statewide general election, among other things, makes \$580,000,000 in bond funds available for improving the sustainability and livability of the state's communities through investment in natural resources. The initiative requires \$90,000,000 of those bond funds to be available for urban greening projects that

reduce energy consumption, conserve water, improve air and water quality, and provide other community benefits, and requires implementing legislation to provide for planning grants for urban greening programs. This bill would require the Department of Parks and Recreation, consistent with those provisions of the initiative, to establish a local assistance program to offer grants, on a competitive basis, to an eligible city, county, or district authorized to provide park, recreational, or open-space services, or a combination of those services. The bill would require the department, in evaluating an application for a grant, to assign higher priority to an application based on satisfying specified criteria. The bill would authorize the department to implement the program only in a fiscal year for which funding is provided for this purpose in the annual Budget Act.

Status: In Asm. Com. on APPR: Set, second hearing. Held under submission. (last activity 5/31/07)

AB 1381
Nunez

Gangs: Office of Statewide Gang and Youth Violence Policy

Existing law establishes the Corrections Standards Authority, which administers various federally funded grant programs relating to juvenile justice and crime prevention. This bill would establish the Office of Gang and Youth Violence Policy, which would be responsible for coordinating and assisting various persons and entities with strategies to prevent violence and gang involvement, and which, and to the extent feasible, would be authorized to perform related duties, including establishing an Internet Web site, as specified. The bill would state the intent of the Legislature regarding the creation of the office. The bill would also require the office to submit a report to the Legislature on or before March 1, 2009, containing recommendations and other information, as specified.

Status: CHPATERED

AB 1382
Leno

Public social services: CalWORKs and Food Stamp Program

Existing law requires the State Department of Social Services and the California Health and Human Services Agency Data Center to design, implement, and maintain a statewide fingerprint imaging system for use in connection with the determination of eligibility for benefits under the CalWORKs program, excluding the Aid to Families with Dependent Children-Foster Care program, and the Food Stamp Program. Existing law, with specified exceptions, requires applicants for, and recipients of, CalWORKs and Food Stamp Program benefits, as a condition of eligibility, to be fingerprint imaged, pursuant to the statewide fingerprint imaging system. This bill would, instead, require the department and the Office of Systems Integration to design, implement, and maintain the system. The bill would require the fingerprint imaging system to apply to use under the Food Stamp Program only to the extent the applicants for, or recipients of, food stamps also apply for or receive designated nonhealth benefits associated with county aid and relief to indigents.

Status: VETOED

AB 1461
Krekorian

Alcohol and drug abuse

(1) Existing law requires the State Department of Alcohol and Drug Programs to administer certain programs and studies related to alcohol and drug abuse recovery and to license, certify, and regulate alcoholism or drug abuse recovery or treatment facilities. Existing law requires the department to develop and implement a statewide campaign designed to deter initial and continued use of methamphetamine in California, and authorizes the department to accept voluntary contributions, in case or in-kind, for purposes of this provision. Existing law authorizes the department to develop and implement a limited campaign to deter the abuse of methamphetamine for the 2006-07 fiscal year if the Director of Finance determines that at least \$500,000 of private donations have been collected and deposited into a specified account. This bill would require, commencing July 1, 2008, the department to initiate and conduct a 2-year pilot project to demonstrate the efficacy and cost-effectiveness of a specified early methamphetamine intervention model in identifying and diverting methamphetamine addicts. The bill would request the Regents of the University of California to collect and analyze data regarding the pilot project and provide a report as specified. The bill would require the department, no later than January 1, 2009, to develop protocols that can be adopted by hospital emergency departments in the state that choose to implement screening and referral services consistent with the pilot project established by the bill. (2) Existing law authorizes a disability policy to provide that the insurer is not liable for any loss sustained or contracted in consequence of the insured's being intoxicated or under the influence of any controlled substance unless administered on

the advice of a physician. This bill would exclude a health insurance policy from the application of the above-described provision.

Status: To inactive file on motion of Senator Perata. (last activity 9/1107)

- AB 1467
DeSaulnier *Worker safety*
Existing law prohibits smoking of tobacco products inside all enclosed spaces of places of employment as defined, but exempts certain places of employment, including owner-operated bars and specified warehouses, hotel lobbies, employee break rooms, and meeting and banquet rooms, from this prohibition. This bill would remove the exemptions that permit smoking in specified bars, warehouses, hotel lobbies, employee breakrooms, and meeting and banquet rooms, while retaining exemptions for other types of businesses. This bill would also prohibit smoking in specified owner-operated businesses regardless of whether or not they have employees. The violation of the prohibition against smoking in enclosed spaces of places of employment is an infraction punishable by a specified fine and enforcement by local law enforcement and health agencies.
Status: VETOED
- AB 1585
Charles Calderon *Tobacco products: nonsale distribution*
Existing law prohibits, except under specified circumstances, the sale or distribution of tobacco products that is not face-to-face. Existing law authorizes the assessment of civil penalties for any violation. This bill would also include nonsale distribution, as defined, of tobacco products within this prohibition, and would make conforming changes. This bill would provide that if this bill and AB 1617 are both enacted and become effective on or before January 1, 2008, and this bill amends Section 22963 of the Business and Professions Code and AB 1617 repeals and adds that section, then the provisions of AB 1617 that repeal and add that section shall become operative and the provisions of this bill that amend that section shall not become operative, regardless of the order of enactment. Existing law makes the nonsale distribution of any smokeless tobacco or cigarettes unlawful in any public building, park or playground, or on any public sidewalk, street, or other public grounds, or on any private property that is open to the general public. This bill would include gift certificates, gift cards, or other similar offers, within the prohibited distributions and would make conforming changes.
Status: CHAPTERED
- AB 1596
Price *Department of Alcoholic Beverage Control: report: enforcement*
The Alcoholic Beverage Control Act is administered by the Department of Alcoholic Beverage Control. Existing law requires the department to make an annual report to the Legislature on the department's activities, including information for the previous calendar year on the number and type of enforcement activities conducted by the department. This bill would require the Department of Alcoholic Beverage Control to prepare and submit a report to the Legislature, on or before June 30, 2008, regarding enforcement staffing levels for district offices, including recommendations on funding levels necessary to support appropriate enforcement staffing levels, as provided.
Status: In Sen. Com. on APPR: Set, first hearing. Hearing canceled at the request of author. (last activity 8/20/07)
- AB 1608
Solorio *Fast food restaurants: billboard advertising*
Existing law makes it unlawful for any person, firm, or corporation, to advertise certain products on, among other things, any billboard, unless this advertising contains prescribed statements regarding the product. Existing law prohibits any person, firm, corporation, partnership, or other organization from advertising or causing to be advertised any tobacco products on any outdoor billboard located within 1,000 feet of any public or private elementary school, junior high school, or high school, or public playground. This bill would prohibit any person, firm, corporation, partnership, or other organization from advertising or causing to be advertised any fast food product on any outdoor billboard located within 1,500 feet of any public or private elementary school, middle school, or high school, or public playground.
Status: In Asm. Com. on G.O.: Set, first hearing. Hearing canceled at the request of author. (last activity 4/25/07)

- AB 1617
DeSaulnier *Tobacco products*
(1) Existing law, the Cigarette and Tobacco Products Tax Law, requires every distributor of cigarettes to pay taxes, as prescribed, on the distribution of cigarettes. In addition to the requirement to pay taxes on the distribution of cigarettes, existing law also requires distributors and wholesalers of cigarette and tobacco products to be licensed by the State Board of Equalization. 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 and report specified information with the tobacco tax administrator of that state. Existing law prohibits, except under specified circumstances, a retail sale of cigarettes that is not a face-to-face sale, as defined, and prohibits distribution of tobacco products through the mail. Existing law exempts a person from the face-to-face sale restriction, if that person has paid all applicable state taxes and is in compliance with the federal Jenkins Act. This bill would enact substantially similar provisions relating to tobacco products, including, but not limited to, cigars and pipe tobacco. The bill would, for cigarettes, as defined, repeal the face-to-face sale requirement, and the related tax reporting provisions, would repeal the prohibitions against distribution through the mail, and would, instead, with certain exceptions, prohibit shipping or transporting of cigarettes to persons in California, and would establish additional civil penalties for violation of this prohibition. This bill would provide that if this bill and AB 1585 are both enacted and become effective on or before January 1, 2008, and this bill repeals and adds Section 22963 of the Business and Professions Code and AB 1585 amends that section, then the provisions of this bill repealing and adding that section shall become operative and the provisions of AB 1585 amending that section shall not become operative, regardless of the order of enactment. (2) Existing law prohibits the offer, sale, distribution, or importation of a tobacco product know as "bidis" or "beedies," as defined, unless it is sold or intended for sale in business establishments that exclude minors. This bill would amend the definition of "bidis" or "beedies" to include any product that is marketed and sold as "bidis" or "beedies" and would clarify that persons who violate this prohibition are subject to both criminal and civil liability.
Status: VETOED
- AB 1630
Sharon
Runner *Criminal street gangs: registration*
Existing law, as added by Proposition 21, approved by the voters at the March 7, 2000, statewide primary election, requires persons convicted of street gang crimes, as specified, to register with the chief of police or the sheriff, as applicable, regarding residence, within 10 days of release from custody or within 10 days of arrival, as specified. Existing law provides that these provisions may be amended by a 2/3 vote of each house of the Legislature. This bill would require annual registration and registration each time residence is changed. This bill would require the Department of Justice to establish and coordinate a database containing the registration information and would make the database accessible to law enforcement agencies, as specified. The bill would also provide that violation of these provisions would be punishable as a misdemeanor.
Status: In Asm. Com. on Pub. S.: Set first hearing. Failed passage. Reconsideration granted. (last activity 4/17/07)
- AB 1657
Sharon
Runner *Alcoholic beverages: underage drinking*
Under the Alcoholic Beverage Control Act, it is a misdemeanor for any person to provide an alcoholic beverage to a person under the age of 21 years who consumes the beverage and thereby proximately causes great bodily injury or death, as specified. This bill would make the act of providing an alcoholic beverage to a person who the provider knew, or reasonably should have known, was under the age of 21 years, and the person under the age of 21 years thereafter consumes the alcohol and thereby proximately causes great bodily injury or death to himself, herself, or any other person, and the provider knew, or reasonably should have known of that danger, punishable as either a misdemeanor or a felony, as specified.
Status: In Sen. Com. on Pub. S.: Set, second hearing. Held without recommendation. (last activity 7/3/07)
- ACR 36
Strickland *National Nutrition Month*
This measure would recognize the 2007 "March is National Nutrition Month" campaign and encourage citizens to join that campaign.

Status: CHAPTERED

SB 4
Oropeza *Public resources: state beaches and parks: smoking ban*
Existing law makes it an infraction for a person to smoke a cigarette, cigar, or other tobacco-related product within 25 feet of a playground or tot lot sandbox area. This bill would make it an infraction for a person to smoke, as defined, a pipe, cigar, or cigarette on a state coastal beach or in a unit of the state park system, as defined. The bill would establish a state-mandated local program by creating a new crime. This bill would permit the Department of Parks and Recreation or another relevant state agency to develop and post signs at a state coastal beach or a unit of the state park system to provide notice of the smoking prohibition, as specified.
Status: Set, second hearing. Hearing canceled at the request of the author. (last activity 4/24/07)

SB 7
Oropeza *Smoking in vehicles with minor children*
(1) Existing law makes it an infraction for a person to smoke a cigarette, cigar, or other tobacco-related product within 25 feet of a playground or tot lot sandbox area. This bill would make it an infraction punishable by a fine not exceeding \$100 for a person to smoke a pipe, cigar, or cigarette in a motor vehicle, whether in motion or at rest, in which there is a minor. This bill would prohibit a law enforcement officer from stopping a vehicle for the sole purpose of determining whether the driver was in violation of the antismoking provisions imposed by the bill. (2) Existing law, the Brady-Jared Teen Driver Safety Act of 1997, allows for the issuance of a driver's license to a person at least 16 years of age, but under 18 years of age pursuant to the provisional licensing program. Under the act, licensees are required to meet specified requirements, driver education and training, and are prohibited during the first 12 months after issuance of a license from driving during the hours of 11 p.m. and 5 a.m., or from transporting passengers who are under 20 years of age, except as provided. The act further prohibits a law enforcement officer from stopping a vehicle for the sole purpose of determining whether the driver is in violation of those restrictions. This bill would also prohibit a law enforcement officer from stopping a vehicle under the act for the sole purpose of determining whether a driver with a provisional license is in violation of the antismoking provisions imposed by the bill.
Status: CHAPTERED

SB 22
Migden *Breast-feeding*
Under existing law, the State Department of Public Health licenses and regulates health facilities, including hospitals. This bill would require the State Department of Public Health to recommend specified training that is intended to improve breast-feeding rates among mothers and infants for general acute care hospitals and special hospitals that provide maternity care, and that have exclusive patient breast-feeding rates in the lowest 25%, as described. The bill would require the department to notify the hospital director or other person in charge of the hospital that the training is available, upon request, to the hospital. Existing law provides for the California Special Supplemental Food Program for Women, Infants, and Children (WIC) administered by the State Department of Public Health and counties, under which nutrition and other assistance is provided to low-income postpartum and lactating women, infants, and children under 5 years of age. Existing law also requires the department to conduct a public service campaign that includes the promotion of mothers breast-feeding their infants. This bill would require the department not later than July 1, 2008, to the extent that specified federal funds and private grants or donations are made available for this purpose, to begin expansion of the breast-feeding peer counseling program at local agency WIC sites, as provided. Existing law provides for the Medi-Cal program, which is administered by the State Department of Health Care Services, under which health care services are provided to qualified low-income persons. Existing law provides that Medi-Cal benefits include various services to lactating mothers and infants. This bill would require the department to streamline and simplify existing Medi-Cal program procedures in order to improve access to lactation supports and breast pumps among Medi-Cal recipients.
Status: CHAPTERED

SB 24
Torlakson *Tobacco product environmental smoke: fee*
(1) Under existing law, the State Department of Public Health is required to administer a variety of

programs related to public health, including programs related to cigarette and tobacco-related health problems and programs relating to indoor air quality. This bill would enact the Cigarette and Tobacco Products Emissions Act of 2007, which would require the department to assess a fee, administered and collected by the State Board of Equalization, on consumers of cigars and cigarettes, as defined, to mitigate the harmful effects caused by environmental tobacco smoke created by the use of cigars and cigarettes by those consumers. This bill would establish the Cigarette and Tobacco Products Emissions Fund into which the fees would be deposited. The fund would be used by the department, upon appropriation by the legislature, for specified purposes. The bill would give the department broad regulatory authority to fully implement and effectuate the purposes of the bill and its various programs to address the health impacts of environmental tobacco smoke on children and others. The bill would require that those programs be implemented only to the extent the fee revenues are available for expenditure for those programs. This bill also makes findings and declarations regarding the health impact of environmental tobacco smoke and states the intent of the Legislature to impose a regulatory fee within the limitations approved by the Supreme Court of California. (2) The Sales and Use Tax Law imposes a state sales and use tax on the gross receipts from the sale of tangible personal property sold at retail in this state or on the sales price of tangible personal property purchased from a retailer for the storage, use, or other consumption of that property in this state by the purchaser. This bill would provide, for purposes of that law, that the terms "sales price" and "gross receipts" do not include the amount of any fee assessed by the State Department of Public Health under the Cigarette and Tobacco Products Emissions Act of 2007. Counties and cities are authorized to impose local sales and use taxes in conformity with state sales and use taxes. Exemptions from state sales and use taxes enacted by the Legislature are automatically incorporated into the local taxes. Section 2230 of the Revenue and Taxation Code provides that the state will reimburse counties and cities for revenue losses caused by the enactment of sales and use tax exemptions. This bill would provide that, notwithstanding Section 2230 of the Revenue and Taxation Code, no appropriation is made and the state shall not reimburse local agencies for sales and use tax revenues lost by them pursuant to this bill.

Status: From committee with author's amendments. Read second time. Amended. Re-referred to Sen. Com. on REV & TAX. (last activity 4/30/07)

SB 48
Perata

Community development: healthy food choices

Existing law charges the Department of Housing and Community Development with the administration of various programs that facilitate community development, including the Community Development Block Grant Program. Existing law also requires the State Department of Public Health to develop a "Healthy Food Purchase" pilot program and to establish and implement a "5 A Day--For Better Health" program to promote consumption of fruit and vegetables. This bill would require the State Department of Public Health, until January 1, 2015, in partnership with other programs and services within the Business, Transportation and Housing Agency, and to the extent funds are appropriated, to establish the "Healthy Food Retail Innovations Fund" to provide residents of underserved communities with retail food markets that would offer high quality fruit, vegetables, and other healthy foods and encourage retail innovation. The bill would also require the department to provide grants and loans on a competitive basis for land acquisition, business plan development, feasibility studies, refrigeration units, outside technical assistance, and other startup costs. It would also require the department to report to the Legislature annually, as specified, on projects funded through this program.

Status: Set, second hearing. Held in Asm. APPR Com. and under submission. (last activity 8/30/07)

SB 119
Cadillo

Medi-Cal: minors: drug and alcohol treatment

Existing law provides for the Medi-Cal program, which is administered by the State Department of Health Care Services and under which qualified low-income persons receive health care benefits. The Medi-Cal program is, in part, governed and funded by federal Medicaid provisions. Existing law provides for the Medi-Cal Drug Treatment Program (Drug Medi-Cal), under which each county enters into contracts with the State Department of Alcohol and Drug Programs for the provision of various drug treatment services to Medi-Cal recipients, or the department directly arranges for the provision of these services if a county elects not to do so. This bill would make specified findings and declarations regarding the need for and availability of drug and alcohol treatment services to

minors. It would require that residential drug and alcohol treatment services and other specified services described in the Youth Treatment Guidelines issued by the State Department of Alcohol and Drug Programs for persons 12 to 20 years of age be a covered benefit under the Medi-Cal Drug Treatment Program. The bill would require the State Department of Health Care Services to use its best efforts to obtain approval by the federal Centers for Medicare and Medicaid Services of a Medicaid state plan amendment providing for federal financial participation with respect to those services, but would require the services to be covered under the Medi-Cal program only if federal financial participation is available. The bill would provide that a county shall not be responsible for the costs of board and care related to the provision of the above residential drug and alcohol treatment services.

Status: In Asm. APPR Com. Set, second hearing. Held in committee and under submission. (last activity 8/30/07)

SB 120
Padilla

Food facilities: nutritional information

The California Uniform Retail Food Facilities Law (CURFFL) provides for the regulation of health and sanitation standards for retail food facilities by the State Department of Public Health. Under existing law local health agencies are primarily responsible for enforcing CURFFL. A violation of any of these provisions is punishable as a misdemeanor. This bill would require each food facility in the state that meets specified criteria to provide nutritional information that includes, per item the total number of calories, grams of saturated fat, grams of trans fat, and milligrams of sodium on standard menus. It would also require the menu boards to include the total number of calories. The bill would provide that, on and after July 1, 2009, a food facility that violates the provisions of the bill is guilty of an infraction, and would specifically provide that a violation of these provisions is not a misdemeanor. By creating an infraction and adding a new local enforcement duty, this bill would impose a state-mandated local program.

Status: VETOED

SB 168
Denham

Physical education for the blind and visually impaired

Existing law requires the Superintendent of Public Instruction to form an advisory task force, with prescribed membership approved by the State Board of Education, to develop standards for mastery of the braille code by pupils, and required the task force to report to the Governor and the Legislature by June 30, 2004. Existing law required the Superintendent to utilize that task force to develop standards for pupils to learn, and to achieve mastery of, the braille mathematics code as they progress through kindergarten and grades 1 to 12, inclusive. The task force was required to report to the State Board by March 1, 2006, regarding those standards. This bill would specify that the task force be composed of no more than 15 members and that participation by the members in the task force is voluntary. The Superintendent would be authorized to revise the membership of the task force to include individuals with expertise in physical education and in providing physical education instruction and services to functionally blind and visually impaired pupils. The bill would require the Superintendent to use the advisory task force to develop guidelines as a resource for teachers of functionally blind and visually impaired pupils in the area of physical education. This bill would require the task force, by June 30, 2009, to report on the guidelines it develops to the Superintendent, the Governor, and the education committees of the Senate and the Assembly.

Status: In Aam APPR Com. Set, second hearing. Held in committee and under submission. (last activity 8/30/07)

SB 207
Padilla

Parks and recreation: Outdoor Environmental Education and Recreation Program

Existing law establishes the Office of Education and Environment in the Integrated Waste Management Board for the purpose of implementing a statewide environmental education program. This bill would establish the Outdoor Environmental Education and Recreation Program, to be administered by the Director of Parks and Recreation (director), for the purpose of increasing the ability of underserved and at-risk populations to participate in outdoor recreation and educational experiences by awarding grants to education programs that are available to the public and are operated by public entities or nonprofit organizations. The bill would create the Outdoor Education and Recreation Fund in the State Treasury that, upon appropriation by the Legislature, would be used for awarding grants pursuant to the program. The bill would authorize the director to accept for, and

require the director to deposit in, the fund voluntary private donations made for support of the program. The bill would express the Legislature's intent that the fund be capitalized with moneys from the General Fund and donations. The bill would require the director to develop program components, including, but not limited to, criteria for awarding grants, and staffing and budget needs. The bill would require the California Environmental Education Interagency Network to serve as an advisor to the director in developing the program components. The bill would require the director to give priority for funding, where feasible, to outdoor environmental education programs with specified attributes. The bill would require the director to, by January 1, 2009, submit to the Legislature a report on the criteria for the awarding of grants and the availability of grant funding.
Status: Set first hearing. Held in Sen APPR committee and under submission. (last activity 5/31/07)

SB 232
Ducheny

Instructional strategies: subject matter projects

Existing law provides for the establishment and maintenance of 6 subject matter projects by the Regents of the University of California with the approval of the Concurrence Committee. Existing law provides that these subject matter projects are to create opportunities for researchers, higher education faculty, and elementary and secondary school faculty to work together to identify exemplary teaching practices, examine and develop research on learning, knowledge, and educational materials, and to provide support to teachers to develop and enhance content knowledge and pedagogical skills. Under existing law, these projects become inoperative on June 30, 2007, and are repealed on January 1, 2008. This bill would require the Concurrence Committee to provide a final report to the Governor and to appropriate policy and fiscal committees of the Legislature on or before January 1, 2011, including specified information relating to the subject matter projects. The bill would delete obsolete language relating to an independent note changes of the subject matter projects that was required to be completed prior to February 1, 2006. The bill would extend the date on which those projects become inoperative to June 30, 2012, and the repeal date to January 1, 2013, thus extending the existence of these projects by 5 years.

Status: CHAPTERED

SB 238
Aanestad

Medi-Cal

Existing law provides for the Medi-Cal program, which is administered by the State Department of Health Care Services pursuant to which medical benefits are provided to public assistance recipients and certain other low-income persons. Existing law provides that federally qualified health center services and rural health clinic services, as defined, are covered benefits under the Medi-Cal program, to be reimbursed, to the extent that federal financial participation is obtained, to providers on a per-visit basis. "Visit" is defined as a face-to-face encounter between a patient of a federally qualified health center or a rural health clinic and specified health care professionals. This bill would also include within those health care professionals covered under that definition, a dental hygienist and dental hygienist in alternative practice. The bill would revise the definition of a visit to include face-to-face encounters with these dental practitioners, as specified, and would set forth applicable rate and billing requirements for clinics providing these services. Existing law also requires the department, by no later than March 30, 2004, to promptly seek all necessary federal approvals to implement this reimbursement procedure. This bill would change that date to March 30, 2008. This bill would incorporate additional changes to Section 14132.100 of the Welfare and Institutions Code proposed by SB 260, to be operative only if SB 260 and this bill are enacted, both bills amend Section 14132.100 of the Welfare and Institutions Code, and this bill is enacted after SB 260.

Status: CHAPTERED

SB 295
Cogdill

Cigarettes and tobacco products

The Cigarette and Tobacco Products Tax Law imposes a tax on every distributor of cigarettes at specified rates. For purposes of that law, "untaxed tobacco product" is defined as any tobacco product that has not yet been distributed in a manner that results in a tax liability. The Tobacco Tax and Health Protection Act of 1988 (Proposition 99), which was adopted by the voters at the general election held on November 8, 1988, imposes a surtax on the distribution of cigarettes in addition to the tax imposed pursuant to the Cigarette Tax Law as of the effective date of the adoption of Proposition 99, and imposes a tax on the distribution of certain tobacco products at an equivalent total rate determined pursuant to specified criteria. The California Families and Children Act of 1998

(Proposition 10), which was adopted by the voters at the general election held on November 3, 1998, imposes a surtax on the distribution of cigarettes in addition to the tax imposed pursuant to the Cigarette Tax Law and the Tobacco Tax and Health Protection Act of 1988 as of the effective date of the adoption of Proposition 10, and imposes a tax on the distribution of certain tobacco products at an equivalent rate. Existing law includes as an "untaxed tobacco product" any tobacco product that was distributed in a manner that resulted in a tax liability, but that was returned to the distributor after the tax was paid and for which the distributor claimed a deduction pursuant to a specified provision of Proposition 99, or a refund or credit under other specified provisions. This bill would include as an "untaxed tobacco product" any tobacco product that was distributed in a manner that resulted in a tax liability, but that was returned to the distributor after the tax was paid and for which the distributor claimed a deduction pursuant to a specified provision of the California Families and Children Act of 1998.

Status: CHAPTERED

SB 297
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 provide an exception to this prohibition by authorizing the board of supervisors of a county, subject to certain conditions that include voter approval, to levy on a countywide basis, for revenue purposes only, a tax on the privilege of consuming beer, wine, and distilled spirits, as defined, purchased in a retail sale 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: Set, first hearing. Hearing canceled at the request of author. (last activity 4/10/07)

SB 351
Runner

Alcoholic beverages: advertising

Existing law generally prohibits a manufacturer of alcoholic beverages and a winegrower from paying, crediting, or compensating a retailer for advertising or paying or giving anything of value for the privilege of placing a sign or advertisement with a retail licensee. It authorizes, as an exception, the holder of a winegrower's license, a California winegrower's agent, a beer manufacturer, a distilled spirits rectifier, a distilled spirits manufacturer, or a distilled spirits manufacturer's agent, to purchase advertising space and time from, or on behalf of, an on-sale retail licensee, under certain conditions, if the on-sale retail licensee is the owner, manager, agent of the owner, assignee of the owner's advertising rights, or major tenant of specified facilities. This bill would expand the exceptions to existing law to allow beer manufacturers, winegrowers, distilled spirits rectifiers, distilled spirits manufacturers, or distilled spirits manufacturer's agents to purchase advertising space and time from, or on behalf of, on-sale retail licensees at specified facilities for a safe ride home program operated by, or funded by, the purchaser at the specified facility. This bill would provide that any advertising space and time purchased for the safe ride home program would be in addition to advertising purchased under the existing exceptions.

Status: Placed on inactive file on request of Assembly Member De Leon. (last activity 7/19/07)

SB 441
Torlakson

State property: vending machines

Existing law regulates various aspects of the provision of food and beverages in vending machines, including access to carbonated beverages at schools, the giving of priority to blind persons with respect to the operation of vending facilities on state property, the sanitation of vending machines and requiring public health permits, and the placement of vending machines in safety roadside rests on the state highway system. This bill would require a vendor that operates or maintains a vending machine on designated state property to offer food and beverages in the vending machine that meet accepted nutritional guidelines, as defined, in accordance with certain percentages.

Status: From committee with author's amendments. Read second time. Amended. Re-referred to Sen. Com. on G.O. (last activity 5/3/07)

- SB 450
Oropeza *Alcoholic beverages: licensees: local government review: signs*
(1) Existing law requires the Department of Alcoholic Beverage Control to notify the appropriate sheriff, chief of police, district attorney, city or county planning agency, and legislative body of an application for the issuance or transfer of a liquor license, and prohibits the Department of Alcoholic Beverage Control from issuing or transferring a license until at least 30 days after these notices are provided. Existing law authorizes the department to extend that 30-day period for a period not to exceed an additional 20 days if a proper written request is made by any local law enforcement agency. This bill would authorize the department to extend the 30-day period for a period not to exceed an additional 20 days if a proper written request is made by any entity or official receiving the required notification. (2) The Alcoholic Beverage Control Act establishes certain general operating standards that are applicable, as provided, to the licensed premises of certain retailers of alcoholic beverages, including the posting of specified signs. This bill would require a licensee to display a sign stating the contact information for local law enforcement and the department's district office, for purposes of reporting potential violations by the licensee, as provided. (3) The Alcoholic Beverage Control Act provides that a violation of its provisions is a misdemeanor, unless otherwise specified.
Status: Set, second hearing. Failed passage in Sen. G.O. Com. Reconsideration granted. (last activity 4/24/07)
- SB 490
Alquist *Pupil nutrition: trans fats*
The Pupil Nutrition, Health, and Achievement Act of 2001 requires a school to follow the Enhanced Food Based Meal Pattern, Nutrient Standard Meal Planning, or Traditional Meal Pattern developed by the United States Department of Agriculture or the Shaping Health as Partners in Education (SHAPE) Menu Patterns developed by the state in order to qualify for reimbursement for free and reduced-price meals sold or served to pupils. The act prescribes nutrition standards for snacks sold to pupils in middle, junior, or high school with certain exceptions. The act also prohibits the sale of certain beverages to a pupil at an elementary school. This bill would prohibit , commencing on July 1, 2009, a school or school district, through a vending machine or school food service establishment during school hours and up to 1/2 hour before and after school hours, from making available to pupils enrolled in kindergarten or any of grades 1 to 12, inclusive, a food containing artificial trans fat and would prohibit the use of artificial trans fat in the preparation of a food item served to those pupils. This prohibition would not apply to food provided as part of a USDA meal program.
Status: CHAPTERED
- SB 520
Committee on
Governmental
Organization *Alcoholic beverages: licensees*
(1) Existing law requires junk dealers and recyclers, as defined, to sell and purchase junk, which includes ferrous and nonferrous scrap metals and alloys. This bill would prohibit junk dealers and recyclers from purchasing or receiving stainless steel or aluminum alloy beer kegs marked with an indicia of ownership, as defined, from anyone except the indicated owner, unless specified information is provided to the junk dealer or recycler. (2) 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. Existing law provides for the issuance of an on-sale general alcoholic beverage license to a person who does not operate a bona fide eating place or other public premises and who meets specified conditions, including, among other things, operating a catering business under specified conditions. This bill would renumber the provision relating to caterers. (3) Existing law authorizes the department to revoke a license upon specified grounds, including where a retail licensee knowingly permits the illegal sale, or negotiations for the sale, of controlled substances or dangerous drugs, as provided. This bill would update an obsolete cross-reference and make technical, nonsubstantive changes to the provision regarding the illegal sale of controlled substances or dangerous drugs. (4) Existing law generally restricts certain alcoholic beverage licensees, including manufacturers and winegrowers, from paying, crediting, or compensating a retailer for advertising in connection with the advertising and sale of alcoholic beverages. This bill would expressly authorize a beer manufacturer, holder of a winegrower's license, winegrower's agent, holder of an importer's general license, distilled spirits manufacturer, holder of a distilled spirits rectifiers general license, or

a distilled spirits manufacturer's agent to sponsor events promoted by or purchase advertising space and time from, or on behalf of, a live entertainment marketing company that is a wholly owned subsidiary of a live entertainment company that has its principal place of business in the County of Los Angeles, whose shares of stock are sold to the general public on a national stock exchange, and also owns subsidiaries that hold on-sale retail licenses, under specified conditions. This bill would also make a beer manufacturer, holder of a winegrower's license, winegrower's agent, holder of an importer's general license, distilled spirits manufacturer, holder of a distilled spirits rectifiers general license, or a distilled spirits manufacturer's agent who, through coercion or other means, induces the holder of a wholesaler's license to fulfill those contractual obligations guilty of a misdemeanor. This bill would additionally make an on-sale retail licensee, as described, who solicits or coerces a holder of a wholesaler's license to solicit a beer manufacturer, holder of a winegrower's license, winegrower's agent, holder of an importer's general license, distilled spirits manufacturer, holder of a distilled spirits rectifiers general license, or a distilled spirits manufacturer's agent to purchase advertising time or space guilty of a misdemeanor. The bill thus imposes a state-mandated local program by creating new crimes.

Status: CHAPTERED

SB 554
Migden

Cigarette Tax Law: cigarettes

The Cigarette and Tobacco Products Tax Law, under the Cigarette Tax Law, imposes a tax on every distributor of cigarettes and tobacco products at specified rates. The Tobacco Tax and Health Protection Act of 1988 (Proposition 99), which was adopted by the voters at the general election held on November 8, 1988, imposes a surtax on the distribution of cigarettes, in addition to the taxes imposed pursuant to the Cigarette and Tobacco Products Tax Law, as of the effective date of the adoption of Proposition 99. The California Families and Children Act of 1998 (Proposition 10), which was adopted by the voters at the general election held on November 3, 1998, imposes a surtax on the distribution of cigarettes, in addition to the taxes imposed pursuant to the Cigarette and Tobacco Products Tax Law and the Tobacco Tax and Health Protection Act of 1988, as of the effective date of the adoption of Proposition 10. A cigarette, for purposes of all of the tax imposed under the Cigarette Tax Law, is defined as any roll for smoking, made wholly or in part of tobacco, irrespective of size or shape and irrespective of whether the tobacco is flavored, adulterated, or mixed with any other ingredient, where such roll has a wrapper or cover made of paper or any other material, except where such wrapper is wholly or in the greater part made of tobacco and such roll weighs over 3 pounds per 1,000. This bill would declare the intent of the Legislature to enact legislation that would create a uniform definition of a "cigarette" for purposes of the Cigarette Tax Law and other provisions of law.

Status: To Senate third reading. (last activity 6/6/07)

SB 574
Negrete
McLeod

Alcoholic beverages

The Alcoholic Beverage Control Act licenses and regulates beer manufacturers and wholesalers. This bill would provide that if a successor beer manufacturer, as defined, acquires the rights to manufacture, import, or distribute a brand or brands of beer, and then cancels the distribution rights of an existing beer wholesaler, as defined, the successor beer manufacturer shall notify the existing beer wholesaler of his or her intent to cancel those rights. This bill would provide that the successor beer manufacturer's designee, as defined, and the existing beer wholesaler shall negotiate in good faith to determine the fair market value, as defined, of the distribution rights and require the designee to compensate the existing beer wholesaler in the agreed amount of the fair market value, or if they are unable to agree on the fair market value, shall engage in arbitration subject to specified conditions, as provided. The Alcoholic Beverage Control Act provides that a violation of specified provisions of the act is a misdemeanor.

Status: CHAPTERED

SB 601
Torlakson

Teachers: physical education professional development program

(1) Existing law requires the State Department of Education to exercise general supervision over the physical education courses in elementary and secondary schools of the state. The department is required to ensure that the data collected through categorical program monitoring (CPM) indicates the actual number of minutes of instruction in physical education actually provided by each school

district for the purpose of determining whether each school district is in compliance with the required minimum minutes of instruction. Public schools are required to provide instruction in physical education for a total period of time of not less than 200 minutes each 10 schooldays to pupils in grades 1 to 6, inclusive, and for a total period of time of not less than 400 minutes each 10 schooldays to pupils in grades 7 to 12, inclusive. This bill would require the department to ensure that the data collected through CPM indicates the extent to which each school within the jurisdiction of a school district or county office of education performs specified duties regarding the provision of instruction in physical education, including, among others, providing the required minimum minutes of instruction and conducting physical fitness testing. The department would be required to submit annually a report to the Governor and the Legislature that summarizes the data collected through CPM regarding those items and to post annually a summary of that data on the Internet Web site of the department. (2) Existing law authorizes the governing board of a school district or the office of the county superintendent of schools of a county to grant a pupil an exemption from courses in physical education for 2 years any time during grades 10 to 12, inclusive, with the consent of a pupil, if the pupil has passed the physical performance test administered in the 9th grade. This bill would grant that exemption if the pupil has met satisfactorily any 5 of the 6 standards of the physical performance test administered in grade 9.

Status: CHAPTERED

SB 602
Torlakson

Physical education

(1) Existing law requires the State Department of Education to exercise general supervision over the physical education courses in elementary and secondary schools of the state. The department is required to ensure that the data collected through Categorical Program Monitoring (CPM) indicates the actual number of minutes of instruction in physical education actually provided by each school district for the purpose of determining whether each school district is in compliance with the required minimum minutes of instruction. Public schools are required to provide instruction in physical education for a total period of time of not less than 200 minutes each 10 schooldays to pupils in grades 1 to 6, inclusive. Existing law requires public schools to provide instruction in physical education for a total period of time of not less than 400 minutes each 10 schooldays to pupils in grades 7 to 12, inclusive. This bill would require the department to ensure that the data collected through CPM indicates the extent to which each school within the jurisdiction of a school district or county office of education performs specified duties regarding the provision of instruction in physical education, including, among others, providing the required minimum minutes of instruction and conducting physical fitness testing. The department would be required to annually submit a report to the Governor and the Legislature that summarizes the data collected through CPM regarding those items and to annually post a summary of that data on the Internet Web site of the department. (2) Existing law requires public schools to provide instruction in physical education to pupils in grades 7 to 12, inclusive, as specified. This bill would define a physical education class as one in which each pupil is required to actively participate. (3) Existing law permits a pupil in grade 10, 11, or 12 to be excused from physical education classes, as provided, in order to participate in automobile driver training. This bill would delete those provisions. (4) Existing law authorizes the governing board of a school district and the office of the county superintendent of schools to grant a permanent exemption from courses in physical education if the pupil complies with one of several criteria, including, among others, that the pupil is 16 years of age or older and has been enrolled in grade 10 for one academic year or longer. This bill, commencing July 1, 2009, would delete the authority to grant an exemption with respect to a pupil who is 16 years of age or older and has been enrolled in grade 10 for one academic year or longer. (5) Existing law, beginning on July 1, 2007, authorizes the governing board of a school district or the office of the county superintendent of schools to grant an exemption from courses in physical education for 2 years, any time during grades 10 to 12, inclusive, to a pupil who passes a physical performance test, as specified. This bill would require the governing board of a school district to allow a pupil who fails the physical performance test to retake it annually upon the request of the pupil, and would declare the intent of the Legislature that a pupil that fails the test be enrolled in a physical education course designed to lead to the passage by that pupil of the test.

Status: Set, first hearing. Held in Sen. APPR Com. and under submission. (last activity 5/31/07)

SB 624
Padilla

Tobacco products: minors

(1) The Stop Tobacco Access to Kids Enforcement (STAKE) Act is designed to reduce the availability of tobacco products to minors through sales restrictions and enforcement activities. The act, among other things, prohibits the furnishing of tobacco products to, and the purchase of tobacco products by, a person under the age of 18 years, authorizes the assessment of civil penalties for violations of the act. Certain violations of the act are a criminal offense. The STAKE Act requires the State Department of Health Services to take primary responsibility for enforcement of the act. The act requires the department to conduct random, onsite sting inspections at retail sites, and requires the department to enlist the assistance of persons who are 15 and 16 years of age for this purpose. The act requires the department to adopt and publish guidelines for the use of persons under 18 years of age in inspections. This bill would make changes to the requirements for guideline provisions, including, but not limited to, provisions relating to authorized state and local enforcement agencies. (2) The act requires funds collected as civil penalties under the act, up to \$300,000 per year, to be deposited in the State Treasury to the credit of the Sale of Tobacco to Minors Control Account to be expended for purposes of the act upon appropriation by the Legislature. The act requires funds collected in one year that exceed \$300,000 to be deposited in the General Fund. This bill would require all moneys collected as civil penalties under the act by the department and other state agencies to be deposited into the account, and would delete the requirement that the funds in excess of \$300,000 per year be deposited in the General Fund. (3) Existing law authorizes the department to enter into an agreement with a local law enforcement agency for the enforcement of the act within the agency's local jurisdiction. The act requires the department to reimburse local law enforcement agencies for enforcement costs pursuant to an agreement from the Sale of Tobacco to Minors Control Account and requires the department to coordinate with local law enforcement agencies any state enforcement in those jurisdictions. This bill would delete those provisions and would, instead, specifically authorize an enforcing agency, as defined, other than the department, to conduct inspections and assess penalties for violations of the act if the enforcing agency complies with the act and with all applicable laws and guidelines. The bill would encourage state and local enforcement agencies to coordinate with the department. (4) Existing law authorizes the department to assess civil penalties against any person, firm, or corporation that sells, gives, or in any way furnishes to another person who is under the age of 18 years, tobacco related products. This bill would make changes to the civil penalty amounts for the first and second violations of that provision and would authorize, not only the department, but also any enforcing agency, to assess those civil penalties.

Status: CHAPTERED

SB 625
Padilla

Cigarette and tobacco product retailers

Existing law, the California Cigarette and Tobacco Products Licensing Act of 2003, provides for and requires 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. Existing law requires an application for licensure as a retailer of cigarettes or tobacco products to be filed on or before April 15, 2004, and to include a one-time license fee of \$100 per retail location, but does not apply this fee to an application for renewal of a license for which the one-time fee has been paid. This bill would require payment of a \$100 reinstatement fee as a precondition for reinstatement of an expired license .

Status: CHAPTERED

SB 750
Florez

Pupils: physical education

Existing law requires a pupil to complete specified courses in order to graduate from high school, including 2 year-long courses in physical education. Existing law provides for the grant of temporary exemption from courses in physical education for specified reasons, including if the student is ill or injured and a modified program cannot be provided. This bill would require a pupil to complete 4 year-long courses in physical education in order to graduate from high school, thereby imposing a state-mandated local program. The bill would specify when a medical exemption from physical education would be appropriate.

Status: Held in Sen. Education Com without recommendation. (last activity 4/26/07)

- SB 846
Harman *Criminal street gangs: registration*
Existing law, as added by Proposition 21, approved by the voters at the March 7, 2000, statewide primary election, requires persons convicted of street gang crimes, as specified, to register with the chief of police or the sheriff, as applicable, regarding residence, within 10 days of release from custody or within 10 days of arrival, as specified. Existing law provides that these provisions may be amended by a 2/3 vote of each house of the Legislature. This bill would require annual registration and registration each time residence is changed. The bill would also provide that violation of these provisions would be punishable as a misdemeanor. The bill would also require the Department of Justice to establish a database containing gang registrant information for use by law enforcement entities, as specified.
Status: Re-referred to Com. on Pub. S. (last activity 4/19/07)
- SB 950
Corbett *Tobacco manufacturers and importers: report*
Existing law, the California Cigarette and Tobacco Products Licensing Act of 2003, provides 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. That act prohibits retailers, manufacturers, distributors, and wholesalers from distributing or selling cigarette and tobacco products unless they are licensed, and requires manufacturers and importers of cigarettes to comply with prescribed reporting requirements, including compliance with federal requirement to report ingredients added to cigarettes. A violation of these provisions is a crime. This bill would, with certain exceptions, require each manufacturer and each importer of cigarettes and tobacco products subject to licensing to provide the board and the State Department of Public Health with an annual report of ingredients and would require the State Department of Public Health to disclose the information to the public if it finds that there is a reasonable scientific basis for concluding that public availability of the information could reduce the risks to the public health, and if the Attorney General opines that the release would not constitute a taking of property that constitutionally would require compensation.
Status: Set, second hearing. Failed passage in committee. (last activity 4/25/07)
- SCR 18
Toralakson *California Fitness Month*
This measure would proclaim the month of May 2007, as California Fitness Month, and would encourage all Californians to enrich their lives through proper diet and exercise.
Status: CHAPTERED
- SCR 28
Toralakson *Youth sports*
This measure would recognize the importance of quality youth sports experiences, as well as the important role that local park and recreation agencies play in providing safe and enjoyable youth sports experiences.
Status: CHAPTERED

Division of Communicable Diseases

- AB 16 *Pupil immunizations*
Hernandez Existing law prohibits the governing authority of a school or other institution from unconditionally admitting any person as a pupil of any private or public elementary or secondary school, child care center, day nursery, nursery school, family day care home, or development center, unless prior to his or her first admission to that institution he or she has been fully immunized against various diseases. The bill would, commencing July 1, 2009, revise the list of institutions that are subject to the prohibition, and would require the State Public Health Officer to create a list of diseases for which immunization shall be required prior to entry into those institutions. The bill would also, commencing July 1, 2009, require the State Department of Public Health to annually publish on its Web site the list of immunizations that are required under these provisions, and to adopt regulations as necessary to administer the immunization requirements by July 1, 2010. This bill would, commencing July 1, 2009, require the State Department of Education, in coordination with the State Department of Public Health, to make available to school districts related informational materials. Existing law requires at the beginning of the first semester or quarter, the governing board of each school district to notify parents or guardians of minor pupils of specified rights and responsibilities of the parent or guardian. The bill would, commencing July 1, 2009, require the notice to also advise the parent or guardian of the immunization requirements developed by the State Public Health Officer pursuant to the above-described provisions, as specified.
Status: Re-referred to Sen. Com. on Rules. (last activity 9/4/07)
- AB 53 *Office of HIV/AIDS Prevention and Education*
Dymally Existing law establishes an Office of AIDS in the State Department of Public Health, and requires that the office be responsible for the coordination of state programs, services, and activities relating to the human immunodeficiency virus (HIV), acquired immune deficiency syndrome (AIDS), and AIDS related conditions (ARC). This bill would rename the Office of AIDS the Office of HIV/AIDS Prevention and Education, and would require that the department establish within the office 6 regional HIV/AIDS centers, as prescribed. The bill would require the department to fund culturally and linguistically appropriate outreach programs in each of those regional centers designed to significantly increase rates of early HIV/AIDS testing, and provide individuals who test positive for HIV or AIDS with appropriate referrals for care and medical treatment. The bill would require the department to work collaboratively with community-based organizations focused on HIV/AIDS prevention services, and to utilize all available private services and existing partnerships to conduct outreach to populations that typically have little or no exposure to HIV/AIDS information.
Status: Re-referred to Asm. Com. Health. (last activity 3/28/06)
- AB 66 *Inmate HIV testing*
Dymally Existing law sets forth certain circumstances under which testing an inmate for human immunodeficiency virus (HIV) may be required, including upon request by certain peace officers or other inmates in specified circumstances. This bill would, in addition, require HIV testing for every inmate entering a correctional facility, state prison, or state hospital housing patients committed pursuant to existing provisions of law, as specified, unless the person declines the testing. The bill would generally require testing, as specified, to be performed within 60 days after entry of the inmate into the respective facility. However, in the case of an inmate expected to be incarcerated for at least one year, the testing would be required to be performed at least 60 days prior to the expected discharge of the inmate from the facility, and, in the case of an order for the release of an inmate from a facility within less than 60 days, the testing would be required to be performed as soon as possible after receipt of the order. This bill would also require that if an inmate tests positive for the HIV virus, the medical officer, as defined, shall notify the inmate's parole officer and shall provide posttest counseling to the inmate, as specified. The bill would also authorize the medical officer of to notify the spouse or domestic partner of the inmate that he or she may have been exposed to HIV, after notifying the inmate of the intent to do so. This bill would provide that a person's HIV status shall not be used to deny eligibility for and access to programs that are otherwise available to an inmate, as specified. This bill would further require the Secretary of Corrections and Rehabilitation and Director of the State Department of Mental Health to report annually to the

Director of the State Department of Public Health and the Legislature on the prevalence of positive HIV tests, as specified. The bill would require the department to develop an HIV or hepatitis B or C plan for every incoming inmate who tests positive for HIV or is otherwise known to be HIV positive or to have an AIDS or hepatitis B or C diagnosis. Under existing law, upon release of an inmate from a correctional institution, a medical representative of the institution is required to notify the inmate's parole or probation officer if the inmate has tested positive for HIV or has been diagnosed as having AIDS. This bill would require the department, in coordination with the inmate's parole or probation officer and the county's local health officer, to develop in a timely fashion, as specified, a plan to refer the inmate to necessary HIV or hepatitis B or C care and treatment services in the county to which the inmate is being released. Because the bill would increase the duties of local officials, the bill would impose a state-mandated local program. Under existing law, when a parole or probation officer learns that a parolee or probationer has HIV or has been diagnosed with AIDS, but the parolee or probationer has not informed his or her spouse of that information, the officer may ensure that the information is relayed to the spouse, as specified. Willful or negligent disclosure of that information is a misdemeanor. This bill would include domestic partners in that notification, and would require the chief medical officer of a state prison or the treating physician and surgeon to notify the parolee or probationer that the officer or physician and surgeon will be notifying the spouse or domestic partner about that information. By expanding the scope of a crime, the bill would create a state-mandated local program. The bill would provide that some of its requirements are contingent upon an appropriation by the Legislature.

Status: In Sen. Com. on APPR: Set, first hearing. Held under submission. (last activity 8/30/07)

AB 106
Berg

Immunizations

Under existing law, the State Department of Health Services is responsible for the licensure and regulation of health facilities, including general acute care hospitals, as defined. Under existing law, the department also has responsibilities relating to the prevention and control of communicable diseases by various means, including requiring immunization by vaccine for various populations. Existing law requires a skilled nursing facility, an intermediate care facility, or a nursing facility, as defined, to offer immunizations for influenza and pneumococcal disease to its residents, aged 65 years or older, between October 1 and April 1 of each year, and to offer pneumococcal vaccine to all new admittees. The facility is required to be reimbursed the standard Medi-Cal rate for vaccines provided to Medi-Cal recipients, except under specified circumstances. Existing law requires the facility to obtain informed consent for the immunization services from the resident or, if the person lacks the capacity to make medical decisions, for the person legally authorized to make medical decisions on the resident's behalf. This bill would require a general acute care hospital, pursuant to its own standardized procedures and if it has the vaccine in its possession, each year, commencing October 1 to the following April 1, inclusive, to offer, prior to discharge, immunizations for influenza and pneumococcal disease to its inpatients, aged 65 years or older.

Status: CHAPTERED

AB 110
Laird

Drug paraphernalia: clean needle and syringe exchange projects

(1) Existing law, with certain exceptions, makes it a misdemeanor for a person to deliver, furnish, transfer, possess with intent to deliver, furnish, or transfer, or manufacture with the intent to deliver, furnish, or transfer, drug paraphernalia, knowing, or under circumstances where one reasonably should know, that it will be used to plant, propagate, cultivate, grow, harvest, compound, convert, produce, process, prepare, test, analyze, pack, repack, store, contain, conceal, inject, ingest, inhale, or otherwise introduce into the human body a controlled substance. Existing law provides an exception to this general rule by authorizing a public entity, its agents, or employees to distribute 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. Existing law establishes the Office of AIDS in the State Department of Public Health. That office, among other functions, provides funding for AIDS prevention and education. This bill would authorize a public entity, as defined, that receives General Fund money from the department for HIV prevention and education to use that money to support clean needle and syringe exchange projects authorized by the public entity. The bill would authorize the money to be used for the purchase of sterile hypodermic needles and syringes, subject to

specified conditions. (2) Existing law requires the health officer of the participating jurisdiction to annually present a report on the status of clean needle and syringe exchange programs, including relevant statistics on blood-borne infections. This bill would require the report to also include the use of public funds for these purposes.

Status: CHAPTERED

AB 158
Ma

Public Health

Existing law establishes the State Department of Public Health and sets forth its duties and responsibilities, including, but not limited to, responsibilities related to the development and implementation of a hepatitis C public education and outreach program. This bill would require the department to establish a hepatitis B and C prevention and management pilot program within its Office of Multicultural Health to provide matching grants to public and not-for-profit organizations in the Los Angeles area and the San Francisco Bay area for the purposes of providing culturally and language appropriate public awareness and other activities relating to the prevention and management of hepatitis B and C. This bill would establish the Hepatitis B Prevention and Management Pilot Program Fund, the moneys in which would be used by the department exclusively for purposes of this bill, and would appropriate \$4,000,000 from the General Fund to the department for deposit into the fund. The bill would require the department to report to the Legislature by January 1, 2011.

Status: In Asm. APPR. Com: Hearing postponed by committee. (last activity 5/31/07)

AB 166
Bass

Public safety personnel: presumption: MRSA skin infections

Existing law provides that an injury of an employee arising out of, and in the course of, employment is generally compensable through the workers' compensation system. Existing law provides that, in the case of certain state and local firefighting and law enforcement personnel, the term "injury" includes, among other conditions, hernia, pneumonia, heart trouble, tuberculosis, meningitis, and any blood-borne infectious disease that develops or manifests itself during a period while the member is in the service of the governmental entity, and establishes a disputable presumption in this regard. This bill would expand the scope of this provision to include any methicillin resistant staphylococcus aureus (MSRA) or Staph/MSRA skin infection.

Status: In Asm. APPR Com: Set, second hearing. Held under submission. (last activity 2/9/07)

AB 237
Strickland

Medi-Cal: HIV drug treatment: developmental services: financing

Existing law creates the continuously appropriated Medical Providers Interim Payment Fund, for the purposes of paying Medi-Cal providers, providers of drug treatment services for persons infected with HIV, and providers of services for the developmentally disabled, on or after July 1, and before September 1, of the fiscal year for which a budget has not yet been enacted or there is a deficiency in the Medi-Cal budget in any fiscal year, and appropriates, for each fiscal year in which these payments are necessary, up to \$1,000,000,000 from the General Fund, in the form of loans, and \$1,000,000,000 from the Federal Trust Fund to the Medical Providers Interim Payment Fund. This bill would increase, to an amount not to exceed \$2,000,000,000, the annual appropriation from the General Fund and from the Federal Trust Fund to the Medical Providers Interim Payment Fund. By increasing the amount transferred into a continuously appropriated fund, this bill would make an appropriation.

Status: In Asm. Com. on Appr.: Set, second hearing. Held under submission. (last activity 5/31/07)

AB 272
Garcia

HIV tests

Existing law requires a licensed physician and surgeon or other person engaged in the prenatal care of a pregnant woman or attending the woman at the time of delivery to obtain or cause to be obtained a blood specimen of the woman and to submit that blood specimen to a laboratory for an HIV test. Prior to obtaining a blood specimen, existing law requires the physician and surgeon or other person engaged in the prenatal care of a pregnant woman or attending the woman at the time of delivery to ensure that the woman is informed that she has a right to accept or refuse the testing. Existing law requires the acceptance of testing for HIV to be documented in writing and signed by the patient. Existing law requires that all health care providers and laboratories report cases of HIV infection to the local health officer using patient names and requires the local health officers to report

unduplicated HIV cases by name to the State Department of Public Health. Existing law requires the department and local health officers to ensure continued reasonable access to anonymous HIV testing through alternative testing sites. This bill would require that any woman seeking an annual gynecological examination or family planning appointment be provided with information on HIV and AIDS, and would require that the woman be offered the option of being tested onsite, if available, or provided referral information to other testing locations. If the woman chooses to be tested for HIV, the bill would require the physician or other health care professional attending the woman at the time the results are received to ensure that the woman receives information and counseling, as appropriate, to explain the results and the implications for the woman's health, including any followup care that is indicated.

Status: Referred to Com. on Health. (last activity 2/22/07)

AB 501
Swanson

Pharmaceutical devices

The existing Medical Waste Management Act, administered by the State Department of Health Services, regulates the management and handling of medical waste, as defined. Effective July 1, 2007, these duties will be transferred to the State Department of Public Health. Under existing law, certain items, such as home-generated sharps waste, as defined, are specifically excluded from the definition of medical waste. The act also prohibits, on or after September 1, 2008, a person from knowingly placing home-generated sharps waste in certain types of containers, provides that home-generated sharps waste is to be transported only in a sharps container, as defined, or other container approved by the department or local enforcement agency, and requires this waste to only be managed at specified locations consistent with existing law. This bill would require a pharmaceutical manufacturer whose product is administered for home use through a prefilled syringe, prefilled pen needle, or other prefilled injection device to provide each person who uses the product with a container for the safe disposal of the used sharps from the syringe, pen needle, or other injection device. It would require the container to have a sticker with a specified warning and a toll free telephone number that identifies safe disposal methods of the container. The bill would require the pharmaceutical manufacturer to keep specified records and make them available to the State Department of Public Health and the California Integrated Waste Management Board.

Status: Re-referred to Asm. Com. on Health. (last activity 6/22/07)

AB 629
Brownley

Sex education programs: requirements

Existing law establishes requirements for the provision of sex education. Existing law, 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 enact the Sexual Health Education Accountability Act, which would require any program that provides education to prevent adolescent or unintended pregnancy or to prevent sexually transmitted infections and that is conducted, operated, or administered by the state or any state agency, or is funded directly or indirectly by the state, or receives any financial assistance from state funds or funds administered by the state to meet specified requirements.

Status: CHAPTERED

AB 659
Ma

Human immunodeficiency virus: age-appropriate treatment: study

Existing law establishes various programs relating to treatment of persons with the human immunodeficiency virus (HIV) and the acquired immune deficiency syndrome (AIDS), including the California Acquired Immune Deficiency Syndrome Program (CAP), which is administered by the State Department of Health Services. Effective July 1, 2007, responsibility for the administration of the above-mentioned provisions will be transferred to the State Department of Public Health. Existing law states that it is the intent of the Legislature to promote an aggressive community-based HIV infection prevention program, and to encourage local programs to involve racial and ethnic minorities in the development and implementation of HIV infection prevention strategies. This bill

would, in addition, declare the Legislature's intent to encourage, in relation to the development and implementation of these HIV prevention strategies, the formation of age-appropriate educational materials for youth and senior citizen populations. Under existing law, the University of California is a public trust, administered by the Board of Regents. This bill would request the regents, to the extent that funds are appropriated by the Legislature for that specific purpose, to conduct a 3-year study on the clinical impacts of HIV in persons over 50 years of age, and would specify the objectives of the study. It would request the regents to direct the Universitywide AIDS Research Program, for purposes of conducting this study, to competitively award grants, as specified, to qualified research institutions at the university medical campuses that treat a sizeable number of AIDS patients and that submit a proposal to participate in the study. The bill would also request that the regents, no later than June 30, 2011, submit a report to the appropriate committees of the Legislature and the department of the conclusions and recommendations of the study conducted pursuant to the bill. **Status:** In Sen. Com. on APPR: Set, first hearing. Held under submission. (last activity 8/30/07)

AB 682
Berg

HIV/AIDS testing

Existing law prohibits, except in certain cases, a person from testing a person's blood for evidence of antibodies to probable causative agent of acquired immunodeficiency syndrome (AIDS) without the written consent of the subject of the test or the written consent of the subject, as provided, confirming that he or she obtained the consent from the subject. This bill would delete those provisions, and, instead, require. a medical care provider, prior to ordering a test that identifies infection with human immunodeficiency virus (HIV), to inform the patient that the test is planned, provide information about the test, inform the patient regarding specified treatment options and further testing needed, and advise the patient that he or she has the right to decline the test. The bill would require the medical provider, if a patient declines the test, to note that fact in the patient's medical file. Existing law requires the physician and surgeon or other person engaged in the prenatal care of a pregnant woman or attending the woman at the time of delivery, prior to obtaining a prescribed blood specimen, to ensure that the woman is informed of the intent to perform a test for HIV infection, the routine nature of the test, the purpose of the testing, the risks and benefits of the test, and certain other information about the risks associated with the transmission of HIV, and specifies that a woman has a right to accept or refuse this testing. Existing law requires that acceptance of testing for HIV be documented in writing on a prescribed form, with a copy to be maintained in the patient's medical file. Existing law authorizes a multispecialty medical group that provides health care services to enrollees of a health care service plan to use a form incorporating specified HIV information. This bill would delete those provisions regarding the acceptance of HIV testing by a patient, and would, instead, specify that a woman has a right to decline this testing. Existing law requires the physician and surgeon or other person engaged in the prenatal care of the pregnant woman or attending the woman at the time of labor, delivery, or post partum, after the results of HIV testing done pursuant to these provisions have been received, to explain the results and the implications for the mother's and infant's health, including any followup care that is needed. Existing law states that health care providers are strongly encouraged to seek consultation with other providers specializing in the care of HIV-positive women. This bill would require that the woman also receive any followup testing that is needed. The bill would also state that health care providers are strongly encouraged to seek consultation with HIV specialists who provide care for pregnant and post partum HIV-positive women. Existing law provides, notwithstanding any other provision of law, that completion of a statement of acceptance of an HIV test pursuant to specified existing law constitutes sufficient consent for HIV testing for a pregnant woman or woman at the time of labor and delivery, and prohibits a laboratory or health care provider from requesting further consent for HIV testing. This bill would delete the provisions designating completion of the statement of acceptance of an HIV test as sufficient consent for the HIV testing under the circumstances described above. This bill would prohibit a person from administering a test for HIV infection pursuant to those provisions, unless the person being tested or his or her parent, guardian, conservator, or other specified person, signs a written statement documenting the person's informed consent to the test. The bill would provide an exception to that requirement for tests to detect HIV on a cadaver when an autopsy is performed, or when blood is tested as part of a scientific investigation conducted by a medical researcher operating under the approval of an institutional review board or by the department, in accordance with a prescribed protocol.

Status: CHAPTERED

- AB 708
Huff
Reproductive health: 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 Public Health 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. The bill would also permit the department to receive cash or in-kind donations in connection to this program, as defined.
Status: In Asm. Com. on Health: Set, final hearing. Failed passage. Reconsideration granted. (last activity 4/17/07)
- AB 1146
Jeffries
Pupil instruction: sexual education: age-appropriateness
Existing law authorizes school districts to provide comprehensive sexual health education, consisting of age-appropriate instruction, in kindergarten or any of grades 1 to 12, inclusive, using instructors trained in the appropriate courses, and defines "age appropriate" as referring to topics, messages, and teaching methods suitable to particular ages or age groups of children and adolescents, based on developing cognitive, emotional, and behavioral capacity typical for the age or age group. Existing law authorizes the administration to a pupil in grades 7 to 12, inclusive, of anonymous, voluntary, and confidential research and evaluation tools to measure pupils' health behaviors and risks, including tests, questionnaires, and surveys containing age-appropriate questions about the pupil's attitudes concerning or practices relating to sex, if the parent or guardian is notified in writing that this test, questionnaire, or survey is to be administered and the pupil's parent or guardian is given the opportunity to review the test, questionnaire, or survey and to request in writing that his or her child not participate. This bill would state the intent of the Legislature to enact legislation that would more clearly define age-appropriateness in the context of the sexual issues and education provided in the public schools.
Status: Read first time. (last activity 2/26/07)
- AB 1175
Niello
Clinical laboratories: test results
Existing law provides for the regulation and licensure of clinical laboratories and clinical laboratory personnel by the State Department of Health Services until June 30, 2007, and thereafter by the State Department of Public Health. Existing law requires a laboratory director or a licensed authorized designee, who is required to be appointed by the laboratory director, to establish, validate, and document explicit criteria by which clinical laboratory test or examination results are autoverified, as defined. This bill would instead specify that an authorized designee may be appointed by the laboratory director. This bill would declare that it is to take effect immediately as an urgency statute.
Status: CHAPTERED
- AB 1249
Silva
Schools
The California Comprehensive Sexual Health and HIV/AIDS Prevention Education Act authorizes school districts to provide comprehensive sexual health education consisting of age-appropriate instruction in any kindergarten or any of grades 1 to 12, inclusive, using instructors trained in appropriate courses. The purpose of the act is to encourage a pupil to develop healthy attitudes concerning adolescent growth and development, body image, gender roles, sexual orientation, dating, marriage, and family. A school district is required to provide notice to parents and guardians regarding instruction that will be given on this topic and a parent or guardian has the right to excuse his or her child from all or part of comprehensive sexual health education and assessments related to that education. Existing law prohibits a person from being subjected to discrimination on the basis of sexual orientation, among other characteristics, and encourages each teacher to create and foster an environment that is free from discriminatory attitudes, practices, events, or activities, in order to prevent acts of hate violence, as defined. This bill would require a school district to adopt a policy regarding teacher-led discussions in kindergarten and grades 1 to 6, inclusive, about human sexuality and sexual orientation in curricular areas other than those in which comprehensive sexual health education is provided and would encourage school districts to adopt a policy that those discussions occur at home. A school district would be required to provide notice containing specified information

to parents and guardians 14 days before a teacher-led discussion in kindergarten and grades 1 to 6, inclusive, about human sexuality and sexual orientation may take place in curricular areas other than those in which comprehensive sexual health education is provided. These new requirements would impose a state-mandated local program on school districts.

Status: In Asm. Education Com: Set, first hearing. Hearing canceled at the request of author. (last activity 2/26/07)

AB 1323
DeSaulnier *Tuberculosis testing*
Existing law requires an intradermal tuberculin test as a part of employment in specified occupations. This bill would authorize this test to be made by any other tuberculin test approved by the federal Food and Drug Administration. Existing law also requires each health care provider who treats a person for active tuberculosis disease, each person in charge of a health facility, or each person in charge of a clinic providing outpatient treatment for active tuberculosis disease, to promptly report to the local health officer when there are reasonable grounds to believe that a person has active tuberculosis disease, and when a person ceases treatment for tuberculosis disease. The initial disease notification report is required to include an individual treatment plan that includes, among other information, tuberculin skin test results. This bill would alternatively authorize the reporting of the test results of another tuberculin test approved by the federal Food and Drug Administration.
Status: CHAPTERED

AB 1334
Swanson *Corrections: sexual barrier protection devices*
Under existing law, the Secretary of the Department of Corrections and Rehabilitation is responsible for the administration of the state prisons. Existing regulation prohibits inmates from participating in illegal sexual acts. This bill would enact the Inmate and Community Public Health and Safety Act, which would require the secretary to allow any nonprofit or health care agency to distribute sexual barrier protection devices, as specified. The bill would state that the distribution of those devices shall not be considered a crime nor shall it be deemed to encourage sexual acts between inmates. The bill would specify that possession of one of those devices shall not be used as evidence of illegal activity for purposes of administrative sanctions. Under existing law, sodomy or oral copulation with any person while confined in a state or local correctional institution is a crime. This bill would state that those criminal provisions do not prohibit the provision of sexual barrier protection devices or products pursuant to the above authorization.
Status: VETOED

AB 1442
Feuer *Clinical laboratories*
Existing law provides for the licensure and regulation of clinical laboratories and various clinical laboratory personnel by the State Department of Public Health. Existing regulations require a person or entity to meet certain requirements in order to perform tests to detect antibodies to human immunodeficiency virus. This bill would alternatively require a clinical laboratory performing certain tests or examinations to screen for HIV antibodies to meet specified requirements, including using a United States Food and Drug Administration approved kit, enrolling in a proficiency testing program approved by the Centers for Medicare and Medicaid Services, possessing the appropriate license or registration, as specified, confirming all screened positive, inconclusive, or indeterminate results with a different, more specific confirmatory test prior to reporting the result, annually reporting to the department the number and results of tests performed, and maintaining records of tests and test results in a manner to ensure patient confidentiality.
Status: To inactive file on motion of Assembly Member Bass. (last activity 9/11/07)

AB 1511
Leno *Sexual health: Stronger Families for California Act*
Under existing law, specified family planning services, administered by the Office of Family Planning within the State Department of Health Services, are provided to Medi-Cal recipients and certain other persons. Existing law also establishes various programs administered by the department relating to adolescent health. Effective July 1, 2007, responsibility for the administration of the above-mentioned provisions will be transferred to the State Department of Public Health. This bill would establish the Stronger Families for California Program, a continuing information and public

education program, within the department, with the primary goal of decreasing teenage pregnancies and sexually transmitted diseases through a continuing information and public education program that equips parenting adults, as defined, with the communication skills necessary to talk with their children about sex, sexual health, and making well-informed decisions to protect their health and safety, as specified.

Status: In Sen. Com. on APPR: Set, first hearing. Held under submission. (last activity 8/30/07)

SB 147
Ashburn

Valley fever: vaccine

Under existing law, the State Department of Health Services may contract with a nonprofit organization to distribute grants from funds appropriated by the Legislature for valley fever research to develop a vaccine. Effective July 1, 2007, these duties will be transferred to the State Department of Public Health. This bill would appropriate \$1,000,000 from the General Fund to the department for the 2007-08 fiscal year, for purposes of that research and related administrative costs.

Status: Set, first hearing. Held in Sen. APPR Com. and under submission. (last activity 5/31/07)

SB 356
Negrete
McLeod

List of reportable diseases and conditions

Existing law requires the State Department of Public Health to establish a list of reportable diseases and conditions, including, but not limited to, diphtheria, listeria, and salmonella. Existing law requires reporting by the local health officer of any disease or condition on the list. Existing law prohibits the imposition of any penalty or other adverse action based upon the failure to report unless the name of the disease or condition, has been printed in the California Code of Regulations for a period of at least 6 months. Violation of these provisions is a crime. This bill would delete the specified list of required reportable diseases and conditions. The bill would require the department to establish a list of reportable diseases and conditions for which clinical laboratories are required to submit a culture or specimen to local and state public health laboratories. It would prohibit the imposition of any penalty or other adverse action based upon the failure to report or submit unless the name of the disease or condition has been printed in the California Code of Regulations and the department notifies the licensed physician or clinical laboratory of the disease or condition at least 6 months prior to the date of the claimed failure to report or submit.

Status: Placed on inactive file on request of Assembly Member De Leon. (last activity 8/27/07)

SB 443
Migden

Tissue donors: sperm donors

Existing law prohibits the transfer of any tissues, as defined, into the body of another person by means of transplantation, unless the donor of the tissues has been screened and found nonreactive for evidence of infection with HIV, agents of viral hepatitis (HBV and HCV), human T lymphotropic virus-1 (HTLV-1), and syphilis. Existing law provides an exception to this prohibition for therapeutic insemination of sperm or use of sperm in other advanced reproductive technologies if the sperm donor is found reactive for hepatitis B, hepatitis C, or syphilis if the sperm donor is the spouse of, partner of, or designated donor for that recipient. This bill would expand the exception to that prohibition for therapeutic insemination of sperm or use of sperm in other advanced reproductive technologies if the sperm donor is found reactive for HIV or HTLV-1. The bill would authorize the use of sperm whose donor has tested reactive for HIV or HTLV-1 for the purposes of insemination or advanced reproductive technology only after the donor's sperm has been effectively processed to minimize the infectiousness of the sperm for that specific donation, and where informed and mutual consent has occurred. The bill would require the State Department of Public Health to adopt regulations by January 1, 2010, regulating facilities that perform sperm processing pursuant to those provisions. The bill would require a physician providing insemination or advanced reproductive technologies to, among other things, provide, as appropriate, prophylactic treatments, including, but not limited to, antiretroviral treatments, to the recipient to reduce the risk of acquiring infection during and subsequent to insemination, and to perform appropriate follow-up testing of the recipient for HIV or HTLV-1 following the insemination or other advanced reproductive technology.

Status: CHAPTERED

SB 533
Yee

Health: immunizations: pneumococcus

Existing law requires county health officers to organize and maintain a program to make immunizations available to certain persons. Existing law states the intent of the Legislature to

provide a means for the eventual achievement of total immunization against certain childhood diseases. Under existing law, a person exposed to those childhood diseases may be temporarily excluded from school until a determination is made by the local health officer that the person is no longer at risk of developing the disease. This bill would add pneumococcus to the list of childhood diseases for which the Legislature intends the eventual achievement of immunization. Existing law prohibits the governing authority of a school or other institution from unconditionally admitting any person as a pupil of any private or public elementary or secondary school, child care center, day nursery, nursery school, family day care home, or development center, unless prior to his or her first admission to that institution he or she has been fully immunized against various diseases. This bill would , on and after July 1, 2008, add pneumococcus to the list of diseases, except for children who are 24 months of age and older. Because the bill would add to the duties of certain local agencies it would impose a state-mandated local program.

Status: VETOED

SB 676
Ridley-
Thomas

Health: immunizations

Existing law prohibits the governing authority of a school or other institution from unconditionally admitting any person as a pupil of any private or public elementary or secondary school, child care center, day nursery, nursery school, family day care home, or development center, unless prior to his or her first admission to that institution he or she has been fully immunized against various diseases. This bill would recast those provisions to, in part, remove certain of the age and date restrictions and, on and after July 1, 2008, would prohibit the governing authority from admitting or advancing any pupil to the 7th grade unless immunized against pertussis.

Status: In Asm. Com. on APPR. Set, second hearing. Held in committee and under submission. (last activity 7/18/07)

Emergency Medical Services

- AB 64
Berg *Uniform Emergency Volunteer Health Practitioners Act*
Existing law establishes the Emergency Medical Services Authority, in the Health and Welfare Agency, to establish planning and implementation guidelines for emergency medical service systems, as specified. The guidelines are required to address, among other things, disaster response, and the authority is required to provide technical assistance to existing agencies, counties, and cities for the purpose of developing the components of emergency medical services systems. The authority is required to adopt rules and regulations, approved by the Commission on Emergency Medical Services, in order to carry out its duties. This bill would enact the Uniform Emergency Volunteer Health Practitioners Act, which would provide procedures to register in this state volunteer health practitioners with valid and current licenses in other states. The bill would allow a volunteer to provide in this state, through a host entity, health or veterinary services as appropriate pursuant to his or her license for the duration of a state, local or health emergency or a state of war, and would require a host entity in this state to coordinate its activities with the Emergency Medical Services Authority to the extent practicable. This bill would set forth certain scope of practice standards for a registered volunteer health practitioner during an emergency and would allow the Emergency Medical Services Authority and applicable licensing boards to limit, restrict, or otherwise regulate specific aspects of practice. The bill would require the authority to coordinate its activities with the Office of Emergency Services, as specified. The bill would also permit a host entity to restrict the health or veterinary services that a volunteer practitioner may provide. The bill would exempt a registered volunteer health practitioner from the unauthorized practice provisions for a health or veterinary service unless he or she has reason to know of an applicable limitation, modification, or restriction or that a similarly licensed practitioner in this state would not be permitted to provide that service. The bill would allow a health care licensing board to impose administrative sanctions upon a health practitioner licensed in this state for conduct outside of this state in response to an out-of-state emergency, and to impose administrative sanctions upon a practitioner not licensed in this state for conduct in this state in response to an in-state emergency, if certain conditions are met. The bill would also provide that volunteer health practitioners providing services in California shall be considered agents or employees of the state for the purpose of workers' compensation coverage while performing services in this state or traveling to or from this state for that purpose. The bill would authorize the authority to promulgate rules, after approval by the Commission on Emergency Medical Services, in order to implement the provisions of the Uniform Emergency Volunteer Health Practitioners Act.
Status: In Sen. APPR Com: Set, first hearing. Hearing canceled at the request of author. (last activity 8/20/07)
- AB 113
Beall *Hospitals: reduction or elimination of emergency medical services: notice*
Under existing law, the State Department of Health Services is responsible for licensing and regulating health facilities, including general acute care hospitals, as defined. Violation of these provisions is a misdemeanor. Effective July 1, 2007, responsibility for the administration of the above-described provisions will be transferred to the State Department of Public Health. Existing law, with certain exceptions, requires a hospital that plans to reduce or eliminate emergency medical services to notify various entities at least 90 days before it takes that action. This bill would permit a county board of supervisors to designate a general acute care hospital located within the county , but that is not owned and operated by the county, as an essential community facility, as defined, in accordance with specified procedures. Under these procedures, a county would be required to form a county essential community facilities committee, as prescribed, and that committee would be required to collect information and consider specified factors in assessing each hospital in the county, as well as those outside the county that serve a significant number of county residents, for the purpose of designating a general acute care hospital as an essential community facility. It would permit the committee to submit recommendations to the board for essential community facility designation, and would authorize the county to reassess a general acute care hospital's designation as an essential community facility no earlier than 5 years from the initial designation, and every 5 years thereafter. The bill would also require that any general acute care hospital that is designated as an essential community facility that plans to reduce or eliminate emergency medical services notify

various entities at least 180 days before it takes that action. By changing the definition of creating a new crime, this bill would impose a state-mandated local program. The bill would further require that any general acute care hospital that is designated as an essential community facility to furnish, as a condition of licensure or renewal of a license, a performance bond, in an amount determined by the county board of supervisors, and would require the bond to provide for the immediate release of funds to the county if the essential community facility fails to provide the above-described notice of its plans to reduce or eliminate emergency medical services, as specified. The bill would require any forfeited performance bond funds to be used by the county for the sole purpose of mitigating the impact of the general acute care hospital's closure on the community.

Status: In Asm. APPR Com: Set, second hearing. Held under submission. (last activity 5/31/07)

AB 231
Eng

Emergency Telephone Users Surcharge Act

The Emergency Telephone Users Surcharge Act requires any person supplying intrastate telephone communication services, as specified, in the state to collect a surcharge imposed on amounts paid by every person in the state for intrastate telephone communication service including "toll telephone service," as defined. It requires the Department of General Services to annually determine a surcharge rate that it estimates will produce sufficient revenue to fund the current fiscal year's costs, but prohibits the surcharge rate in any year to be greater than 3/4 of 1% nor less than 1/2 of 1%. It establishes the State Emergency Telephone Number Account into which the payments made pursuant to the act are deposited. It requires, upon appropriation, funds in the account to pay, among other things, bills submitted to the department by service suppliers or communications equipment companies for the installation of, and ongoing expenses for, specified communications services. This bill would specify that a "toll telephone service" would include a telephonic quality communication as specified, or a service that entitles the subscriber to the privilege of a predetermined amount of units or dollars of telephonic communications or an unlimited number of telephonic communications, as specified. This bill would also make technical, nonsubstantive changes to this provision. This bill would become operative only if SB 1024 of the 2007-08 Regular Session is enacted and becomes operative.

Status: To inactive file on motion of Senator Ridley-Thomas. (last activity 7/16/07)

AB 304
Huff

Community care facilities: disaster and mass plans

Existing law, the California Community Care Facilities Act, provides for the licensure and regulation of community care facilities, as defined, and provides for criminal sanctions for a violation of those provisions. Existing law requires any person desiring issuance of a license for a community care facility or a special permit for specialized services to file with the State Department of Social Services, an application on a prescribed form, containing specified information. Existing law, the California Residential Care Facilities for the Elderly Act, provides for the licensure and regulation of residential care facilities for the elderly, as defined, and provides for criminal sanctions for a violation of those provisions. Existing law requires any person desiring issuance of a license or a special permit for a residential care facility for the elderly to file with the department, an application on a prescribed form, containing specified information. This bill would require a community care facility or residential care facility that is licensed or has a special permit therefor to provide a copy of the disaster and mass casualty plan required pursuant to specified regulations to any fire department, law enforcement agency, or civil defense or other disaster authority in the area or community in which the facility is located, upon request of the fire department, law enforcement agency, or civil defense or other disaster authority.

Status: CHAPTERED

AB 615
Torrico

Emergency services: populations with limited English proficiency

Existing law requires planning for the unique needs of populations with disabilities in creating emergency and disaster response plans and requires the director of the Governor's Office of Emergency Services to include representatives of the disabled community on specified committees related to emergency preparedness. This bill would require the state to prepare for the language needs of persons with limited English proficiency in creating emergency and disaster response plans, representation of persons with limited English proficiency on committees responsible for emergency planning, regional trainings for ethnic organizations on disaster preparation, and

dissemination of translated and community-friendly emergency preparedness materials. This bill would also require that an existing biennial report by the California Emergency Council on emergency preparedness include information on the state of emergency preparedness of vulnerable populations, including the elderly, disabled, low income, and persons with limited English proficiency, and identify recommendations for improving state, regional, and local emergency preparedness, response, and recovery for persons with limited English proficiency. It would also require the director to create a registry of qualified bilingual persons in public contact positions, as defined, who can assist with emergency preparedness, response, and recovery, and, by January 1, 2009, to create guidelines for assisting local and regional entities in the planning of emergency preparedness, response, and recovery for the needs of persons with limited English proficiency. The bill would provide that these provisions shall be implemented only upon receipt of federal funding for this purpose.

Status: In Asm. APPR Com: Set, second hearing. Held under submission. (last activity 5/31/07)

AB 693
Plescia

California Emergency Services Act

The California Emergency Services Act sets forth the intent of the Legislature in enacting its provisions generally. This bill would make technical, nonsubstantive changes to these provisions.

Status: From printer. May be heard in committee March 25. (last activity 2/23/07)

AB 781
Carter

Office of Emergency Services: communications

Existing law sets forth the duties of the Office of Emergency Services generally with respect to the provision of emergency information to the public. This bill would state the intent of the Legislature to enact legislation requiring the office to enter into memoranda of understanding with public television stations in the state for the provision of specified emergency information to the public.

Status: From printer. May be heard in committee March 25. (last activity 2/23/07)

AB 903
Houston

Emergency services

Existing law, the California Disaster Assistance Act, requires the Director of the Office of Emergency Services to allocate funds for any local agency project to restore or repair real property of the local agency damaged or destroyed by a disaster, as specified. The Disaster Assistance Fund is continuously appropriated, without regard to fiscal years, for purposes of the act. This bill would provide that a private nonprofit organization that is eligible for specified disaster assistance under federal law would be eligible for state assistance for distribution of supplies, and other disaster or emergency assistance activities resulting in extraordinary cost. It would provide that an organization is not eligible for assistance under these provisions if it employs religious content in the provision of emergency assistance and would require that the grant of assistance comply with constitutional prohibitions against discrimination and the use of public funds to aid any religious organization or activity. It would direct the Office of Emergency Services to adopt regulations for this purpose. By expanding the purpose for which moneys in the Disaster Assistance Fund, a continuously appropriated fund, are available, this bill would make an appropriation.

Status: CHAPTERED

AB 942
Krekorian

Emergency telecommunications

(1) Existing provisions of the Warren-911-Emergency Assistance Act establish the number "911" as the primary emergency telephone number for use in the state and requires the providing of enhanced service capable of selective routing, automatic number identification, or automatic location identification. This bill would require that after June 30, 2008, every telephone exchange service, competitive local exchange carrier, multitelephone system, private branch exchange system, key set system, Centrex, or similar system, to provide enhanced "911" service with automatic routing, automatic number identification, and automatic location information or identification. (2) Under existing law, the Public Utilities Commission has regulatory authority over public utilities, including telephone corporations. Existing law requires telephone corporations to provide residential telephone connections with access to "911" emergency services, and requires the commission to promulgate a rule or order requiring all local telephone exchange carriers to include information in their directories and in an annual bill insert, concerning the emergency services available by dialing "911." This bill would require the commission to take steps to ensure that enhanced "911" service is available to all

Californians and require that after June 30, 2008, any telephone exchange service, competitive local exchange carrier, multitelephone system, private branch exchange system, key set system, Centrex, or similar system, provide enhanced "911" service. The bill would also require the commission to promulgate a rule or order requiring all local exchange carriers to provide enhanced "911" service to all persons serviced by the local exchange carrier, including those persons using a telephone exchange service, multiline telephone system, private branch exchange, Centrex, or similar system.
Status: Re-refer to Com. on Utility & Commerce. (last activity 3/27/07)

AB 1476
Hayashi

Office of Emergency Services: State Computer Emergency Data Exchange Program: report
The California Emergency Services Act generally sets forth the duties of the Office of Emergency Services in overseeing emergency preparedness and response activities in the state, including those activities implemented under the state emergency plan. Existing law provides that it is the duty of the State Computer Emergency Data Exchange Program established by the Office of Emergency Services to collect and disseminate data for emergency management. Existing law provides for participation in the program by specific state agencies as well as any state agency not specified that collects data and information that will affect an emergency response. This bill would require the Office of Emergency Services, on or before May 1, 2008, to prepare and submit a report to the Legislature, in collaboration with the Office of Homeland Security, establishing an action plan to assist state and local governments in sharing information to achieve effective disaster response coordination, as provided. This bill would also require the office to include an implementation plan with regard to the State Computer Emergency Data Exchange Program, as provided.
Status: Referred to Com. on G.O. (last activity 3/22/07)

AB 1595
Lieber

Disaster mitigation and emergency services
Existing law sets forth the duties of the Office of Emergency Services in planning and coordinating disaster mitigation and response efforts in the state. Existing law also establishes the Department of Justice under the direction and control of the Attorney General. This bill would require the Office of Emergency Services, in cooperation with the Office of Homeland Security, to take specified actions in relation to California's response to emergencies, and to report to the Legislature, in its 2008 annual report, on those actions. This bill would also create the Terrorism Prevention and Civil Liberties Protection Oversight Committee in the Department of Justice, as specified, to advise and assist the state in preventing terrorist attacks and protecting civil liberties and human rights.
Status: In Asm. APPR Com: Set, second hearing. Held under submission. (last activity 5/31/07)

AB 1603
Caballero

Emergency services: cities
Existing law authorizes each county to develop an emergency medical services program and requires each county developing a program to designate a local emergency services agency for the purposes of administering and overseeing local emergency medical services in that county. Existing law also requires that an emergency medical care committee be established in each county with duties that include reviewing the operations of ambulance and other emergency medical services in the county. This bill would provide that, notwithstanding any other provision of law or any prior statement of intent to not provide ambulance transportation service, any city, district, or other local government agency that currently provides paramedic service may elect to provide ambulance transportation service within its geographic jurisdiction, provided that this service complies with guidelines established by the emergency services agency for the county in which that city, district, or other local government agency is located.
Status: Referred to Asm. Com. on Health. (last activity 3/29/07)

SB 261
Romero

Emergency medical services: The Trauma Care Fund: state regional trauma system
Existing law, the Emergency Medical Services System and Prehospital Emergency Medical Care Personnel Act (EMS act), establishes the Emergency Medical Services Authority within the California Health and Human Services Agency to, among other things, provide statewide coordination of county EMS programs, and to administer the Trauma Care Fund. Existing law establishes the Trauma Care Fund within the State Treasury and continuously appropriates the funds to the authority for distribution to local trauma care centers. Existing law requires that local emergency medical services (EMS) agencies that receive funding pursuant to those provisions

distribute those funds to eligible trauma centers, based on whether the grant proposal satisfies prescribed criteria. This bill would delete from the criteria for local distribution of those funds consideration of whether the acquisition is demonstrated to be essential for trauma services within a specified hospital and whether coordination or payment of prescribed care and transportation services may be provided as necessary without undue delay. The bill would designate 10% of those funds for reimbursement for out-of-county indigent trauma care patients. This bill would require the authority to establish a statewide trauma registry and would require local EMS agencies to provide data to the authority by July 1, 2009, pursuant to criteria developed by the authority. This bill would authorize the authority to audit local EMS trauma agencies to ensure compliance with authority-approved trauma care plans.

Status: Set, second hearing. Held in Asm. APPR Com. and under submission. (last activity 8/30/07)

SB 426
Kehoe

Emergency services: access and functional needs coordination

Existing law sets forth the authority and duties of the Office of Emergency Services in overseeing emergency preparedness and response activities in the state generally. The Director of the Office of Emergency Services is required to appoint representatives of the disabled community to serve on the evacuation, sheltering, communication, recovery, and other pertinent standardized emergency management system committees, and within the system structure, to ensure, to the extent practicable, that the needs of the disabled community are met by ensuring all committee recommendations in this regard include the needs of people with disabilities. This bill would require the director to create the position of Deputy Director for Access and Functional Needs Coordination within the office, who shall be responsible for ensuring that access and functional needs, are included in all state plans related to emergency preparedness, planning, and response, and performing specified duties with respect to the oversight and implementation of emergency preparedness and response activities related to persons with functional limitations and disabilities. The bill would express the intent of the Legislature that, to the extent permitted by federal law, federal homeland security grant funds be used to implement these provisions.

Status: Set, first hearing. Held in Sen. Com. on APPR and under submission. (last activity 5/31/07)

SB 485
Maldonado

Emergency medical services

Existing law, the Emergency Medical Services System and the Prehospital Emergency Medical Care Personnel Act, provides for the certification of emergency medical technicians through the issuance of certificates, including EMT-I and EMT-II certificates, by local entities, known as local EMS agencies, which are designated by counties. Existing law also permits public safety agencies, for public safety personnel, and the State Board of Fire Services, for fire safety personnel, to issue EMT-I certificates. Existing law provides that the medical director of a local EMS agency or the Emergency Medical Services Authority may deny, suspend, or revoke certificates issued under these provisions, or may place a certificate holder on probation, upon finding the occurrence of any of specified events. Existing law provides that an EMT-I may be authorized by the medical director of the local EMS agency to administer naloxone hydrochloride by means other than intravenous injection only if the EMT-I has completed training and passed an examination administered or approved by the medical director of the local EMS agency in the area. This bill would make a technical, nonsubstantive change.

Status: To Com. on Rls. (last activity 2/28/07)

SB 583
Ridley-Thomas

Emergency medical technicians: certificates: discipline

Existing law, the Emergency Medical Services System and the Prehospital Emergency Medical Care Personnel Act, provides for the certification of emergency medical technicians through the issuance of certificates, including EMT-I and EMT-II certificates, by local entities, known as local EMS agencies, which are designated by counties. Existing law also permits public safety agencies, for public safety personnel, and the State Board of Fire Services, for fire safety personnel, to issue EMT-I certificates. Existing law provides that the medical director of a local EMS agency or the Emergency Medical Services Authority may deny, suspend, or revoke certificates issued under these provisions, or may place a certificate holder on probation, upon finding the occurrence of any of specified events. This bill would require an employer, that is a public safety agency, to notify the local EMS agency of any discipline against an EMT-I or EMT-II certificate holder, and would

authorize the medical director of the local EMS agency to temporarily suspend an EMT-I or EMT-II certificate upon specified determinations, and would authorize the director of the authority to continue the suspension if certain determinations are made.

Status: Set, first hearing. Held in Sen. APPR Com. and under submission. (last activity 5/31/07)

SB 1024
Kehoe

Telecommunications: Emergency Telephone Users Surcharge Act

Existing provisions of the Warren-911-Emergency Assistance Act establishes the number "911" as the primary emergency telephone number of use in the state. The existing Emergency Telephone Users Surcharge Act ("911" surcharge act) generally imposes a surcharge on amounts paid by every person in the state for intrastate telephone service and is imposed at a percentage rate, not less than 0.5% nor more than 0.75% that is annually estimated to provide revenues sufficient to fund "911" emergency telephone system costs for the current fiscal year. Surcharge amounts are paid to the State Board of Equalization on a monthly basis by the telephone service supplier and are deposited into the State Treasury to the credit of the State Emergency Telephone Number Account in the General Fund, to be expended for limited purposes, including to pay the Department of General Services for its costs in administration of the "911" emergency telephone number system. Existing law defines a "service supplier," for purposes of the "911" surcharge act, as meaning a person supplying intrastate telephone communication services, as defined, pursuant to California intrastate tariffs to any service user, as defined, in the state and includes any person supplying intrastate telephone communications services for whom the Public Utilities Commission has eliminated the requirement for filing an intrastate tariff. This bill would expand the definition of a "service supplier," for purposes of the "911" surcharge act, to include any person supplying Voice over Internet Protocol (VoIP) service capable of originating a "911" emergency call from any service user in this state. This bill would specify that the "911" surcharge act applies to VoIP service, as defined, but would provide that the surcharge does not apply to customers whose primary place of using the services is outside the state. This bill would state that it is not the intent of the Legislature to regulate VoIP service, but rather its sole purpose is to ensure that all forms of telephonic quality communication that connect to the "911" emergency system contribute to the State Emergency Telephone Number Account. The bill would also make other conforming, technical, nonsubstantive changes.

Status: Set, first hearing. Testimony taken. Further hearing to be set in Sen. Com. on REV & Tax. (last activity 5/9/07)

Family Health Services

AB 1

Dymally

Health care coverage

(1) Existing law establishes various public programs to provide health care coverage to eligible children, including the Medi-Cal program administered by the State Department of Health Care Services and county welfare agencies, and the Healthy Families Program administered by the Managed Risk Medical Insurance Board. Children through 18 years of age are eligible for health care coverage under these programs if they meet certain household income and other criteria, including specified citizenship and immigration status requirements. Under existing law, the applicant's signed statement as to the value or amount of income is accepted for eligibility purposes under the Healthy Families Program if documentation cannot otherwise be provided. Existing law requires the Managed Risk Medical Insurance Board and the Department of Insurance, in collaboration with entities administering the California Special Supplemental Food Program for Women, Infants, and Children (WIC), to develop an automated enrollment gateway system allowing a presumptive eligibility determination for the Medi-Cal program and the Healthy Families Program to be made for children applying for the WIC program. This bill would expand eligibility for the Medi-Cal program and would expand eligibility for the Healthy Families Program by allowing children with family incomes at or below 300% of the federal poverty level to qualify for the program and would delete the specified citizenship and immigration status requirements. The bill would require the Managed Risk Medical Insurance Board, by January 2008, in consultation with stakeholders, to implement a process for an applicant's self-certification of income and income deductions for purposes of establishing eligibility for the Healthy Families Program. The bill would create the Healthy Families Buy-In Program that would be administered by the Managed Risk Medical Insurance Board and would make the coverage provided under the Healthy Families Program available to children whose household income exceeds 300% of the federal poverty level and who meet other specified criteria. The bill would specify that coverage under the buy-in program would include services provided under the California Children's Services Program (CCSP) for children eligible for CCSP and would deem the child's family financially eligible for benefits under CCSP. Because the bill would thereby expand eligibility for the CCSP, which is administered by a county's public health or social welfare department, it would impose a state-mandated local program. The bill would specify the family contribution required for children enrolled in the buy-in program and would require an additional payment, as determined by the Managed Risk Medical Insurance Board, from the family of a child determined eligible for CCSP. The bill would also make various related modifications to the Medi-Cal program and the Healthy Families Program, and would require the State Department of Health Care Services and the Managed Risk Medical Insurance Board to maximize federal matching funds for the Medi-Cal program and the Healthy Families Program. Because the expansion of and modifications to the Medi-Cal program would impose certain duties on counties relative to administration of that program, the bill would impose a state-mandated local program. The bill would require the Managed Risk Medical Insurance Board and the State Department of Health Care Services to take specified actions to improve and coordinate the application and enrollment processes for the Medi-Cal program and the Healthy Families Program and to develop a process to transition the enrollment of children from local children's health initiatives into those programs. The bill would specify that an entity's use of the automated enrollment gateway system for presumptive eligibility determinations for WIC applicants would be required only to the extent that adequate financial assistance is available for that purpose. (2) Existing law establishes the Healthy Families-to-Medi-Cal Bridge Benefits Program to provide any person enrolled for coverage under the Healthy Families Program who meets certain criteria, as specified, with 2 calendar months of health care benefits in order to provide the person with the opportunity to apply for the Medi-Cal program. This bill would establish the Healthy Families to Medi-Cal Presumptive Eligibility Program to provide a child who meets certain criteria, as specified, with presumptive eligibility benefits identical to the full scope of benefits provided under the Medi-Cal program until a Medi-Cal eligibility determination is made, at which point either the child would be enrolled in the Medi-Cal program with no interruption in coverage or the presumptive eligibility benefits would terminate in accordance with due process requirements. The bill would require the Managed Risk Medical Insurance Board to execute a declaration upon implementation of this program. (3) Existing law establishes the Healthy Families Presumptive Eligibility Program, administered by the Managed Risk Medical Insurance Board, to

provide a child who satisfies specified criteria with health care benefits while the board determines the child's eligibility for the Healthy Families Program. This bill would rename the program the Medi-Cal to Healthy Families Presumptive Eligibility Program and would require the Managed Risk Medical Insurance Board and the State Department of Health Care Services to monitor the program to ensure children are timely enrolled in the presumptive eligibility benefits for which they are eligible. (4) Existing law requires the state to administer, to the extent allowed under federal law, and only if federal financial participation is available, the Medi-Cal to Healthy Families Presumptive Eligibility Program to provide a child who meets specified eligibility requirements, including the income requirements of the Healthy Families Program, with benefits identical to full scope benefits under the Medi-Cal program with no share of cost for the period during which the child has an application pending for coverage under the Healthy Families Program. Under existing law, this program becomes inoperative 3 years after its implementation. This bill would rename the program the Healthy Families Presumptive Eligibility Program and would delete the provisions making the program inoperative. The bill would also establish, to the extent allowed by federal law and to the extent federal financial participation is available, the Medi-Cal Presumptive Eligibility Program that would provide a child who meets specified eligibility requirements with presumptive eligibility benefits identical to full scope benefits under the Medi-Cal program with no share of cost until the child is found eligible for the Medi-Cal program. The bill would require the county to forward the child's application to the Healthy Families Program if it finds the child eligible for the Medi-Cal program with a share of cost. (5) Existing law creates the Healthy Families Fund, and provides that money in the fund is continuously appropriated for purposes of the Healthy Families Program. This bill would provide that the Managed Risk Medical Insurance Board may implement the provisions of the bill expanding the Healthy Families Program only to the extent that funds are appropriated for those purposes in the annual Budget Act or in another statute. (6) This bill would incorporate additional changes to Section 123870 of the Health and Safety Code proposed by SB 137, to be operative only under circumstances specified in the bill.

Status: Senate amendments concurred in. (Ayes 47. Noes 28) Held at desk. (last activity 9/12/07)

AB 81
Torrico

Child protection: safe surrender

Existing law designates certain locations as safe-surrender sites for the safe surrender of newborn children who are 72 hours of age or younger. This bill would expand the scope of those provisions to apply to children who are 7 days old or younger. The bill would permit a local fire agency, upon the approval of the appropriate local governing body of the agency, to designate a safe-surrender site. The bill would specify certain circumstances in which a safe-surrender site and its personnel have no liability for a surrendered child. The bill would also require, to the extent resources are available, as specified, the State Department of Social Services to conduct a statewide awareness campaign publicizing the existence of the program and to establish a toll-free telephone number for the purpose of providing education and assistance to the public regarding the program. By imposing new duties on local officials, the bill would impose a state-mandated local program. The bill would require the State Department of Social Services to report to the Legislature regarding the effect of these provisions on or before January 1, 2011.

Status: VETOED

AB 172
Bass

Foster care: instruction and education pilot project

Existing law declares the duty of the state to care for and protect the children that it places into foster care. Under existing law, the State Department of Social Services has various powers and duties relating to ensuring that the needs of foster children are met by local child welfare agencies and foster care providers. This bill would require the State Department of Social Services to contract with an entity with specified qualifications to establish, until January 1, 2012, a foster care parent and child home instruction and education pilot project, as specified in the bill. The bill would set forth the purposes of the pilot project, including the duties of the department and the contracting entity, with respect to the operation of the pilot project and the development of materials and curriculum. This bill would require the department, in consultation with the Legislative Analyst's Office, to establish the criteria by which to evaluate the pilot project. The bill would require the department to evaluate the effectiveness of the pilot project and submit a report to the Legislature by October 1, 2012. This bill would declare the intent of the Legislature that the pilot project established by the bill satisfies

the requirements necessary to qualify the pilot project for a 75% funding match under Title IV-E of the federal Social Security Act. This bill would appropriate \$50,000 from the General Fund to the department to implement the bill.

Status: In Asm. Com. on Hum. S: Set, second hearing. Held under submission. (last activity 5/31/07)

AB 273
Jones

Public health: foster children

Existing law provides for the Child Health and Disability Prevention (CHDP) program under the supervision of the State Department of Health Care Services, pursuant to which certain health and disability prevention treatment services are provided to eligible children. Existing law authorizes certain providers, including physicians licensed to practice medicine in California, to participate in the program if approved by the community child health and disability program director in accordance with program standards and if certified by the department. Under existing law, when a child who is taken into temporary custody as a dependent child of the court is in need of medical, surgical, dental, or other remedial care, the assigned social worker or the juvenile court may authorize that care, under specified circumstances. This bill would require prescribed health and dental assessments to be provided to children under the jurisdiction of the juvenile court. Existing law requires the case plan for a child placed in foster care to include a summary of the child's health and education records. Existing law prescribes the contents of the summary, including, among others, the names and addresses of the child's health, dental, and education providers. This bill would require that the child's most recent health and dental assessments, as required under the bill, be included in the summary of the child's health and education records, and that an appropriate referral be made for a child whose assessment identifies the child as having suspected chronic and acute health care needs. Existing law requires the county welfare department, at any hearing to terminate jurisdiction over a dependent child who has reached the age of majority, to prepare a report that, among other things, documents that the county has assisted the child in completing applications for Medi-Cal or other health insurance providers. This bill would also require the report to document that the county has assisted the child in understanding his or her health care needs and in locating health care providers that will be able to meet those needs. Existing law provides for the Medi-Cal program, which is administered by the State Department of Health Care Services and under which qualified low-income persons receive health care benefits. Existing law requires the department, if, and to the extent that, all necessary federal approvals are obtained for federal financial participation, to implement a federal option to extend Medi-Cal benefits to independent foster care adolescents, as defined in federal law. This bill would revise the definition of an independent foster care adolescent for these purposes, and would require the department to extend Medi-Cal benefits to these children until 21 years of age. The bill would require the department to seek all necessary federal approvals and waivers to implement these provisions and to provide state funds for implementation pending federal approval, as specified.

Status: In Senate APPR Com: Set, first hearing. Held under submission. (last activity 8/30/07)

AB 324
Beall

Foster care

Existing law provides for the Aid to Families with Dependent Children-Foster Care (AFDC-FC) program for children who have been removed from their homes in certain instances, and establishes the rate of foster care provider payments with respect to children placed in a licensed or approved family home with a capacity of 6 or less or in an approved home of a relative or nonrelative legal guardian. Existing law provides for the adjustment of those rates at specified times. Existing law requires the schedule of basic AFDC-FC rates to be adjusted by the percentage changes in the California Necessities Index, computed pursuant to a specified methodology, and subject to the availability of funds. In addition, existing law required, effective January 1, 2000, the basic rate to be increased by 2.36%, rounded to the nearest dollar. Existing law requires, except with respect to a specified fiscal year, that counties that receive state participation for a basic rate in excess of the existing basic rate schedule shall receive an annual increase in state participation of 1/2 of the percentage changes specified above, rather than the entire amount, until the difference between the county's adjusted state participation level and the adjusted schedule of basic rates is eliminated. This bill, notwithstanding existing law, would additionally provide for an increase in the schedule of basic rates by 5% effective January 1, 2008, and, annually, by the percentage changes in the California Necessities Index, computed pursuant to the methodology specified under existing law for the 2008-09, 2009-10, 2010-11, and 2011-12 fiscal years. The bill would require all counties to receive

increased state participation for the basic rate of the entire percentage adjustment, described in the bill, notwithstanding existing law. By requiring counties to comply with the rate adjustments, this bill would impose a state-mandated local program. Existing law continuously appropriates funds for allocation to each county for the adequate care of children of each child eligible to receive AFDC-FC foster care. By requiring the adjustment in the amount of money allocated under the AFDC-FC program, and increasing the required level of state participation, this bill would result in an appropriation. This bill would also require the State Department of Social Services to administer the Foster and Adoptive Parent Recruitment, Retention, and Support Program, created by this bill, would establish procedures for counties to elect to participate in the program, and appropriate \$25,000,000 from the General Fund to the department to fund the program, as specified.

Status: In Asm. APPR Com: Set, second hearing. Held under submission. (last activity 5/31/07)

AB 340
Hancock

Child welfare services: resource family pilot program

Existing law requires the placement of dependent children by the juvenile court according to specified procedures. Existing law requires the state, through the State Department of Social Services and county welfare departments, to establish and support a system of statewide child welfare, which includes services related to foster care placement of dependent children and adoption. Existing law provides for the licensure of foster care providers, and the approval of adoptive parents. This bill would require the State Department of Social Services, in consultation with county welfare agencies, to implement a pilot program to establish a unified resource family approval process to replace the existing multiple processes for licensing foster family homes, approving relatives and nonrelative extended family members as foster care providers, and approving adoptive families, as provided in the bill. The bill would define a resource family for its purposes as an individual or couple that a participating county has approved to care for a related or unrelated child who is under the jurisdiction of the juvenile court or otherwise in the care of a county child welfare agency. This bill would require the department, prior to implementing the pilot program, to promulgate standards for home approval and permanency assessment for placing children in a resource family. This bill would require the pilot program to be conducted in up to 5 counties that volunteer to participate. It would authorize the pilot program to continue through the 2010-11 fiscal year, or for 3 full fiscal years following the receipt of funding for the program, whichever is later. Existing law establishes the Aid to Families with Dependent Children-Foster Care (AFDC-FC) program, under which counties provide payments to foster care providers on behalf of qualified children in foster care. The program is funded by a combination of federal, state, and county funds, with moneys from the General Fund being continuously appropriated to pay for the state's share of AFDC-FC costs. Existing law requires that a child be in one of 7 designated placements in order to be eligible for AFDC-FC. This bill also would require a child placed in a resource family home that meets specified standards to be eligible for AFDC-FC. The bill would provide that a resource family be paid a specified AFDC-FC rate, and would apply existing sharing ratios for state financial participation. This bill would make its implementation contingent upon the continued availability of federal funds for costs associated with the placement of children with resource families as provided in the bill. This bill would provide that no appropriation pursuant to the provision continuously appropriating funds for the AFDC-FC program would be made for purposes of the bill. The bill would also set forth specified responsibilities for the department and counties participating in the pilot program for implementing and enforcing standards provided in the bill. Existing law requires the State Department of Social Services or licensed adoption agency to require each person filing an application for adoption to be fingerprinted, and to secure from an appropriate law enforcement agency any criminal record of that person to determine whether the person has ever been convicted of a crime other than a minor traffic violation, and authorizes the department or a licensed adoption agency to secure the person's full criminal record, if any. This bill would require that any federal level criminal offender record requests submitted to the Department of Justice be submitted with fingerprint images and related information required by the Department of Justice, as specified. The bill would require the Department of Justice to forward any such record requests received pursuant to those provisions to the Federal Bureau of Investigation (FBI), to review the information returned to the department from the FBI, and to compile and disseminate a response to the State Department of Social Services or to the licensed adoption agency. Existing law authorizes the State Department of Social Services to conduct a specified foster care demonstration project in up to 20 counties, to allow flexible use of

federal and state foster care funds by utilizing a federal capped allocation model over a 5-year period, based on the terms and conditions of a prescribed federal waiver. Existing law provides that any county, state, or federal savings in the foster care program that occur as a result of the demonstration project shall be reinvested by the counties in child welfare services program improvements. This bill instead would provide that any unexpended federal or state funds may be retained by the county for expenditure in subsequent fiscal years, consistent with the prescribed purposes of the demonstration project.

Status: CHAPTERED

AB 342
Saldana

Pupil health: individuals with exceptional needs

Existing law provides that any individual with exceptional needs who requires specialized physical health care services, during the regular schoolday, may be assisted by certain qualified persons. This bill would also authorize a qualified person holding a certificate of public health in nursing to assist those individuals.

Status: CHAPTERED

AB 537
Swanson

Family and medical leave

Existing law, the Moore-Brown-Roberti Family Rights Act, makes it an unlawful employment practice for an employer, as defined, to refuse to grant a request by an eligible employee to take up to 12 workweeks of unpaid protected leave during any 12-month period (1) to bond with a child who was born to, adopted by, or placed for foster care with, the employee, (2) to care for the employee's parent, spouse, or child who has a serious health condition, as defined, or (3) because the employee is suffering from a serious health condition rendering him or her unable to perform the functions of the job. Under the act, "child" means a biological, adopted, foster, or stepchild, a legal ward, or a child of a person standing in loco parentis, who is either under age 18 or an adult dependent child. The act defines "parent" to mean the employee's biological, foster or adoptive parent, stepparent, legal guardian, or other person who stood in loco parentis to the employee when the employee was a child. This bill would increase the circumstances under which an employee is entitled to protected leave pursuant to the Family Rights Act by (1) eliminating the age and dependency elements from the definition of "child," thereby permitting an employee to take protected leave to care for his or her independent adult child suffering from a serious health condition, (2) expanding the definition of "parent" to include an employee's parent-in-law, and (3) permitting an employee to also take leave to care for a seriously ill grandparent, sibling, grandchild, or domestic partner, as defined.

Status: VETOED

AB 571
Jones

Preschool: access

Existing law requires the Superintendent of Public Instruction to administer state preschool programs, including part-day and preschool appropriate programs for prekindergarten children 3 to 5 years of age, in educational development, health services, social services, nutritional services, parent education and participation, evaluation, and staff development. This bill would require access to state preschool programs for all 3- and 4-year old children from low-income families by 2011-12. The bill would require a system of professional development to be developed for prekindergarten teachers, and would require the State Department of Education to develop teaching competencies and issue a report to the Legislature by January 31, 2009.

Status: In Asm. APPR Com: Hearing postponed by committee. (last activity 5/31/07)

AB 638
Bass

Dependent children and wards of the juvenile court: access to services

Existing law provides for oversight by various state and local entities of certain populations of children, including those who are dependent children or wards of the juvenile court, and those who are in foster care, or are otherwise under the supervision of county welfare departments, county probation departments, or both. Existing law provides for a system of child welfare services administered by each county, with oversight by the State Department of Social Services. This bill would provide that a dependent child of the court who subsequently comes under the jurisdiction of the juvenile court as a ward, would remain eligible for state and county child welfare and independent living services, as specified, regardless of whether the child continues to be placed in a licensed foster care facility.

Status: In Asm. APPR Com: Set, first hearing. Referred to APPR suspense file. (last activity 4/25/07)

AB 672
Beall *Child welfare council: children of color*
Existing law establishes within the California Health and Human Services Agency the California Child Welfare Council, an advisory body that is responsible for improving the collaboration and processes of the multiple agencies and courts that serve children and youth in the child welfare and foster care systems. This bill would require the council to develop a statewide vision, as well as strategies and program goals, to achieve a significant and substantial reduction in the inappropriate disproportionate representation of children of color in all components of the child welfare and foster care systems. The bill would require the council to prepare a workplan and appoint a committee, with specified membership, to address these issues. It would also require the council to submit a report by January 1, 2009, to the Legislature, the Governor, the Chief Justice of the Supreme Court, and the public, regarding the requirements of the bill and the council's recommendations for legislation to implement its statewide strategies. This bill would authorize the council to accept private contributions and funding to carry out the requirements of the bill.
Status: In Asm. APPR Com: Set, second hearing. Held under submission. (last activity 5/31/07)

AB 713
Maze *Foster care services: emancipating youth*
Existing law provides for various services for foster youth. This bill would declare the intent of the Legislature to enact legislation that would sufficiently fund programs that provide financial support, and an array of enhanced services to accommodate the individual needs of youth who are emancipating from the foster care system.
Status: From printer. May be heard in committee March 25. (last activity 2/23/07)

AB 741
Bass *Infant mortality: interpregnancy care*
Existing law imposes various functions and duties on the State Department of Public Health and prenatal care providers with respect to maternal, child, and adolescent health. This bill would require the department to develop a 3-year demonstration program that would offer interpregnancy care, as defined, to women who enroll in the program and meet specified criteria, in an effort to improve the child spacing and adverse pregnancy outcomes for women who have had a previous very low birth weight delivery, as specified. The program would commence March 1, 2008, would operate in at least 3 community-based organizations or service providers, and would provide specified services to eligible participants, including primary health care and social services. This bill would also require the community-based organizations or service providers to contract with an external evaluator to evaluate the effectiveness of the program using specified criteria, to submit the evaluation to the department on or before September 1, 2011, and would require the department, by March 1, 2012, to submit a report on the program's progress to the Legislature, as specified.
Status: VETOED

AB 825
Silva *Persons with developmental disabilities: disclosure of information*
Existing law makes all information and records obtained in the course of providing intake assessment and services under statutes relating to services for persons with developmental disabilities confidential, and permits disclosure only under prescribed conditions, including, but not limited to, in communications between qualified professional persons, as specified, in the provision of intake, assessment, and services or appropriate referrals, subject to the consent of the person with developmental disabilities or his or her guardian, as specified. This bill would require a regional center or state developmental center to disclose specified information and records to certain employees of a school district or county office of education, as provided, when disclosure is necessary for a regional center or state developmental center to perform its official duties under existing law, as specified.
Status: In Asm. Com. on Hum. S: Set, first hearing. Hearing canceled at the request of author. (last activity 4/10/07)

AB 910
Karnette *Disabled persons: support and health care coverage*
(1) Existing law, the Knox-Keene Health Care Service Plan Act of 1975 (Knox-Keene Act), provides

for the licensure and regulation of health care service plans by the Department of Managed Health Care and makes a willful violation of the act a crime. Existing law also provides for the regulation of health insurers by the Department of Insurance. Under existing law, a plan and a health insurer are required to provide that coverage for a dependent child who attains a limiting age specified in the plan or policy shall not terminate if the child is and continues to be both incapable of self-sustaining employment by reason of mental retardation or a physical handicap and chiefly dependent upon the subscriber or insured for support, provided that proof of those facts is furnished within 31 days of the request for the information or the child's attainment of the limiting age, as specified. This bill would change the first criterion, requiring a health care service plan and a health insurer to provide that coverage of a dependent child shall not terminate upon attaining the limiting age if, in addition to meeting the 2nd criterion, as specified, the child is and continues to be incapable of self-sustaining employment by reason of a physically or mentally disabling injury, illness, or condition. The bill would require the plan and insurer to notify the subscriber or insured at least 90 days before the dependent child attains the limiting age and would require the subscriber or insured to submit proof, within 60 days of receiving that notice, that the child meets the criteria. The bill would require the plan or insurer upon request from the subscriber, group member, or policyholder and proof the child meets the criteria for continued coverage, to determine whether the child meets that criteria before the date the child attains the limiting age. The bill would also require, after a change in carriers, that the new plan or insurer continue coverage of the dependent child and would authorize that new plan or insurer to request information about the dependent child initially and not more frequently than annually thereafter in order to determine if the child continues to meet the criteria. The bill would require the subscriber, group member, or policyholder to submit the information requested by the new plan or insurer within 60 days of receiving the request. Because the bill would specify additional requirements under the Knox-Keene Act, the willful violation of which would be a crime, it would impose a state-mandated local program. (2) Existing law requires health insurance coverage, as defined, for a supported child to be included in a court's order for support if that insurance is available at no cost or at a reasonable cost to the parents. Existing law also requires a child support order to include a provision requiring the child support obligor and obligee to inform each other of the availability of health insurance coverage, as specified, and requires the Judicial Council to modify the form of the order to include those provisions. The bill would require a support order to direct the parent or parents who, at the time of the order or subsequently, provide health insurance coverage for a supported child to seek continuation of coverage for the child upon his or her attaining the limiting age under the coverage if the child is incapable of self-sustaining employment and otherwise meets the criteria described in paragraph (1). The bill would require a child support order to include a provision for the obligor and obligee to provide information about the availability of health insurance coverage for a child or an adult who meets that criteria and would not require the Judicial Council to modify the order's form for this purpose until January 1, 2010.

Status: CHAPTERED

AB 1031
Levine

Developmental services

Existing law, the Lanterman Developmental Disabilities Services Act, establishes the State Department of Developmental Services and sets forth its duties and responsibilities, including, but not limited to, administration and oversight of the state developmental centers and programs relating to persons with developmental disabilities. Existing law requires the department to allocate funds to private nonprofit regional centers for the provision of community services and support for persons with developmental disabilities and their families. Existing law provides that an array of services and supports should be established to meet the needs and choices of each person with developmental disabilities. This bill would establish the Lanterman Accessible and Affordable Housing Fund and would, upon appropriation by the Legislature, authorize use of money in the fund by the department for these purposes. The bill would establish the Lanterman Accessible and Affordable Housing Advisory Committee and would set forth its duties.

Status: Re-referred to Asm. Com. on APPR. (last activity 5/2/07)

AB 1052
Torrico

Preschool: teacher: limited-English-proficient children

The Child Care and Development Services Act requires the Superintendent of Public Instruction to administer state preschool programs that include part-day and preschool appropriate programs for

prekindergarten children 3 to 5 years of age, inclusive. This bill would require the State Department of Education to establish and implement a demonstration program that includes 3 counties in the state, including one county each from Northern, Central, and Southern California, as defined. The program would provide college coursework, training, and career ladder opportunities for preschool teachers who provide instruction to limited-English-proficient children, as defined for purposes of the program. Three grants of \$450,000 each would be awarded to those counties per year for 3 years. Institutions of higher education, early childhood educational agencies, local educational agencies, nonprofit organizations, or consortia of those entities within each participating county would be eligible to apply for and receive those grant funds. The department, within one year of the completion date of the program, would be required to prepare and submit to the Legislature a report that includes recommendations regarding the continuation of the program and state and federal policy changes needed to support the goals of the program.

Status: In Asm. APPR Com: Set, second hearing. Held under submission. (last activity 5/31/07)

AB 1128
Evans

Developmental services: Blue-Ribbon Commission

Existing law, the Lanterman Developmental Disabilities Services Act, establishes the State Department of Developmental Services and sets forth its duties and responsibilities, including, but not limited to, administration and oversight of the state developmental centers and programs relating to persons with developmental disabilities. Existing law requires the department to allocate funds to private nonprofit regional centers for the provision of community services and supports for persons with developmental disabilities and their families. This bill would establish the Lanterman Developmental Disabilities Services Act Working Group relating to the Lanterman Act to study and investigate updating that law, and to make recommendations to the Legislature by one year after the first meeting of the working group or June 30, 2009, whichever occurs first.

Status: In Asm. Human Services Com: Set, first hearing. Hearing canceled at the request of author. (last activity 7/10/07)

AB 1192
Evans

Developmental services: consumer abuse registry

Existing law, the Lanterman Developmental Disabilities Services Act, grants persons with developmental disabilities the right to receive treatment and services to meet their needs, regardless of age or degree of handicap, at each stage of life. Existing law requires that the state pay for these services through contracts with various private nonprofit corporations for the operation of regional centers for the developmentally disabled, and requires regional centers to develop an individual program plan (IPP) for each consumer that sets forth the treatment and services to be provided for the consumer. This bill would require the Secretary of California Health and Human Services to designate a department in state government, under its jurisdiction, to be responsible for overseeing the registration of providers and the investigation and substantiation of any allegations of abuse. The bill would require providers to report evidence of consumer abuse to the designated department. The bill would require the designated department to establish a registry of providers and others against whom one or more reports of abuse of a consumer have been substantiated, and to make the registry available, pursuant to a release protocol established by the designated department in consultation with program stakeholders, to persons who would hire persons to provide services and supports to consumers. The bill would provide immunity for development and reliance on the registry. The bill would require the designated department to coordinate with the State Department of Public Health to share information about health care providers, and would require the designated department to adopt regulations to implement the bill by July 1, 2009.

Status: VETOED

AB 1230
Laird

Charter schools: pupil health screenings

Existing law requires the governing board of a school district to provide for the testing of the sight and hearing of each pupil enrolled in the schools of the district, subject to specified exceptions. The governing board of a school district also is required to provide a scoliosis screening to each female pupil in 7th grade and each male pupil in 8th grade, also subject to specified exceptions. Charter schools are generally exempt from state statutes and regulations governing the operation of public elementary and secondary schools, except for certain specified statutory provisions. This bill would require charter schools to provide the pupil sight and hearing test and the scoliosis screening as

described above. A charter school would be authorized to contract with a school district or county office of education to provide the test and screening.

Status: In Sen. Com. on Ed: Set, first hearing. Hearing canceled at the request of author. (last activity 7/11/07)

AB 1331
Evans

Foster youth: federal benefits

Existing law provides for the placement of certain children in foster care under the custody of the State Department of Social Services and county welfare departments. Existing law establishes the Aid to Families with Dependent Children-Foster Care (AFDC-FC) program, under which counties provide payments to foster care providers on behalf of qualified children in foster care. The program is funded by a combination of federal, state, and county funds, with moneys from the General Fund being continuously appropriated to pay for the state's share of AFDC-FC costs. Existing law, the federal Social Security Act, provides for benefits for eligible beneficiaries, including survivorship and disability benefits and Supplemental Security Income (SSI) benefits for, among others, blind and disabled children. The act authorizes a person or entity to be appointed as a representative payee for a beneficiary who cannot manage or direct the management of his or her money. Existing law also provides for the State Supplementary Program for Aged, Blind and Disabled under which State Supplemental Payments (SSP) are made in supplementation of SSI benefits. Existing law requires a county to apply to become a child's representative payee for purposes of these federal benefits during the time the child is placed in foster care, and also requires the county to provide information regarding certain federal requirements when a foster youth who is receiving SSI payments is approaching his or her 18th birthday. Existing law requires the State Department of Social Services to convene a workgroup to develop best practice guidelines for county welfare departments to assist eligible children who are in the state's or a county's custody and are qualified under the bill in obtaining federal social security and supplemental security income benefits. Existing law requires the workgroup to make recommendations to the department, by December 31, 2006, regarding the feasibility and cost-effectiveness of reserving a designated amount of foster children's social security and SSI/SSP benefits in lieu of reimbursing the county and the state for care and maintenance, and, in making those recommendations, to consider that the reserved benefits would be for the purpose of assisting the foster child in the transfer to self-sufficient living in a manner consistent with federal law. This bill would require a county to screen each foster youth in foster care who is at least 16 years and 6 months of age and not older than 17 years and 6 months of age in order to determine whether the youth is eligible for federal SSI benefits. This bill would make compliance with this requirement contingent upon the ability of the county to use state AFDC-FC resources for the foster youth pending the application for federal benefits, as prescribed, and would require the department to clarify that this funding mechanism is consistent with federal law. This bill would provide that no appropriation would be made for purposes of funding the bill pursuant to the provision continuously appropriating funds for the AFDC-FC program.

Status: CHAPTERED

AB 1427
Krekorian

Developmental services: workforce development pilot program

Existing law, the Lanterman Developmental Disabilities Services Act, grants persons with developmental disabilities the right to receive treatment and services to meet their needs, regardless of age or degree of disability, at each stage of life. Existing law requires that the state pay for these services through contracts with various private nonprofit corporations for the operation of regional centers for the developmentally disabled, and requires regional centers to develop an Individual Program Plan (IPP) for each consumer that sets forth the treatment and services to be provided for the consumer. This bill would require the department, commencing July 1, 2008, and terminating June 30, 2011, to establish a developmental services training pilot program using the Quality Improvement Fund, which would be established by the bill, to incentivize, reimburse, and assess the use of recognized training resources for direct support workers in consumer-directed services. The bill would require the department to, by July 2008, enter into a contract with the University of California, or other evaluator, to assess the pilot program and report to the Legislature by April 1, 2011. The bill would establish a Quality Improvement Review Committee and would set forth its duties under the bill. The bill would repeal the pilot program provisions as of January 1, 2012.

Status: VETOED

AB 1578
Leno

Foster Youth Higher Education Preparation and Support Act of 2007: California College Pathways Program

(1) Under existing law, 6 unified school districts and consortia operating children's services program sites that provide instruction, counseling, tutoring, and related services for foster children receive an allowance from the State School Fund. Existing law also authorizes other school districts to provide educational services for foster children who reside in a regularly established licensed or approved foster home, located within the boundaries of a program site, pursuant to a commitment by a juvenile court. Existing law provides funding for those other school districts for the provision of those services in any fiscal year, upon appropriation from the General Fund, or if sufficient funds are available, from the Foster Children and Parent Training Fund. This bill, which would be known as the Foster Youth Higher Education Preparation and Support Act of 2007, would make statements of legislative intent relating to the establishment and provision of service and financial support necessary to help foster youth achieve their educational goals. (2) Existing law requires each school district providing foster children services to report specified information to the Superintendent of Public Instruction by January 1 of each even-numbered year. The Superintendent is required to submit a report that includes various recommendations and assessments of the educational services to the Legislature and the Governor by February 15 of each even-numbered year. This bill would require that in addition to the 6 specified program sites, each county office of education or consortium of county offices of education providing education-based foster youth services report to the Superintendent by January 1 of each even-numbered year. The bill would require the Superintendent to include in his or her report to the Legislature and the Governor additional information on education-based foster youth services. (3) The Ortiz-Pacheco-Poochigian-Vasconcellos Cal Grant Act establishes the Cal Grant A and B entitlement awards and the California Community College Transfer Entitlement awards, under the administration of the California Student Aid Commission, and establishes eligibility requirements for awards under these programs for participating students attending qualifying institutions. An existing provision of the act prohibits more than 2% of new Cal Grant B award recipients enrolling for the first time in an institution of postsecondary education from being eligible for payments for tuition or fees, or both, in their first academic year of attendance. This bill would instead specify that 2% of those new Cal Grant B recipients enrolling for the first time in an institution of postsecondary education are eligible for those payments and would authorize new Cal Grant B award recipients who are current or former foster youth enrolling for the first time in an institution of postsecondary education to be eligible for payments of tuition or fees, or both, in their first academic year of attendance. (4) Existing law establishes the California Community Colleges, under the administration of the Board of Governors of the California Community Colleges. Existing law establishes community college districts throughout the state, and authorizes them to provide instruction to students at community college campuses. This bill would request community college campuses to give priority for housing to current and former foster youth. The bill would also request community college campuses that maintain student housing facilities open for occupation during school breaks, or on a year-round basis, to give first priority to current and former foster youth for residence in the housing facilities that are open for uninterrupted year-round occupation, and next give priority to current and former foster youth for housing that is open for occupation during the most days in the calendar year. (5) Existing law establishes the California State University, under the administration of the Trustees of the California State University; the University of California, under the administration of the Regents of the University of California; and the California Community Colleges under the administration of the Board of Governors of the California Community Colleges, as the 3 segments of public postsecondary education in this state. Provisions of the California Constitution establish the office of the Superintendent of Public Instruction, and existing statutes provide that the Superintendent is the ex officio Director of Education. This bill would establish the California College Pathways Program for the purpose of providing comprehensive support on campuses of public postsecondary educational institutions to students who are current or former foster youth. The program would be administered by the Student Aid Commission. The bill would make available 6 grants to 2 campuses each from the University of California, the California State University, and the California Community Colleges systems. The bill would require campuses receiving grants under this program to match 1/2 of the funds provided by that grant through use of other funds received from federal, state, local, or private sources. The bill would require the administrator to give

preference to projects that demonstrate the strongest institutional commitment. The bill would set forth criteria to be considered in recommending projects for funding under the program. The bill would require the administrator to hire a 3rd party to evaluate the programs supported by the California College Pathways Program. The administrator would then be required to report the results of the 3rd party evaluation to the Legislature at specified intervals. The bill would express the intent of the Legislature that all current and former foster youth who are current residents of California have their systemwide and campus fees covered by grant funds in their packages of student financial aid. With respect to the California State University, the bill would express legislative intent that, to the extent that a student of the California State University who is a current or former foster youth does not receive a Cal Grant award sufficient to cover those fees, the California State University shall provide California State University grant funds to cover all of those fees for current and former foster youth who are otherwise eligible for institutional grant funds. (6) Existing law imposes certain requirements on the California State University with respect to student housing. This bill would require a state university that maintains student housing facilities open for occupation to give priority to current and former foster youth, as specified. The bill would apply a similar provision to the University of California only to the extent that the Regents of the University of California act, by resolution, to make it applicable. (7) Existing law establishes the State Department of Social Services in the California Health and Human Services Agency. This bill would require the department to annually notify in writing all foster youth 13 years of age and older and the youth's caregiver of the educational support available to them pursuant to this bill. (8) This bill would express legislative intent that new and renewal payments be made to eligible foster youth in the California Higher Education Chafee Grants program on or before the start of fall 2007 classes in each segment of higher education, pending adoption of the annual Budget Act. The bill would require that, if payments are not made by that date, the Student Aid Commission and the department shall report to the Legislature and the Governor by March 1, 2008, on the reasons for the failure to make timely payments. The bill would require the commission and the department to include in that report a description of the corrective actions being undertaken to prevent further delays in future years and on any necessary actions by the Legislature to support their efforts.

Status: In Sen. APPR Com: Set, first hearing. Held under submission. (last activity 8/30/07)

AB 1692
Villines

Health Families Advisory Council

Existing law establishes the Healthy Families Program, administered by the Managed Risk Medical Insurance Board, to arrange for the provision of health services to eligible persons who meet certain household income requirements. Existing law requires the board to appoint a 15-member advisory panel to, among other things, advise the board on all policies, regulations, operations, and implementation of the program. Existing law requires the membership of the panel to include one physician and surgeon who is board certified in pediatrics. This bill would require that member to be a practicing physician and surgeon who is board certified in pediatrics.

Status: Referred to Com. on Health. (last activity 3/26/07)

ACR 34
Nakanishi

Shaken Baby Syndrome Awareness Week

This measure recognizes April 15 to April 21, 2007, inclusive, as "Shaken Baby Syndrome Awareness Week."

Status: CHAPTERED

AJR 19
Ma

Healthy Families Program

This measure would memorialize each Senator and Representative from California in the Congress of the United States to ensure that the Congress timely reauthorizes the State Children's Health Insurance Program to assure adequate federal funding for the Healthy Families Program. The measure would also urge the Governor to use his best efforts to work with the Congressional delegation in that regard and to provide meaningful assistance to help identify and enroll children who qualify for Medi-Cal or the Healthy Families Program.

Status: CHAPTERED

SB 66
Cedillo

Public social services: family support services

Existing law requires the State Department of Social Services to administer the Family Preservation

and Support Program, which is a program of family preservation and support services that meets federal requirements, and to allocate federal funding for family preservation and support programs. Existing law authorizes counties to participate in this program. This bill would make a technical, nonsubstantive change to these provisions.

Status: To Com. on Rls. (last activity 1/25/07)

SB 104
Macado

Crisis nurseries

Existing law provides for the licensure and regulation by the State Department of Social Services of community care facilities, including, but not limited to, facilities that provide care for children. Existing law, which would be repealed on July 1, 2011, includes crisis nurseries, as defined, within these regulated community care facilities and sets forth specific provisions applicable to crisis nurseries. This bill would extend to January 1, 2013, the repeal date of these provisions relating to the regulation of crisis nurseries as community care facilities. Since violation of provisions applicable to community care facilities is a crime, this bill would impose a state-mandated local program by changing the definition of an existing crime. Existing law provides for the Aid to Families with Dependant Children-Foster Care (AFDC-FC) program, under which, pursuant to a combination of federal, state, and county funds, aid on behalf of eligible children, including, but not limited to, children in a crisis nursery, is paid to foster care providers. Existing law continuously appropriates moneys from the General Fund to pay for a share of the cost of the AFDC-FC payments, but excludes from this appropriation any payments for children in crisis nurseries. This bill would specify that no appropriation shall be made under those provisions for the purposes of implementing this bill.

Status: CHAPTERED

SB 137
Torlakson

Children's health: medical treatment

Under existing law, the Robert W. Crown California Children's Services Act, the State Department of Health Care Services, and each county administers a program for treatment services for persons under the age of 21 years diagnosed with severe chronic disease or severe physical limitations, as specified. Existing law limits eligibility for those services to persons in families with an annual adjusted gross income of \$40,000 or less. This bill would change that eligibility limitation to persons in a family with an annual, or equivalent monthly income, equal to or less than \$40,000, or that meets the income eligibility requirements for the Healthy Families Program, as specified, and would make conforming changes. Existing law requires a county to incur the costs for California Children's Services Program (CCS program) services for children in the county, as specified, but exempts counties from incurring the costs of expenditures for services to children enrolled in the Healthy Families Program who have a CCS program eligible medical condition and whose families do not meet the financial eligibility requirements of the CCS program. This bill would, instead, exempt county expenditures for services for children in families with an adjusted gross income that exceeds 300% of the federal poverty level for a family of 2, as provided. Existing law requires the state to reimburse counties for 50% of the amount required to meet state administrative standards for that portion of the county caseload under these provisions that is ineligible for Medi-Cal, to the extent funds are available in the State Budget. This bill would also require the state to reimburse counties for 100% of the amount required to provide services to children in families with an adjusted gross income that exceeds 300% of the federal poverty level for a family of 2, as provided, to the extent funds are available in the State Budget.

Status: VETOED

SB 164
Migden

Prenatal screening

Existing law imposes various responsibilities upon the State Department of Public Health and prenatal care providers with respect to prenatal care, screening, and counseling, and requires the department to administer a statewide program for prenatal testing for genetic disorders and birth defects, including, but not limited to, ultrasound, amniocentesis, chorionic villus sampling, and blood testing for genetic disorders and birth defects. Existing law establishes the Birth Defects Monitoring Program in the department's maternal, child and adolescent health program, and requires the Deputy Director for Maternal, Child, and Adolescent Health to maintain a system for the collection of prescribed information on birth defects. Existing law also provides for an increase in prenatal

screening fees to support the program activities and specifies the steps for release of pregnancy blood samples for research purposes. Existing law requires that those fees be deposited in the continuously appropriated Genetic Testing Fund. This bill would change the name of the Birth Defects Monitoring Program to the Birth Defects Monitoring and Biomedical Resources Program, and would require the program to become part of the Center for Family Health. The bill would require the department to also charge investigators, who are approved by the department to use pregnancy blood for research purposes, a fee for costs related to data linkage, storage, retrieval, processing, data entry, reinventory, and shipping of newborn blood samples or their components, and related data management, as provided. The bill would change the name of the Birth Defects Monitoring Program Fund to the Birth Defects Monitoring and Biomedical Resources Program Fund and would require that the moneys collected from the prenatal fee increase and the usage and retrieval charge be deposited in the Birth Defects Monitoring and Biomedical Resources Program Fund to support the activities of the program, upon appropriation by the Legislature. The bill would also specify that, in addition to the fee imposed pursuant to those provisions, a for-profit investigator approved by the department shall be required to enter into a written contract or agreement that requires, as a condition of accepting the sample, the payment to the department of a specified percentage of net revenues, received by the investigator that are based, in whole or in part, on samples the investigator received from the program, as provided. The bill would require the department to deposit any moneys received from a for-profit investigator pursuant to those provisions into the Birth Defects Monitoring and Biomedical Resources Program Investigation Account in the fund, which the bill would create, and would require that those moneys be available for expenditure by the department, upon appropriation by the Legislature, for purposes of implementing and administering of the program. The bill would additionally require that the program develop blood collection and processing protocols, determine conditions and recommendations for the duration of blood storage, establish exclusion criteria for blood specimens, and institute safe and secure methods for the disposal of specimens, as determined by the program. The bill would require the department to store the blood for research purposes, as prescribed, and analyze the costs of blood storage, and annual data linkage and management, and to adjust the fee accordingly. Existing law prohibits the release of information identifying the person whose pregnancy blood samples are stored, analyzed, or otherwise shared for research purposes with nondepartment staff. This bill would exempt from that prohibition the provision of information identifying the person from whom the samples were obtained to Birth Defects Monitoring and Biomedical Resources Program contractors or other entities approved by the department. The Committee for the Protection of Human Subjects (CPHS) serves as the institutional review board for the California Health and Human Services Agency for the purpose of assuring that research involving human subjects is conducted ethically and with minimum risk to participants. This bill would require CPHS to determine if certain criteria are met to ensure the confidentiality of a donor's personal information before any blood samples are released for research purposes, as provided. The bill would also authorize the department to bill investigators who are approved by the department to use pregnancy blood for research purposes for reasonable costs associated with the department's process of protecting personal information, including, but not limited to, the department's costs for conducting a portion of the data processing for the investigator, removing personal information, encrypting or otherwise securing personal information, or assigning subject codes. The bill would also require the department, health care providers, and local health departments to maintain the confidentiality of patient information in the same manner as other medical record information with patient identification as required by existing law, and would require this information to be used only for prescribed purposes.

Status: In Senate. To unfinished business. Placed on inactive file on request of Senator Migden. (last activity 9/12/07)

SB 527
Steinberg

Autism spectrum disorders: screening

Existing law, the Lanterman Developmental Disabilities Services Act, requires the State Department of Developmental Services to contract with regional centers for the provision of various services and support to persons with developmental disabilities, including autistic spectrum disorders. Existing law, the California Early Intervention Services Act, commonly known as the Early Start program, provides various early intervention services for infants and toddlers who have disabilities or who are at risk of having disabilities to enhance their development and to minimize the potential for

developmental delays. The bill would require the State Department of Developmental Services, no later than January 1, 2009, to implement, to the extent practicable, its guidelines for the screening and diagnosis of autistic spectrum disorders for children enrolled in the Early Start program, as provided. Existing law sets forth specified duties on health care service providers to provide patients with certain information related to various health needs. This bill would require any health care provider who performs a periodic health assessment of a child between birth and 5 years of age to comply with certain standards of care on developmental surveillance and screening, as approved by the State Department of Public Health, and to provide parents and legal guardians with certain information during a child's well-child visit, as provided, relating to developmental disabilities, including autistic spectrum disorders, and if appropriate, information about local regional centers or other organizations that provide screening and related services for children with autistic spectrum disorders.

Status: To Asm. Coms. On Health & Human Services. (last activity 6/7/07)

SB 648
Calderon

Rights of foster children

Existing law declares that it is the policy of the state that all children in foster care have prescribed rights. This bill would amend this policy to also provide that those children retain these rights notwithstanding the commission of a public offense or crime.

Status: Set, first hearing. Hearing canceled at the request of the author. (last activity 3/29/07)

SB 688
Cox

California Children and Families Program: communications

(1) The California Children and Families Act of 1998, an initiative measure, requires that the California Children and Families Program, established by the act, be funded by certain taxes imposed on the sale and distribution of cigarettes and tobacco products and deposited into the California Children and Families Trust Fund, and that the fund be used for the implementation of comprehensive early childhood development and smoking prevention programs. Existing law specifies that 6% of moneys allocated and appropriated from the fund shall be deposited in a Mass Media Communications Account for expenditures by the California Children and Families Commission, also known as First 5 California, for communications to the general public utilizing the mass media on subjects relating to, and furthering the goals and purposes of, the act. This bill would prohibit any funds from being expended from that or any other allocation to the state commission advocating or promoting programs or activities that are not expressly authorized by a statute enacted by the Legislature or an initiative enacted by the voters.

Status: To Com. on Human S. (last activity 3/8/07)

SB 720
Kuehl

Foster children

Existing law relating to the Aid to Families with Dependent Children-Foster Care (AFDC-FC) program defines various categories of placement options for eligible foster children. One of these categories is the "whole family foster home," which is defined as a family home, approved relative caregiver or nonrelative extended family member's home, or certified family home, that provides foster care for a minor parent and his or her child, and is specifically recruited and trained in this regard. Existing law provides for Kinship Guardianship Assistance Payment Program (Kin-GAP) and the Kin-GAP Plus programs, as a part of the CalWORKs program, which provides aid on behalf of specified categories of eligible children who are placed in the home of a relative caretaker. Existing law requires the rate paid on behalf of children eligible for a Kin-GAP payment to equal 100% of the rate paid to a licensed or approved foster home, as specified. This bill would expand the definition of a whole family foster home by specifying that this category includes both new and existing foster homes, and by including the homes of nonrelated legal guardians who are appropriately recruited and trained. Existing law establishes a schedule of rates payable under the AFDC-FC program. Existing law requires the payment made for care and supervision of a child who is living with a teen parent in a whole family foster home to equal the basic rate for children placed in a licensed or approved home, as specified. This bill would require the payment made for the care and supervision of a dependent infant who is living with his or her dependent teen parent in a group home to equal the infant supplemental rate for group home payments. The bill would require a Kin-GAP relative who was designated as a whole family foster home immediately prior to entering the Kin-GAP program to receive the same amounts for the care and supervision of a child living with a teen parent as they

received as a whole family foster home under AFDC-FC. Existing law requires a shared responsibility plan to be developed, and updated as needed, between a teen parent, as defined, caregiver, and other county or state representatives, as appropriate, for the care of the child of a teen parent when the child of a teen parent is not under the jurisdiction of the dependency court but is in the full or partial physical custody of the teen parent who is living in an out-of-home placement in a whole family foster home, as defined. This bill would expand the meaning of "teen parent" to include, under specified circumstances, a child adjudged to be a dependent child or ward of the court or a child who is a ward of a nonrelated legal guardian and receiving case management, living in an out-of-home placement in a whole family foster home, who is a parent. The bill would provide that the shared responsibility plan requirements would no longer apply when a former whole family foster home is receiving payments under the KIN-GAP program, as specified.

Status: CHAPTERED

SB 785
Steinbereg

Foster children: mental health services

Existing law requires the State Department of Mental Health to implement managed mental health care for Medi-Cal beneficiaries through fee-for-service or capitated rate contracts with mental health plans, including individual counties, counties acting jointly, any qualified individual or organization, or a nongovernmental entity. Under existing law, this may include the provision of specialty mental health services to children in foster care. This bill would require the State Department of Mental Health, by July 1, 2008, to create a standardized contract, service authorization procedure, and set of documentation standards and forms, and to use these items to facilitate the receipt of medically necessary specialty mental health services by a foster child who is placed outside of his or her county of original jurisdiction, as specified. In addition, the bill would require the California Health and Human Services Agency to coordinate the efforts of the State Department of Mental Health and the State Department of Social Services for the performance of designated duties with respect to implementing these provisions, including establishing informational materials for foster care providers and county child welfare agencies, relating to the provision of mental health services to children in their care, as specified. Existing law provides for the Adoption Assistance Program, administered by the State Department of Social Services, which provides for the payment by the department and counties of cash assistance to eligible families that adopt eligible children, and bases the amount of the payment on the needs of the child and the resources of the family to meet those needs. Under existing law, the department or licensed adoption agency is required, among other duties, to provide the prospective adoptive family with information on the availability of mental health services through the Medi-Cal program or other programs. Existing law provides that the county responsible for determining the child's eligibility for the program, and for providing financial aid is the county that at the time of the adoptive placement would otherwise be responsible for making a payment pursuant to the CalWORKs program or the Aid to Families with Dependent Children-Foster Care program if the child were not adopted. Existing law provides for Kinship Guardianship Assistance Payment Program (Kin-GAP), as a part of the CalWORKs program, which provides aid on behalf of specified categories of eligible children who are placed in the home of a relative caretaker. Existing law provides that the county that formally had court ordered jurisdiction over a child receiving benefits under the Kin-GAP program shall be responsible for paying the child's aid regardless of where the child actually resides, so long as the child resides in California. This bill would provide that a foster child whose adoption has become final and who is receiving or is eligible to receive Adoption Assistance Program assistance, including Medi-Cal, or who has become the subject of a legal guardianship and is receiving Kin-GAP assistance, including Medi-Cal, and whose foster care court supervision has been terminated, shall be provided medically necessary specialty mental health services, as specified. This bill would require the State Department of Mental Health, if necessary, to seek federal approval prior to implementing the bill.

Status: CHAPTERED

SB 893
Cox

California Children and Families Program: funding

The California Children and Families Act of 1998, an initiative measure, requires that the California Children and Families Program, established by the act, be funded by certain taxes imposed on the sale and distribution of cigarettes and tobacco products and deposited into the California Children and Families Trust Fund, and that the fund be used for the implementation of comprehensive early

childhood development and smoking prevention programs. Existing law specifies that specified percentages of moneys allocated and appropriated from the trust shall be deposited in various accounts for expenditures by the California Children and Families Commission, also known as First 5 California, for various subjects relating to, and furthering the goals and purposes of, the act. This bill would eliminate those percentages for allocations to various accounts and would instead provide that those funds be allocated and appropriated to the commission to provide health care services to children consistent with the purposes of the act.

Status: Set, first hearing. Failed passage in Sen. Health Com. Reconsideration granted. (last activity 4/25/07)

SB 1027
Alquist

Developmental disabilities

Existing law establishes the State Department of Developmental Services and sets forth its duties and responsibilities, including, but not limited to, administration and oversight of the state developmental centers and the allocation of funds to private nonprofit regional centers for community services and supports to persons with developmental disabilities. This bill would make a technical, nonsubstantive change to one of these provisions.

Status: To Com. on Rls. (last activity 3/15/07)

Public Health Administration

AB 2
Dymally

Health care coverage

(1) Existing law establishes the California Major Risk Medical Insurance Program (MRMIP) that is administered by the Managed Risk Medical Insurance Board (MRMIB) to provide major risk medical coverage to persons who, among other matters, have been rejected for coverage by at least one private health plan. Existing law, the Knox-Keene Health Care Service Plan Act of 1975, provides for the licensure and regulation of health care service plans by the Department of Managed Health Care and makes a willful violation of the act a crime. Existing law also provides for the regulation of health insurers by the Department of Insurance. Under a pilot program ending on December 31, 2007, existing law requires a health care service plan and a health insurer to offer a standard benefit plan to certain individuals, and requires MRMIB to make payments from the Major Risk Medical Insurance Fund, a continuously appropriated fund, to health care service plans and insurers for the provision of health services under those standard benefit plans. This bill would require a health care service plan and a health insurer to continue until January 1, 2009, to provide coverage to each individual who was terminated from the pilot program, with the benefits and premium for that coverage being determined by MRMIB, and to send those individuals a notice developed by MRMIB. The bill would, effective January 1, 2009, require a health care service plan and a health insurer to elect to either make available all of its group or individual health benefit plans to individuals in each service area, or to alternatively pay a fee covering its market share, as determined by MRMIB, of MRMIP's costs. The bill would require plans and insurers that elect not to pay the fee to annually submit their proposed health benefit plan rates for approval to the Director of Managed Health Care or the Insurance Commissioner, as applicable. Because the fee would be deposited in the fund, the bill would make an appropriation by increasing the amount of revenue in a continuously appropriated fund. The bill would require MRMIB to appoint a panel to advise it regarding implementation of the fees. The bill would make conversion coverage and coverage for a federally eligible defined individual, on and after January 1, 2009, available through MRMIP, as specified, upon a waiver being obtained from the federal government and would make individuals with that coverage as well as those who were covered under the pilot program on or after July 1, 2008, eligible for enrollment in MRMIP, as specified. The bill would specify the manner in which the premium is calculated for a health care service plan contract or a health insurance policy that offers services through a preferred provider arrangement for a federally eligible defined individual. The bill would revise other provisions governing MRMIP. The bill would enact other related provisions. (2) Existing law prohibits a health care service plan and a health insurer from closing a block of business, as defined, without taking specified actions. Under existing law particular types of coverage are exempt from these provisions. This bill would specify that continuation coverage and certain guarantee issue coverage are also exempt from these provisions pertaining to a block of business closure. (3) Existing law authorizes MRMIB to adopt rules and regulations, as specified. This bill would require MRMIB to perform specified duties, including establishing guidelines for disease management, case management, care management, and other cost management strategies. The bill would make a provision inoperative on January 1, 2009, that ensures that MRMIP subsidy amounts not exceed the amounts deposited annually into the fund. (4) Existing law requires specified amounts to be deposited in the fund from the Cigarette and Tobacco Products Surtax Fund. This bill would increase those amounts, thereby making an appropriation. The bill would make related changes, and would exempt MRMIB, the Department of Managed Health Care, and the Department of Insurance from certain procedural requirements necessary to adopt rules and regulations.

Status: To inactive file on motion of Senator Perata. (last activity 9/11/07)

AB 8
Nunez

Health Care Coverage

(1) Existing law creates the California Health and Human Services Agency. This bill would require the agency to encourage fitness, wellness, and health promotion programs and to establish a program to track and assess the health care reforms implemented by the bill's provisions. The bill would create an advisory body, chaired by the secretary of the agency, to guide the assessment and would require annual reports to the Legislature relating to the assessment. The bill would also require the agency, in consultation with the Board of Administration of the Public Employees' Retirement System (PERS) to assume lead agency responsibility for professional review and development of best practice

standards for high-cost chronic diseases that state health care programs would be required to implement upon their adoption. The bill would additionally require the agency, in consultation with PERS and health provider groups, to develop health care provider performance measurement benchmarks, as specified. (2) Existing law does not provide a system of health care coverage for all California residents. Existing law does not require employers to provide health care coverage for employees and dependents, other than coverage provided as part of the workers' compensation system for work-related employee injuries, and does not require individuals to maintain health care coverage. Existing law provides for the creation of various programs to provide health care coverage 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 Care Services and county welfare departments. Existing law provides for the regulation of health care service plans by the Department of Managed Health Care and health insurers by the Department of Insurance. This bill would, as of January 1, 2009, create the California Cooperative Health Insurance Purchasing Program (Cal-CHIPP), which would function as a statewide purchasing pool for health care coverage by employers and be administered by the Managed Risk Medical Insurance Board. The bill would generally require employers to elect prior to July 1, 2009, to make health expenditures, as specified, in an amount that is equivalent, at a minimum, to 7.5%, subject to adjustment by the board, of the employer's total social security wages for its full-time or part-time employees, or both, or, alternatively, to pay an employer fee of that minimum amount for the applicable group of employees. The bill would require an employer to commence paying the employer fee or making the health expenditures on October 1, 2009. The bill would make it unlawful for an employer to take certain actions for the purpose of avoiding this requirement. The bill would require employers to provide the Employment Development Department with specified wage and health expenditures information and comply with other specified requirements. The bill would authorize the department to assess a penalty against an employer who failed to comply with those requirements or failed to remit the employer fees and employee premium payments. The bill would require employers to set up a pretax Section 125 account under federal law for each employee to pay health insurance premiums. Revenues from the employer fees and penalties and employee premiums would be collected by the Employment Development Department for deposit in the California Health Trust Fund created by the bill, and moneys in the fund, other than penalty revenues, would be continuously appropriated to the board for the purposes of the bill. The bill would require the board to offer Cal-CHIPP enrollees a choice of various health plans and would require certain health care service plans to submit a good faith bid to be a participating plan through Cal-CHIPP. The bill would allow employees to decline employer-provided health expenditures or health care coverage under Cal-CHIPP if the employee premium cost exceeds specified amounts. The bill would exempt certain writings of the board from disclosure under the Public Records Act and would specify that the board may meet in closed session to develop rates and contracting strategy pursuant to Cal-CHIPP. The bill, subject to future appropriation of funds, would expand the number of children eligible for coverage under the Healthy Families Program. The bill would also expand the number of persons eligible for the Medi-Cal program. The bill would delete as an eligibility requirement for a child under the Healthy Families Program and the Medi-Cal program that the child must meet citizen and immigration status requirements applicable to the program under federal law, thereby creating a state-only element of the programs. The bill would additionally, on and after July 1, 2008, disregard all income over 250% but less than or equal to 300% of the federal poverty level and would apply Medi-Cal program income deductions to a family income greater than 300% of the federal poverty level in determining eligibility for the Healthy Families Program. The bill would require the State Department of Health Care Services to seek any necessary federal approval to enable the state to receive federal Medicaid funds for specified persons who could otherwise be made eligible for Medi-Cal benefits, with the state share of funds to be provided from the California Health Trust Fund. The bill would enact other related provisions. Because each county is required to determine eligibility for the Medi-Cal program, expansion of program eligibility would impose a state-mandated local program. The bill would provide that the board may implement the provisions of the bill expanding the Healthy Families Program only to the extent that funds are appropriated for these purposes in the annual Budget Act or in another statute. (3) The bill would enact various health insurance market reforms, to be operative on specified dates, including requirements for guarantee issue of individual health care

service plan contracts and health insurance policies, simplified benefit designs, modified small employer coverage, modified disclosures, and other related changes. The bill would prohibit the application, on and after January 1, 2010, of a risk adjustment factor to plans and contracts issued to employers with not more than 100 employees. The bill would require health care service plans and health insurers offering group plans on and after January 1, 2010, with respect to employees electing to obtain employer-provided coverage through a Cal-CHIP Medi-Cal plan or a Cal-CHIP Healthy Families plan, as specified, to collect premiums from employers and transmit them to the Managed Risk Medical Insurance Board. The bill would require the Director of the Department of Managed Health Care and the Insurance Commissioner to adopt regulations by July 1, 2008, to require at least 85% of full-service health care service plan dues, fees, and other periodic payments and health insurance premiums to be spent on health care services and not on administrative costs. Because a willful violation of the bill's requirements relative to health care service plans would be a crime, the bill would impose a state-mandated local program. The bill would also state the intent of the Legislature that all health care service plans and health insurers and providers shall adopt standard electronic medical records by January 1, 2012. (4) Existing law, the California Major Risk Medical Insurance Program, administered by the Managed Risk Medical Insurance Board, provides major risk medical coverage for state residents meeting specified eligibility requirements. This bill would require the board to establish a list of conditions or diagnoses making an applicant automatically eligible for the program and to develop a standardized questionnaire for carriers in the individual market to identify persons eligible for the program. The bill would prohibit a health insurer and a health care service plan from denying coverage to an individual, except for those who are automatically eligible for the program.

Status: VETOED

AB 10
De La Torre

Children's Hospital Bond Act of 2008

This bill would enact the Children's Hospital Bond Act of 2008 which, if adopted by the voters, would authorize, for purposes of financing a specified children's hospital grant program for hospitals that qualified for grants pursuant to the Children's Hospital Bond Act of 2004, the issuance, pursuant to the State General Obligation Bond Law, of bonds in the amount of \$980,000,000. The bill would provide for submission of the bond act to the voters at the next statewide election in accordance with specified law. The bill would declare that it is to take effect immediately as an urgency statute.

Status: In Senate. Read first time. To Com. on Rules for assignment. (last activity 8/28/06)

AB 51
Dymally

Gallegos-Rosenthal Patient Advocate Program

Existing law, the Knox-Keene Health Care Service Plan Act of 1975, provides for the licensure and regulation of health care service plans by the Department of Managed Health Care. The Gallegos-Rosenthal Patient Advocate Program within the department represents the interests of enrollees of health care service plans, and one of its functions is to create a quality of care report card on health care service plans. This bill would require the program to include information in the report card on the quality of care and access provided by health care service plans under Medicare Part D, the federal program for prescription drug reimbursement coverage.

Status: In Com. on APPR: Set, second hearing. Held under submission. (last activity 5/31/07)

AB 52
Dymally

Health facilities: Office of Hospital Patient Advocate

Under existing law, operative July 1, 2007, the State Department of Public Health, among other duties, is responsible for licensing and regulating health facilities, as defined, including hospitals. Violation of these provisions is a misdemeanor. Additionally, existing law, the Knox-Keene Health Care Service Plan Act of 1975, provides for the licensure and regulation of health care service plans by the Department of Managed Health Care, including establishing the Gallegos-Rosenthal Patient Advocate Program within that department, to represent the interests of enrollees of health care service plans, as specified. This bill would establish the Office of Hospital Patient Advocate in the State Department of Public Health, which would exercise powers and duties similar to those of the health care service plan patient advocate, on behalf of patients of designated hospitals. The bill would require the department to establish and maintain a toll-free telephone number for the purpose of receiving health facility patient complaints and would require health facilities to publish specified information on health facility complaint forms and written notices to patients. Existing law requires

certain health care facilities to post a notice providing the telephone number of the department's regional licensing office where complaints regarding the facility may be reported. This bill would revise and expand the information required to be contained in the notice. The bill would also require specified hospitals to establish, maintain, and post a clearly explained procedure for the submission of patient grievances, as defined, to the hospital. The bill would set forth the duties of the hospital with respect to the investigation and resolution of these grievances.

Status: In ASM APPR Com: Set, first hearing. Referred to APPR suspense file. (last activity 5/10/07)

AB 67
Dymally

State and local agencies: bilingual services

Existing law requires local and state agencies to provide information regarding public services in a non-English language if a substantial number of the public served by the agency are non-English-speaking people. Existing law also requires state agencies to provide reports to the State Personnel Board regarding the provision of information in a non-English language, subject to certain exceptions by the State Personnel Board. This bill would provide that a person is qualified as a bilingual person, employee, or interpreter for these purposes if the State Personnel Board has tested and certified the person or approved the testing and certification. The bill would provide that local agencies would have discretion to determine who is qualified to provide information in a non-English language. The bill would also authorize additional grounds for the State Personnel Board to exempt state agencies from the reporting requirements.

Status: CHAPTERED

AB 84
Nakanishi

Income tax: health savings accounts

The Personal Income Tax Law authorizes various deductions in computing income that is subject to tax under that law. This bill would allow a deduction in connection with health savings accounts in conformity with federal law. In general, the deduction would be an amount equal to the aggregate amount paid in cash during the taxable year by, or on behalf of, an eligible individual, as defined, to a health savings account of that individual, as provided. This bill would also provide related conformity to that federal law with respect to treatment of the account as a tax-exempt trust, the allowance of rollovers from Archer Medical Savings Accounts, *health flexible spending arrangements, or health reimbursement accounts* to a health savings account, and penalties in connection therewith. This bill would take effect immediately as a tax levy. However, the provisions of this bill would not become operative until January 1, 2008.

Status: In Asm. Com. on Rev. & Tax: Set, second hearing. Held under submission. (last activity 5/21/07)

AB 85
Nakanishi

Income and corporation taxes: credit: health savings account

The Personal Income Tax Law and the Corporation Tax Law authorize various credits against the taxes imposed by those laws. This bill would authorize a credit against those taxes for each taxable year beginning on or after January 1, 2008, and before January 1, 2013, in an amount equal to 15% of the amount paid or incurred by a qualified taxpayer, as defined, during the taxable year for qualified health insurance, as defined, for specified employees of the taxpayer. This bill would also require the Franchise Tax Board and the Legislative Analyst to report on the usage and effectiveness of the credit, as specified. This bill would take effect immediately as a tax levy.

Status: In Asm. REV & TAX Com: Set, second hearing. Held under submission. (last activity 5/21/07)

AB 142
Plescia

Income tax: health savings account

The Personal Income Tax Law authorizes various deductions in computing income that is subject to tax under that law. This bill would, for taxable years beginning on or after January 1, 2008, allow a deduction in connection with health savings accounts in conformity with federal law. In general, the deduction would be an amount equal to the aggregate amount paid in cash during the taxable year by or on behalf of an eligible individual, as defined, to a health savings account of that individual, as provided. This bill would also provide related conformity to federal law with respect to treatment of the account as a tax-exempt trust, the allowance of rollovers from the Archer Medical Savings Accounts to a health savings account, and penalties in connection therewith. This bill would take

effect immediately as a tax levy.

Status: Referred to Com. on Rev. & Tax. (last activity 2/13/07)

AB 184
Bass

Medi-Cal: reimbursement rates

Existing law establishes the Medi-Cal program, administered by the State Department of Health Care Services, under which basic health care services, including certain family planning services, are provided to qualified low-income persons. Existing law prescribes various requirements governing reimbursement rates for these services. This bill would require reimbursement rates for office visits billed as comprehensive clinical family planning services by Family PACT waiver providers and for office visits billed as family planning services by Medi-Cal providers to receive a rate augmentation equal to the weighted average of at least 80% of the amount that the federal Medicare program reimburses for these same or similar office visits, as provided. The bill would require the augmentation of reimbursement rates to be made for office visits rendered on or after January 1, 2008.

Status: Ordered to third Senate reading. (last activity 9/11/07)

AB 185
Dymally

Clinical laboratories: personnel

Existing law provides for the regulation and licensure of clinical laboratories and clinical laboratory personnel by the State Department of Public Health. Existing law makes a violation of these provisions a crime. Existing law requires the department to license as trainees, as defined, those individuals desiring to train for either a clinical laboratory scientist's license or a limited clinical laboratory scientist's license, providing those individuals meet specified academic requirements. This bill would specify that those individuals desiring to train for a clinical laboratory personnel license other than a clinical laboratory scientist's license or a limited clinical laboratory scientist's license, who enroll in an approved school, as specified, are authorized to engage in clinical laboratory practice as trainees, as defined. The bill would require approved schools to provide the department with specified written notifications pertaining to trainees. The bill would also redefine the term "trainee" for this purpose. Existing law requires a laboratory director or a licensed authorized designee appointed by the laboratory director to establish, validate, and document explicit criteria by which clinical laboratory test or examination results are autoverified, as defined. This bill would instead require the laboratory director to assure that laboratory test or examination results are not reported by the clinical laboratory until the results have been either critically reviewed and verified, as specified, by a person authorized to perform those tests or examinations or critically reviewed and verified by autoverification, as specified. Under existing law, unlicensed personnel are authorized to perform designated duties in a clinical laboratory under specified levels of supervision. This bill would revise the duties that unlicensed personnel are authorized to perform in a clinical laboratory and the type of supervision required for their performance. This bill would define and redefine various terms and would also make numerous technical, nonsubstantive, and conforming changes.

Status: In Com. on B. & P: Set, first hearing. Hearing canceled at the request of author. (last activity 3/27/07)

AB 245
DeVore

Income tax: health savings account

The Personal Income Tax Law authorizes various deductions in computing income that is subject to tax under that law. This bill would, for taxable years beginning on or after January 1, 2007, allow a deduction in connection with health savings accounts in conformity with federal law. In general, the deduction would be an amount equal to the aggregate amount paid in cash during the taxable year by, or on behalf of, an eligible individual, as defined, to a health savings account of that individual, as provided. This bill would also provide related conformity to federal law with respect to treatment of the account as a tax-exempt trust, the allowance of rollovers from the Archer Medical Savings Accounts to a health savings account, and penalties in connection therewith. This bill would take effect immediately as a tax levy.

Status: In committee on REV & TAX: Set, final hearing. Held under submission. (last activity 5/21/07)

AB 315
Berg

Integrated health and human services programs

Existing law permits the Counties of Alameda, Mendocino, Humboldt, and any other county, as

determined by the Secretary of California Health and Human Services to, until January 1, 2009, implement, upon approval of that county, and with the assistance and participation of the appropriate state departments, a program for the funding and delivery of services and benefits through an integrated and comprehensive county health and human services system, subject to certain limitations. This bill would eliminate the repeal date of these provisions, thus extending their duration indefinitely.

Status: CHAPTERED (last activity 3/19/07)

AB 328
Salas

Health care service plans: disease reports

Existing law, the Knox-Keene Health Care Service Plan Act of 1975 (Knox-Keene Act), provides for the licensure and regulation of health care service plans by the Department of Managed Health Care and makes a willful violation of the act a crime. Under the Knox-Keene Act, all contracts between a provider and a plan are required to be in writing. Other provisions of existing law require a health care provider, as defined, to report specified diseases or conditions of a patient to the local health officer where the patient resides. This bill would require a health care service plan, on and after July 1, 2008, to include in its contract with a health care provider, as defined, who provides services to an enrollee in Mexico a provision requiring the provider to comply with this mandate, reporting the specified diseases or conditions to the health officer in California where the patient resides or is employed. The bill would also require a health care service plan that contracts with those health care providers to give a specified notification to those providers of the reporting requirement.

Status: CHAPTERED

AB 343
Solorio

Health care: employer coverage: disclosure

Existing law provides for various programs under which qualified low-income persons are provided health care services. These programs include the Medi-Cal program, which is administered by the State Department of Health Care Services, and the Healthy Families Program and the Access for Infants and Mothers Program, which are administered by the Managed Risk Medical Insurance Board. This bill would require the department and the board, on or before March 15 of each year, to collaborate to transmit to the Legislature a report identifying all employers who employ 25 or more persons who are beneficiaries or who support beneficiaries of these programs, as specified. The bill would also require the department and the board to make the report available to the public as provided in the bill.

Status: VETOED

AB 363
Berg

Medi-Cal

Existing law provides for the Medi-Cal program, which is administered by the State Department of Health Services, pursuant to which designated medical benefits are provided to public assistance recipients and certain other low-income persons. Existing law provides that specified services of federally qualified health centers (FQHC) are covered benefits under the Medi-Cal program to be reimbursed to the providers on a per-visit basis. This bill would specify the circumstances under which a federally qualified health center may receive reimbursement from the Medi-Cal program for services provided to Medi-Cal beneficiaries who are existing patients of the FQHC, when delivered at locations other than the FQHC's site or sites, pursuant to a personal services agreement for professional services, as defined.

Status: In Sen. APPR Com: Set, first hearing. Held under submission. (last activity 8/30/07)

AB 374
Berg

California Compassionate Choices Act

Existing law provides for the licensure and regulation of health facilities by the State Department of Health Services. Effective July 1, 2007, responsibility for the administration of the abovementioned provisions will be transferred to the State Department of Public Health. Existing law authorizes an adult to give an individual health care instruction and to appoint an attorney to make health care decisions for that individual in the event of his or her incapacity pursuant to a power of attorney for health care. This bill would enact the California Compassionate Choices Act, which would authorize an adult who meets certain qualifications, and who has been determined by his or her attending physician to be suffering from a terminal disease, as defined, to make a request for medication prescribed pursuant to this bill to provide comfort with an assurance of peaceful dying if suffering

becomes unbearable. The bill would establish procedures for making these requests. This bill would further provide that no provision in a contract, will, or other agreement, or in a health care service plan contract, policy of disability insurance, or health benefit plan contract, shall be valid to the extent it would affect whether a person may make or rescind a request for the above-described medication. The bill would prohibit the sale, procurement, or issuance of any life, health, or accident insurance or annuity policy, or the rate charged for any policy, from being conditioned upon or affected by the request. The bill would require that nothing in its provisions be construed to authorize ending a patient's life by lethal injection, mercy killing, or active euthanasia, and would provide that action taken in accordance with the act shall not constitute suicide or homicide. This bill would provide immunity from civil or criminal liability or professional disciplinary action for participating in good faith compliance with the act. The bill would provide that no health care provider is under any duty to participate in providing to a qualified patient medication to end that patient's life and would authorize a general acute care hospital to prohibit a licensed physician from carrying out a patient's request under this act on the premises of the hospital if the hospital has notified the licensed physician of its policy regarding this act. This bill would require the State Department of Public Health to adopt regulations regarding the collection of information to determine the use of and compliance with the act, and would require the department to annually review a sample of certain records and make a statistical report of the information collected.

Status: To inactive file on motion of Assembly Member Bass. (last activity 6/11/07)

AB 381
Galgiani

Medi-Cal: provider reimbursement

Existing law provides for the Medi-Cal program, which is administered by the State Department of Health Care Services and under which qualified low-income persons receive health care benefits. Existing law, subject to certain exceptions, prohibits a provider under the Medi-Cal program from submitting a reimbursement request to the Medi-Cal program that contains a beneficiary's social security number in order to receive payment if the department has issued that beneficiary a Medi-Cal beneficiary identification card containing a beneficiary number that includes the issuance date. This bill would delete the limitation on this prohibition to those instances in which the request is submitted in order to receive payment, but would exempt the submission of a request by a provider for beneficiary eligibility from the prohibition. Existing law provides that the above prohibition does not apply to a licensed hospital, long-term health care facility, a primary care clinic, or emergency medical transportation services. This bill would, instead, exempt from this prohibition a licensed hospital, long-term health care facility, a primary care clinic, emergency medical transportation services, or a hospital-based physician, only if the providers of these services have made a good faith effort to obtain a recipient's beneficiary identification card number. It would, however, terminate this exemption when the department establishes an automated system whereby a provider can access a beneficiary identification card number for submitting reimbursement requests.

Status: CHAPTERED

AB 396
Hernandez

Public works and prevailing wages: health and welfare benefits

Existing law requires contractors and subcontractors performing work on public works, as defined, that cost more than \$1,000 to pay workers performing work on the project not less than the general prevailing rate of per diem wages, as specified, and not less than the general prevailing rate of per diem wages for holiday and overtime work, as provided. Existing law specifies that "per diem wages" includes employer payments for health and welfare benefits for employees. This bill would require employers that do not spend the health and welfare portion of an applicable prevailing wage determination to provide health and welfare benefits for their employees, to pay that amount to the Controller for deposit in the Public Works Employee Health and Welfare Fund, which would be created by the bill in the State Treasury. This bill would require that money in the fund, upon appropriation by the Legislature, be expended exclusively to provide health and welfare benefits for these employees, and to cover reasonable administrative expenses associated with the provision of those benefits.

Status: Referred to Sen. Com. on L. & I.R. (last activity 6/21/07)

AB 431
Hernandez

Medi-Cal: pediatric outpatient services

Existing law provides for the Medi-Cal program, which is administered by the State Department of

Health Care Services and under which qualified low-income persons receive health care benefits, including hospital services. This bill would state the intent of the Legislature to enact legislation that would establish a pediatric outpatient outlier payment adjustment program to offset the losses experienced by tertiary care hospitals rendering care to a disproportionately high percentage of Medi-Cal eligible children who are seriously ill and require exceptionally high cost treatment.

Status: From printer. May be heard in committee March 22. (last activity 2/20/07)

AB 436
Salas

Medical records

(1) Existing federal law, the Health Insurance Portability and Accountability Act of 1996 (HIPAA), establishes certain requirements relating to the provision of health insurance, and the protection of privacy of individually identifiable health information. Existing law, the Health Insurance Portability and Accountability Implementation Act of 2001, requires the Office of HIPAA Implementation, established by the Governor's office within the California Health and Human Services Agency, to perform specified activities required for compliance with this federal act. These provisions will be repealed on January 1, 2008. 2) Existing law, the Confidentiality of Medical Information Act, provides that medical information, as defined, may not be disclosed by providers of health care, health care service plans, or contractors, as defined, without the patient's written authorization, subject to certain exceptions, including that medical information may be disclosed to any person or entity that provides billing or claims management, medical data processing, or other administrative services for providers of health care or health care service plans, as specified. A violation of the act resulting in economic loss or personal injury to a patient is a misdemeanor and subjects the violating party to liability for specified damages and administrative fines and penalties. This bill would revise this exception by eliminating any person or entity that provides medical data processing or other administrative services from the list of people or entities to whom medical information may be disclosed without the patient's written authorization under these provisions. Existing law also permits the disclosure of medical information without a patient's consent to specified persons and entities responsible for the payment of health care services rendered to the patient, as provided. This bill would prohibit these persons or entities from further disclosing this information in any way that would be violative of these provisions. By creating new crimes, the bill would create a state-mandated local program. (3) Existing law requires that if certain licensed providers of health services, as defined, cease to operate, the providers must preserve a patient's records for a minimum of 7 years following the discharge of the patient, as provided. This bill would require that if a licensed provider of health services that is subject to these provisions plans to cease its operation or to store offsite a patient's records, that provider shall notify, as specified, the patient of this fact, and of the patient's option to request a copy of his or her medical records pursuant to existing law.

Status: In ASM Com. on Health: Set, first hearing. Hearing canceled at the request of author. (last activity 4/17/07)

AB 516
Swanson

Health care

Under existing law, the State Department of Health Care Services administers the Medi-Cal and other programs for low-income persons. This bill would require, by January 1, 2009, the department to prepare and provide to the Legislature a report on how to provide a comprehensive continuum of care that would improve the connection of uninsured citizens of the state to health care services.

Status: In Asm. APPR Com: Set, second hearing. Held under submission. (last activity 5/31/07)

AB 520
Brownley

Hospitals: staffing

Existing law provides for the inspection, licensure, and regulation of health facilities by the State Department of Health Services, including, among other facilities, general acute care hospitals, acute psychiatric hospitals, and special hospitals. A violation of the provisions regulating health facilities is a crime. Effective July 1, 2007, the responsibilities of the department are transferred to the State Department of Public Health. Existing law requires that certain building standards published by the Office of Statewide Health Planning and Development, and regulations adopted by the department, prescribe specified standards with respect to health facilities, including standards regarding staffing facilities with duly qualified licensed personnel. This bill would require a general acute care, acute psychiatric, or special hospital to adopt, and annually review, a plan or procedure for determining the staffing of professional and technical classifications covered under the above provisions. The bill

would provide that the plan or procedure shall not apply to the staffing of nursing personnel.
Status: In Asm. APPR Com: Set, second hearing. Held under submission. (last activity 5/31/07)

AB 543
Plescia

Ambulatory surgical centers: licensure

Existing law, with certain exceptions, provides for the licensure and regulation of health facilities and clinics, including specialty clinics, by the State Department of Public Health. Existing law defines a specialty clinic to include a surgical clinic that is not part of a hospital and that provides ambulatory surgical care for patients who remain less than 24 hours. A violation of these provisions is a crime. This bill would require, on or after January 1, 2008, any person, firm, association, partnership, or corporation desiring a license for a surgical clinic, except specified surgical clinics and ambulatory surgical centers, in addition to other prescribed licensing requirements, to meet prescribed operational, staffing, and procedural standards. The bill would require the department to perform initial inspections of a surgical clinic within 45 calendar days of an application approval, and to perform periodic inspections at least once every 3 years thereafter. The bill would require the department, until January 1, 2015, contingent upon an appropriation in the annual Budget Act, to establish a program for the training of ambulatory surgical center inspection personnel, and would require the department to prepare a comprehensive report on the training program, as provided. By imposing new licensure requirements on surgical clinics, a violation of which would be a crime, the bill would impose a state-mandated local program. Existing law provides that a surgical clinic may not operate and is not entitled to the benefits of specified provisions of the Pharmacy Law without a license issued by the California State Board of Pharmacy. Existing law authorizes the board to inspect a clinic at any time. This bill would, instead, provide that a surgical clinic that is licensed by the State Department of Public Health, accredited by an accreditation agency, or certified to participate in the Medicare Program is not entitled to the above-described benefits without a license issued by the board. It would also specify inspection requirements for the accredited or certified surgical clinics.

Status: VETOED

AB 547
Ma

County Health Initiative Matching Fund: application assistance

Existing law, the County Health Initiative Matching Fund, establishes a fund that is managed by the Managed Risk Medical Insurance Board. Under existing law, a county, county agency, a local initiative, or a county organized health system, defined as applicants, may apply to the board for funding to provide comprehensive health insurance coverage to a person who meets specified income criteria. This bill would establish a pilot program to authorize, until December 31, 2008, the applicants, defined as the City and County of San Francisco and the local initiative with which it contracts to provide comprehensive health care coverage, to pay a fee to a person or entity who assists another to apply for coverage or to renew his or her coverage with the applicant, as specified. The bill would prohibit the applicants from using federal financial participation revenue from the County Health Initiative Matching Fund to pay the fee and would authorize the applicants to adopt procedures regarding implementation of the fee award process.

Status: In Asm. Com. on Health: Set, second hearing. Hearing canceled at the request of author. (last activity 5/1/07)

AB 552
Hernandez

County employees: health insurance

(1) The County Employees Retirement Law of 1937 permits a member of a retirement system to retire and receive a retirement allowance based upon years of service if he or she meets specified requirements, including, but not limited to, completing 10 years of service and attaining a minimum retirement age. This bill would provide that if a member of a retirement system subject to that law retires and receives a retirement benefit based upon years of service, and that member participates in an employer group health plan for at least 10 years, the member may elect health care plan coverage at a rate that does not exceed 102% of the active employee rate for that health care plan coverage. The bill would permit a county board of supervisors, by resolution adopted by majority vote, to provide that health care plan coverage to a member of a county retirement system who participates in an employer group health plan for less than 10 years, as specified. The bill would also provide that these provisions do not preclude a member who retires based upon years of service from participating in, or preclude an employer from providing, alternate or supplemental Medicare coverage, as

specified. (2) Existing law requires a specified county, city, school district, district, municipal corporation, political subdivision, public corporation, or other public agency of this state to give preference to health benefit plans that do not terminate upon retirement of an employee, and that provide the same benefits for retired personnel as for active personnel at no increase in costs to the retired person. Under existing law, if retired personnel receive retirement benefits under the Public Employees' Retirement System, the health benefit plans under the Public Employees' Medical and Hospital Care Act shall satisfy the requirements of these provisions. This bill would provide that a health benefit plan shall satisfy the requirements of these provisions if that health benefit plan permits retired personnel who receive retirement benefits under a retirement system subject to the County Employees Retirement Law of 1937, to elect health care plan coverage at a rate that does not exceed 102% of the active employee rate for that health care plan coverage, as specified. (3) This bill would make related findings and declarations by the Legislature.

Status: Referred to Coms. P.E., R. & S.S. (last activity 3/1/07)

AB 554
Hernandez

Public employees: benefits

The Public Employees' Medical and Hospital Care Act permits an employer to elect to participate in the prefunding of health care coverage for annuitants. Under that law, if an employer elects to participate in the prefunding of health care coverage for annuitants, the Board of Administration of the Public Employees' Retirement System determines the contribution rate for that employer. That law requires the board of administration to notify each employer that provides retirement benefits through the Public Employees' Retirement System of that employer's contribution rate, regardless of whether that employer participates in the prefunding of health care coverage. This bill would revise and recast those provisions to permit the Board of Administration of the Public Employees' Retirement System to authorize an employer to participate in the prefunding of health care coverage and other postemployment benefits for annuitants. The bill would require a participating employer to contract with the board of administration regarding specified terms and conditions of the prefunding of health care coverage and other postemployment benefits.

Status: CHAPTERED

AB 555
Nakanishi

Healing arts: medical records

Existing law, the Medical Practice Act, creates the Medical Board of California and makes it responsible for issuing a physician's and surgeon's certificate to qualified applicants and for regulating the practice of physicians and surgeons. Under existing law, a general acute care hospital is required to maintain a medical records system that organizes the records for each patient under a unique identifier but is not required to maintain the records in an electronic format. This bill would express the Legislature's intent to require the board to work with interested parties to develop an electronic system that would allow any physician and surgeon in this state to access the medical records of the patient he or she requires in order to treat that patient.

Status: From printer. May be heard in committee March 24. (last activity 2/22/07)

AB 562
Walters

Health care coverage: catastrophic loss

Existing law, the Knox-Keene Health Care Service Plan Act of 1975, provides for the licensure and regulation of health care service plans by the Department of Managed Health Care. Existing law also provides for the regulation of health insurers by the Department of Insurance. Under existing law, a plan contract and a health insurance policy are required to provide or offer specified types of benefits and to comply with other coverage requirements. This bill would authorize a health care service plan and a health insurer to offer and issue a group or individual plan contract or policy for catastrophic losses that contains a high deductible.

Status: Referred to Com. on Health. (last activity 3/1/07)

AB 585
Berg

Medi-Cal: managed care

Existing law provides for the Medi-Cal program, which is administered by the State Department of Health Care Services, and which provides health care services to qualified low-income recipients. Existing law establishes the benefits under the program and the criteria under which they are provided, which may include the provision of services on a fee-for-service basis or pursuant to managed care plans. This bill would require the department to submit to the federal government

amendments to the Medi-Cal state plan to add specified targeted case management services as a covered benefit available when medically necessary for persons who have been receiving Medi-Cal funded nursing care for at least 3 months.

Status: In Asm. APPR Com: Set, second hearing. Held under submission. (last activity 5/31/07)

- AB 606
Galgiani *Medi-Cal: reimbursement rates*
Existing law provides for the Medi-Cal program, which is administered by the State Department of Health Care Services, and which provides health care services to qualified low-income recipients. This bill would provide that commencing January 1, 2008, the reimbursement levels for physician and dental services shall be increased by 5%.
Status: In Asm. Com. on Health: Set, second hearing. Hearing canceled at the request of author. (last activity 4/10/07)
- AB 661
Berg *Med-Cal: payments to hospitals*
Existing law provides for the Medi-Cal program, which is administered by the State Department of Health Care Services, under which health care services are provided to qualified low-income persons. Existing law provides that each hospital designated by the department as a critical access hospital, and certified as such under a specified federal program, is eligible to receive supplemental payments under the Medi-Cal program for Medi-Cal covered outpatient services rendered to Medi-Cal eligible persons. This bill would, instead, require that those hospitals be reimbursed based on allowable Medi-Cal costs for rendering those outpatient services.
Status: In Asm. APPR Com: Hearing postponed by committee. (last activity 5/31/07)
- AB 707
Nakanishi *Health insurance: small employer groups*
Existing law provides for the regulation of insurers by the Department of Insurance. Existing law establishes a comprehensive scheme for providing health insurance coverage to employees of small employer groups and the dependents of those employees, and regulates insurance carriers writing, issuing, or administering health benefit plans that cover employees of small employers, as specified. This bill would make a nonsubstantive change to these provisions.
Status: From printer. May be heard in committee March 25. (last activity 2/23/07)
- AB 731
Solorio *Health care coverage: public agencies*
Existing law, the Knox-Keene Health Care Service Plan Act of 1974, provides for the licensing and regulation of health care service plans. Existing law provides for the regulation of health insurers by the Department of Insurance. This bill would declare the intent of the Legislature to require health care coverage providers to disclose to public agency governing boards that they contract with all fees and commissions paid to the agency's insurance broker.
Status: From printer. May be heard in committee March 25. (last activity 2/23/07)
- AB 752
Dymally *Hospital funding*
Existing law provides for the Medi-Cal program, which is administered by the State Department of Health Care Services and under which qualified low-income persons receive health care benefits, including hospital services. The Medi-Cal program is, in part, governed and funded by federal Medicaid provisions. Existing law establishes the Medi-Cal Hospital/Uninsured Care Demonstration Project Act that revises hospital reimbursement methodologies in order to maximize the use of federal funds consistent with federal Medicaid law and stabilize the distribution of funding for hospitals, including designated public hospitals, as defined, that provide care to Medi-Cal beneficiaries and uninsured patients. Existing law specifically provides that for services provided during the 2005-06 and 2006-07 project years, the amounts allocated to designated public hospitals shall be paid as direct grants, which shall not constitute Medi-Cal payments. This bill would extend that provision for the 2007-08, 2008-09, and 2009-10 project years and would impose additional funding allocation requirements for those project years for designated public hospitals.
Status: CHAPTERED
- AB 799
Smyth *Health care coverage: small employers*
Existing law provides for the regulation of health care service plans by the Department of Managed

Health Care, and for the regulation of health insurers by the Insurance Commissioner.

Status: In Asm. Com. on Health: Set, second hearing. Hearing canceled at the request of author. (last activity 5/1/07)

AB 851
Brownley

Prescription drugs: informational insert

Existing law, the Pharmacy Law, the knowing violation of which is a crime, provides for the licensing and regulation of the practice of pharmacy by the California Board of Pharmacy, in the Department of Consumer Affairs. Existing law requires a pharmacist to inform a patient orally or in writing of the harmful effects of a drug dispensed by prescription if the drug poses substantial risk to the person consuming the drug when taken in combination with alcohol, as specified. This bill would require a pharmacist to include a large print informational insert with any dispensed prescription that poses substantial risk when taken in combination with alcohol or other medications, warning of the risks involved, as specified.

Status: In Asm. Com. on Health: Set, second hearing. Hearing canceled at the request of author. (last activity 4/17/07)

AB 855
Hayashi

Medi-Cal: managed care

Existing law provides for the Medi-Cal program, which is administered by the State Department of Health Care Services and under which qualified low-income persons receive health care services. Under existing law, the Director of Health Care Services may contract with any qualified individual, organization, or entity to provide services to, arrange for, or case manage the care of Medi-Cal beneficiaries subject to specified requirements. This bill would require that on and after July 1, 2008, every Medi-Cal managed care contract entered into by the department shall include alcohol and drug treatment services, as specified. The bill would also require the department, on or before October 1, 2008, to enter into contracts with a managed care organization for each county, for purposes of claims administration, to ensure that Medi-Cal fee-for-services enrollees have as covered services, alcohol and drug treatment services, as specified. Implementation of the bill would be subject to the receipt of federal approval.

Status: Referred to Com. on Health. (last activity 3/8/07)

AB 915
Hernandez

Medi-Cal: managed care

Existing law establishes the Medi-Cal program, administered by the State Department of Health Care Services, under which basic health care services are provided to qualified low-income persons. Existing law provides that a Medi-Cal managed care health plan contractor that has entered into a contract with the department may offer nonmonetary incentives to promote good health practices by Medi-Cal enrollees, if approved by the department. This bill would, in the absence of countervailing considerations and to the extent permitted by federal law, require the department to approve the use by health plans of nonmonetary incentives for health education to accomplished specified purposes, and would require the department to develop and publish written guidelines for the appropriate use of nonmonetary incentives that may be offered.

Status: CHAPTERED

AB 953
Krekorian

Public employees' health benefits: parents and siblings

Existing law authorizes the Department of Personnel Administration to enter into contracts for the provision of legally authorized employee benefits not requiring voluntary participation or payroll deductions. Existing law further authorizes the department to self-fund or self-insure any benefit program under its administration and to contract with a 3rd-party administrator to administer the program, as specified. This bill would require the Department of Personnel Administration, when entering into any contract for vision care for state employees, to extend that coverage to a parent or sibling of an employee, if specified conditions are met. The Public Employees' Medical and Hospital Care Act authorizes the Board of Administration of the Public Employees' Retirement System to contract with carriers for health benefit plans and major medical plans for employees and annuitants, as defined, funded by employer and employee contributions. The State Employees' Dental Care Act is administered by the state, through the Department of Personnel Administration, the Trustees of the California State University, and the Regents of the University of California, and is authorized to enter into contracts, upon negotiations with employee organizations, with carriers for dental care plans for

employees, annuitants, and eligible family members. This provision is applicable to the Regents of the University of California only if the regents, by resolution, make it applicable. Under those acts, employer and employee premiums are paid into the Public Employees' Health Care Fund and the State Employees' Dental Care Fund, which are continuously appropriated funds. This bill would require the extension of health care and dental benefits under those acts to a parent or sibling of an employee, if specified conditions are met. By increasing employer and employee contributions under those provisions, the bill would make an appropriation.

Status: Referred to Com. on P.E. & R. and S.S. (last activity 3/12/07)

AB 1001
Parra

Taxpayer contributions: California Ovarian Cancer Research Fund

Provisions relating to the administration of personal income taxes allow individual taxpayers to contribute amounts in excess of their tax liability for the support of specified funds or accounts. This bill would additionally allow taxpayers to designate on their tax returns, that a specified amount in excess of their tax liability be transferred to the California Ovarian Cancer Research Fund, which would be created by this bill. This bill would provide that all moneys contributed to the fund pursuant to these provisions, upon appropriation by the Legislature, be allocated to the Franchise Tax Board and the Controller for reimbursement of cost, as provided, and to the University of California for the support of ovarian cancer research, as provided. This bill would provide that these voluntary contribution provisions are repealed on either January 1, 2013, or on January 1 of an earlier calendar year if the Franchise Tax Board estimates that the annual contribution amount will be less than \$200,000, as provided.

Status: In Asm. Com. on Rev. & Tax: Set, final hearing. Hearing canceled at the request of author. (last activity 4/23/07)

AB 1040
Duvall

Income taxes: deduction: medical care

The Personal Income Tax Law authorizes various deductions in computing income subject to taxation. This bill would allow a deduction in computing adjusted gross income for the costs of health insurance, as provided. This bill would take effect immediately as a tax levy.

Status: In Asm. Com. on Rev. & Tax: Set, second hearing. Held under submission. (last activity 5/21/07)

AB 1041
Hayashi

Adult education: community college health services programs

Existing law establishes the California Community Colleges under the administration of the Board of Governors of the California Community Colleges. Existing law authorizes the establishment of community college districts under the administration of community college governing boards, and authorizes these districts to provide instruction at community college campuses throughout the state. Existing law establishes a system for the apportionment of state funding to community college districts. Existing law authorizes these districts to provide instruction to students at the campuses operated by these districts. This bill would express findings and declarations of the Legislature with respect to the increasing educational costs of health services programs at community colleges. This bill would also express the intent of the Legislature to revise the funding formula for health services programs that would address these increasing costs.

Status: From printer. May be heard in committee March 25. (last activity 2/23/07)

AB 1072
Gaines

Health care coverage: California Health Insurance Exchange

Existing law creates the Managed Risk Medical Insurance Board that administers various programs to arrange for the provision of health care coverage to persons meeting specified eligibility criteria. This bill would establish the California Health Insurance Exchange that would be administered by the board. The bill would, beginning September 1, 2008, allow an employer who sponsors a cafeteria plan in compliance with federal law and who has entered into an agreement with the board, to transmit premium payments for individual plan contracts and individual insurance policies obtained by his or her employees through the cafeteria plan to the exchange for remittance to the issuing plan or insurer that has agreed to participate in the exchange. The bill would create the California Health Insurance Exchange Fund where the premium payments would be deposited prior to remittance to the carrier. The bill would continuously appropriate the revenues in the California Health Insurance Exchange Fund to the board for purposes of operating the exchange. The bill would

require the board to report certain information to the Governor and the Legislature relating to the exchange.

Status: In Asm. APPR Com: Set, second hearing. Held under submission. (last activity 5/31/07)

AB 1113
Brownley

Medi-Cal: eligibility

Existing law establishes the Medi-Cal program, administered by the State Department of Health Care Services, under which basic health care services are provided to qualified low-income persons. The Medi-Cal program is partially governed and funded by federal Medicaid provisions. Existing law, until September 1, 2008, and subject to the receipt of federal financial participation, requires the department to adopt a federal option under which any employed individual with a disability who meets specified income and resource requirements, shall be eligible for benefits under the Medi-Cal program, subject to the payment of premiums. These provisions are repealed on January 1, 2009. This bill would delete the inoperative and repeal dates of these provisions and thereby would extend their operation indefinitely. This bill would, to the extent federal financial participation is available, authorize individuals who are otherwise eligible under this program but who are temporarily unemployed to elect to remain on Medi-Cal pursuant to these provisions for a period up to 52 weeks, as provided. This bill would also, to the extent federal financial participation is available, provide additional resource exemptions in determining Medi-Cal eligibility under these provisions. The bill would extend specified resource exemptions to apply for the beneficiary under any other Medi-Cal program under which the beneficiary later becomes eligible for medical assistance where that eligibility is based on age, blindness, or disability.

Status: VETOED

AB 1155
Huffman

Health care service plans

Existing law, the Knox-Keene Health Care Service Plan Act of 1975, provides for the regulation of health care service plans by the Department of Managed Health Care. Existing law requires a health care service plan to pay claims for provided health care services within a specified period of time and prohibits a health care service plan from engaging in an unfair payment pattern, as defined. This bill would require the director, upon a final determination that a health care service plan has underpaid or failed to pay a provider, as specified, to assess an administrative penalty, as specified, and to require the plan to pay the provider the amount owed plus interest , as specified. The bill would authorize the director to exempt a plan from paying the administrative penalty if the director makes a written finding that paying both the penalty and the provider would jeopardize the financial solvency of the plan. The bill would also specify that a provider would not be required to resubmit a claim to a plan unless the director makes a determination that an extraordinary circumstance exists and requires the plan to reimburse the provider for the cost of resubmission, as specified. Existing law subjects health care service plans to various fines and administrative penalties for failing to comply with specified provisions of the act. Existing law also requires health care service plans to pay specified assessments each fiscal year as a reimbursement of their share of the costs and expenses reasonably incurred in the administration of the act. Existing law requires the adjustment of those assessments and other charges set forth in the act if the director of the department determines that they are in excess of the amount necessary, or are insufficient, to meet the expenses of the act. This bill would prohibit using the fines and administrative penalties authorized by the act to reduce those assessments and would also require the deposit of those fines and penalties in the Managed Care Fund.

Status: Assembly Rule 77 suspended. (last activity 9/6/07)

AB 1296
Torrico

Public employee health benefits

The Public Employees' Medical and Hospital Care Act requires the Board of Administration of the Public Employees' Retirement System to approve health benefit plans for certain public employees and annuitants, and authorizes the board to contract with carriers offering health benefit plans. The act sets forth certain criteria the board may take into account when considering a contract with an entity seeking to provide health care benefits or services, and allows the board to require specified documents from that entity. This bill would require a health benefit plan or contractor, or an entity offering services relating to the administration of health benefit plans to members and annuitants, to disclose to the Board of Administration of the Public Employees' Retirement System, staff, and any

contractor or consultant of the system, the cost, utilization, actual claim payments, and contract allowance amounts for health care services rendered by participating hospitals, with specified restrictions and disclosure limitations imposed upon the board, staff, and any contractor or consultant of the system to whom the information is disclosed. The bill would deem this information confidential, subject to evidentiary trade secret protections, and exempt from the California Public Records Act, as specified.

Status: CHAPTERED

AB 1302
Horton

Health Insurance Portability and Accountability Act

Existing law, the Health Insurance Portability and Accountability Implementation Act of 2001 (the act), provides for the implementation of the federal Health Insurance Portability and Accountability Act (HIPAA) by the state under the direction of the Office of HIPAA Implementation, which was established by the Governor in the California Health and Human Services Agency. Under existing law, the act will be repealed January 1, 2008, unless a later enacted statute, that is enacted before January 1, 2008, deletes or extends that date, and all unexpended or unencumbered funds under the act will revert to the General Fund. This bill would extend the act's duration to July 1, 2010, when it would become inoperative, and all funds under the act that are unexpended or unencumbered as of that date would revert to the General Fund.

Status: CHAPTERED

AB 1328
Hayashi

Access for Infants and Mothers Program: eligibility

Existing law establishes the Access for Infants and Mothers (AIM) Program, administered by the Managed Risk Medical Insurance Board. The board contracts with a variety of health plans and health care delivery systems to provide health insurance coverage to eligible persons who pay a subscriber contribution. Under existing law, one of the requirements for eligibility for the program is that a person be a resident of the state for at least 6 continuous months prior to application. This bill would delete the requirement that the residency in the state be for at least 6 continuous months prior to application.

Status: VETOED

AB 1377
Nakanishi

Employee health benefits: health savings accounts

Under the Public Employees' Medical and Hospital Care Act, the Board of Administration of the Public Employees' Retirement System contracts for and administers health care benefit plans for public employees and annuitants. Existing state and federal income tax laws allow a deduction for contributions to a qualifying medical savings account by a taxpayer who is covered under a high deductible health plan, as defined. Money within this type of account may be used to pay for qualified medical expenses, as defined. This bill would require the Board of Administration of the Public Employees' Retirement System to offer a high deductible health plan, as defined in the federal tax law, and a health savings account option to public employees and annuitants, as specified. The bill would establish the Public Employees' Health Savings Fund, a continuously appropriated trust fund within the State Treasury, for payment of qualified medical expenses of employees and annuitants who elect to enroll in the high deductible health plan and participate in the health savings account option, and would require those employees and annuitants, and their employers, to make specified contributions to that fund, thereby making an appropriation.

Status: Referred to Com. on P.E.,R. & S.S. (last activity 3/22/07)

AB 1378
Nakanishi

Health care coverage: California Major Risk Medical Insurance Program

Existing law, the Knox-Keene Health Care Service Plan Act of 1975, provides for the licensure and regulation of health care service plans by the Department of Managed Health Care and makes a willful violation of the act a crime. Existing law also provides for the regulation of health insurers by the Department of Insurance. Under existing law, the Managed Risk Medical Insurance Board administers the California Major Risk Medical Insurance Program (MRMIP) to provide major risk medical insurance coverage to eligible persons who have been rejected for health care coverage by at least one private health plan. Existing law creates a pilot program administered by the board that requires a health care service plan and a health insurer to offer a standard benefit plan, as specified. Under existing law, this pilot program ends on December 31, 2007. Existing law creates the Major

Risk Medical Insurance Fund, and continuously appropriates the fund to the board to operate the pilot program and the MRMIP. This bill would change the eligibility criteria for the MRMIP by requiring rejection by at least 2 private health plans and would require a subscriber in the MRMIP who has a chronic health condition to participate in a disease management program, as specified. The bill would extend the duration of the pilot program to July 1, 2008, and would make changes related to the pilot project becoming inoperative and its provisions being repealed. Because the bill would extend the time during which the board would make payments from the fund, it would make an appropriation.

Status: In Asm. Com. on Health: Set, first hearing. Hearing canceled at the request. (last activity 4/17/07)

AB 1429

Human papillomavirus

Evans

Existing law, the Knox-Keene Health Care Service Plan Act of 1975, provides for the licensure and regulation of health care service plans by the Department of Managed Health Care and makes a willful violation of the act a crime. Existing law also provides for the regulation of health insurers by the Department of Insurance. Under existing law, a plan and a health insurer that include coverage for the treatment or surgery of cervical cancer are deemed to provide coverage for an annual cervical cancer screening test. This bill would instead require the referral to be from the licensed health care practitioner who is providing care to the patient and operating within the scope of practice permitted for the licensee. The bill would also expand the coverage to include a human papillomavirus vaccination, as specified.

Status: VETOED

AB 1436

Nurse practitioners: scope of practice

Hernandez

Existing law, the Nursing Practice Act, provides for the certification and regulation of nurse practitioners and nurse-midwives by the Board of Registered Nursing and specifies requirements for certification as a nurse practitioner. Under the act, the practice of nursing is defined, in part, as providing direct and indirect patient care service ordered by specified healing arts practitioners, including dispensing of drugs or devices upon their order in a clinic setting, as defined. This bill would specify that the practice of nursing includes those actions taken pursuant to an order by a nurse practitioner or a nurse-midwife. The bill would provide that a nurse practitioner is authorized to perform comprehensive health care services for which he or she is educationally prepared and competent to perform and to admit and discharge patients from health facilities in collaboration, as defined, with specified healing arts practitioners. The bill would deem specified authorizations by a physician and surgeon to include authorizations provided by a certified nurse practitioner. The bill would require a certified nurse practitioner to consult or refer a patient to another health care provider if a situation or condition occurs beyond the nurse practitioner's knowledge and experience. The bill would revise the educational requirements for certification as a nurse practitioner and would require a nurse practitioner to be certified by a nationally recognized certifying body approved by the board.

Status: Referred to Asm. Com. on Business & Professions. (last activity 5/31/07)

AB 1468

Hospitals: patient data

Garrick

Existing law requires every organization that operates, conducts, owns, or maintains a health facility, and the officers thereof, to make and file prescribed reports with the Office of Statewide Health Planning and Development. In the case of hospitals, one of these reports is a hospital discharge abstract data record on each patient. This record includes various items of information about the patient. This bill would add citizenship status to the required items of information.

Status: In Asm. Health Com: Set, second hearing. Failed passage. Reconsideration granted. (last activity 4/24/07)

AB 1472

Public health: California Healthy Places Act of 2008

Leno

Existing law establishes various programs administered by various agencies and departments related to public health, including environmental health, children's health, and occupational health and safety, many of which are administered by the State Department of Health Services. Effective July 1, 2007, responsibility for the above-mentioned provisions as they relate to the responsibility of the State Department of Health Services will be transferred to the State Department of Public Health.

This bill would establish the California Healthy Places Act of 2008, which would require various state agencies and departments to collaboratively support childhood development, prevent injury, illness, and chronic disease, ensure environmental health, and reduce health disparities by providing knowledge, guidance, and resources for public health assessments of land use and transportation system planning. The bill would require the State Public Health Officer to form an interagency working group (IWG), by July 1, 2008, to be comprised of one representative each from certain agencies and entities, including, among others, the Department of Food and Agriculture, the State Department of Public Health, the Office of Planning and Research, the Superintendent of Public Instruction, and the Department of Transportation, which would be required to, among other things, identify, evaluate, and disseminate available evidence, information, programs, and best practices on environmental health, and establish environmental health goals, as provided. The bill would also, on and after July 1, 2008, establish a program within the State Department of Public Health to guide and support cities and counties in conducting health impact assessments, as provided. The program would, among other things, provide funding, technical assistance, and training to eligible local entities, as defined, to prepare health impact assessments, as provided. The bill would establish funding criteria for local entities that elect to participate in the program, and would require these local entities to prepare and submit to the department a health impact assessment report, as specified. The bill would also require the State Public Health Officer, in collaboration with the IWG, no later than January 1, 2010, to develop guidelines relating to the creation of a local entity's health impact assessments of land use, housing, and transportation policy and plans, as provided.

Status: In Sen. APPR Com: Set, first hearing. Held under submission. (last activity 8/30/07)

AB 1541
Nava

Medi-Cal: family planning services

Existing law provides for the Medi-Cal program, which is administered by the State Department of Health Care Services and under which qualified low-income persons receive health care benefits, including family planning services. This bill would make legislative findings and declarations regarding family planning services in California. This bill would also require that all Medi-Cal programs that provide family planning services shall provide comprehensive clinical family planning services, as defined. This bill would prohibit a Medi-Cal managed care plan from restricting the choice of an enrollee regarding the provider from whom the enrollee may receive family planning services, so long as the provider is a Medi-Cal provider.

Status: In Asm. APPR Com: Set, second hearing. Held under submission. (last activity 5/31/07)

AB 1555
Lieber

Health care services: Chronic Care Model Task Force

Existing law establishes the State Department of Health Care Services and sets forth its duties regarding the provision of public health care service, including, but not limited to, administration of the Medi-Cal program under which low-income persons receive health care benefits. This bill would create in the department a Chronic Care Model Task Force for the purpose of developing a strategy to implement a Chronic Care Model Plan. The bill would prescribe the membership and duties of the task force. The bill would also require the task force to establish specified workgroups to address issues relating to the provision and management of care for chronic disease, as provided.

Status: In Asm. APPR Com: Set, second hearing. Hearing canceled at the request of author. (last activity 5/31/07)

AB 1642
Hancock

Medi-Cal: noncontract hospitals

Existing law establishes the Medi-Cal program, administered by the State Department of Health Care Services, under which basic health care services are provided to qualified low-income persons. Existing law provides that a hospital providing Medi-Cal services on a noncontract basis and that is in a closed health facility planning area is not eligible to receive reimbursement for services provided to a Medi-Cal beneficiary unless the noncontract hospital provides necessary emergency services to a Medi-Cal beneficiary who is in a life threatening or emergency situation, but cannot be sufficiently stabilized in order to facilitate transport to a contracting hospital. This bill would also permit a noncontract hospital in a closed health facility planning area to receive a Medi-Cal reimbursement when the noncontract hospital is a facility location of a nonprofit hospital which is an affiliate of a nonprofit health care service plan, the facility location is approved in accordance with the standards of the California Children's Services (CCS) program, the hospital is providing services medically

necessary for the treatment of the CCS-eligible condition of a CCS-eligible patient who is a member of the health care service plan for all other health care services not related to that condition, and the services for the treatment of that condition are authorized by the CCS program.

Status: CHAPTERED

- AB 1643
Niello *Nurse practitioners*
Existing law does not prohibit a nurse practitioner from furnishing or ordering drugs or devices under conditions that require physician and surgeon supervision. For purposes of these conditions, a physician and surgeon is prohibited from supervising more than 4 nurse practitioners at one time. This bill would repeal the prohibition against a physician and surgeon supervising more than 4 nurse practitioners at one time. It would also make conforming changes.
Status: In ASM Com. on B. & P: Hearing postponed by committee. (last activity 4/24/07)
- AB 1646
DeSaulnier *Public health districts*
Existing law, the Local Health Care District Law, provides for the establishment of local hospital districts. This bill would authorize the board of supervisors of a county to establish public health districts for specified purposes.
Status: Re-referred to Asm. Com. on Health. (last activity 9/7/07)
- ACR 5
Berg *American Heart Month and Wear Red Day*
This measure would recognize February 2007 as American Heart Month in California in order to raise awareness of the effect of heart disease on women. The measure would also recognize February 2, 2007, as Wear Red Day in California, and urge all citizens to show their support for women and the fight against heart disease by wearing and displaying the color red on that day.
Status: CHAPTERED
- ACR 15
Lieber *Cervical Cancer Awareness Month*
This measure would recognize January 2007, as "Cervical Cancer Awareness Month" and encourage all Californians to participate in this observance.
Status: Referred to Com. on Rls. (last activity 2/1/07)
- SB 25
Maldonado *Income tax: health savings account*
The Personal Income Tax Law authorizes various deductions in computing income that is subject to tax under that law. This bill would allow a deduction in connection with health savings accounts in conformity with federal law. In general, the deduction would be an amount equal to the aggregate amount paid in cash during the taxable year by, or on behalf of, an eligible individual, as defined, to a health savings account of that individual, as provided. This bill would also provide related conformity to that federal law with respect to treatment of the account as a tax-exempt trust, the allowance of rollovers from Archer Medical Savings Accounts to a health savings account, and penalties in connection therewith. This bill would take effect immediately as a tax levy.
Status: Set, first hearing. Testimony taken. Further hearing to be set. (last activity 5/9/07)
- SB 32
Steinberg *Health care coverage: children*
(1) Existing law establishes various public programs to provide health care coverage to eligible children, including the Medi-Cal program administered by the State Department of Health Care Services and county welfare agencies, and the Healthy Families Program administered by the Managed Risk Medical Insurance Board. Children through 18 years of age are eligible for health care coverage under these programs if they meet certain household income and other criteria including specified citizenship and immigration status requirements. Under existing law, the applicant's signed statement as to the value or amount of income is accepted for eligibility purposes under the Healthy Families Program if documentation cannot otherwise be provided. Existing law requires the Managed Risk Medical Insurance Board and the Department of Insurance, in collaboration with entities administering the California Special Supplemental Food Program for Women, Infants, and Children (WIC), to develop an automated enrollment gateway system allowing a presumptive eligibility determination for the Medi-Cal program and the Healthy Families Program to be made for children applying for the WIC program. This bill would expand eligibility for the Medi-Cal program and

would expand eligibility for the Healthy Families Program by allowing children with family incomes at or below 300% of the federal poverty level to qualify for the program and would delete the specified citizenship and immigration status requirements. The bill would require the Managed Risk Medical Insurance Board, by January 2008, in consultation with stakeholders, to implement a process for an applicant's self-certification of income and income deductions for purposes of establishing eligibility for the Healthy Families Program. The bill would create the Healthy Families Buy-In Program that would be administered by the Managed Risk Medical Insurance Board and would make the coverage provided under the Healthy Families Program available to children whose household income exceeds 300% of the federal poverty level and who meet other specified criteria. The bill would specify that coverage under the buy-in program would include services provided under the California Children's Services Program (CCSP) for children eligible for CCSP and would deem the child's family financially eligible for benefits under CCSP. Because the bill would thereby expand eligibility for the CCSP, which is administered by a county's public health or social welfare department, it would impose a state-mandated local program. The bill would specify the family contribution required for children enrolled in the buy-in program and would require an additional payment, as determined by the Managed Risk Medical Insurance Board, from the family of a child determined eligible for CCSP. The bill would also make various related modifications to the Medi-Cal program and the Healthy Families Program and would require the State Department of Health Care Services and the Managed Risk Medical Insurance Board to maximize federal matching funds for the Medi-Cal program and the Healthy Families Program. Because the expansion of, and modifications to, the Medi-Cal program would impose certain duties on counties relative to administration of that program, the bill would impose a state-mandated local program. The bill would require the Managed Risk Medical Insurance Board and the State Department of Health Care Services to take specified actions to improve and coordinate the application and enrollment processes for the Medi-Cal program and the Healthy Families Program and to develop a process to transition the enrollment of children from local children's health initiatives into those programs. The bill would specify that an entity's use of the automated enrollment gateway system for presumptive eligibility determinations for WIC applicants would be required only to the extent that adequate financial assistance is available for that purpose. (2) Existing law establishes the Healthy Families-to-Medi-Cal Bridge Benefits Program to provide any person enrolled for coverage under the Healthy Families Program who meets certain criteria, as specified, with 2 calendar months of health care benefits in order to provide the person with the opportunity to apply for the Medi-Cal program. This bill would establish the Healthy Families to Medi-Cal Presumptive Eligibility Program to provide a child who meets certain criteria, as specified, with presumptive eligibility benefits identical to the full scope of benefits provided under the Medi-Cal program until a Medi-Cal eligibility determination is made, at which point either the child would be enrolled in the Medi-Cal program with no interruption in coverage or the presumptive eligibility benefits would terminate in accordance with due process requirements. The bill would require the Managed Risk Medical Insurance Board to execute a declaration upon implementation of this program (3) Existing law establishes the Healthy Families Presumptive Eligibility Program, administered by the Managed Risk Medical Insurance Board, to provide a child who satisfies specified criteria with health care benefits while the board determines the child's eligibility for the Healthy Families Program. This bill would rename the program the Medi-Cal to Healthy Families Presumptive Eligibility Program and would require the Managed Risk Medical Insurance Board and the State Department of Health Care Services to monitor the program to ensure children are timely enrolled in the presumptive eligibility benefits for which they are eligible. (4) Existing law requires the state to administer, to the extent allowed under federal law, and only if federal financial participation is available, the Medi-Cal to Healthy Families Presumptive Eligibility Program to provide a child who meets specified eligibility requirements, including the income requirements of the Healthy Families Program, with benefits identical to full-scope benefits under the Medi-Cal program with no share of cost for the period during which the child has an application pending for coverage under the Healthy Families Program. Under existing law, this program becomes inoperative 3 years after its implementation. This bill would rename the program the Healthy Families Presumptive Eligibility Program and would delete the provisions making the program inoperative. The bill would also establish, to the extent allowed by federal law and to the extent federal financial participation is available, the Medi-Cal Presumptive Eligibility Program that would provide a child who meets specified eligibility requirements with presumptive eligibility

benefits identical to full scope benefits under the Medi-Cal program with no share of cost until the child is found eligible for the Medi-Cal program. The bill would require the county to forward the child's application to the Healthy Families Program if it finds the child eligible for the Medi-Cal program with a share of cost.

Status: Placed on inactive file on request of Assembly Member Bass. (last activity 9/11/07)

SB 139
Scott

Nursing education

(1) The existing Donahoe Higher Education Act sets forth, among other things, the missions and functions of the various segments of postsecondary education in the state. These segments include the California State University, the California Community Colleges, and the various private and independent colleges and universities. This bill would add to the Donahoe Higher Education Act a provision prohibiting a campus of the California State University or the California Community Colleges that operates a registered nursing program from requiring a student who has been admitted to that registered nursing program and who has already earned a baccalaureate or higher degree from a regionally accredited institution of higher education to complete general education requirements. The bill would instead authorize these segments to require those students to complete only the coursework that is necessary to prepare him or her for licensing as a registered nurse. The bill would authorize any college, university, or other entity that operates an accredited registered nursing program to require any prospective student to provide criminal record clearance, as defined, prior to enrollment. (2) Existing law establishes the Student Aid Commission as the primary state agency for the administration of state-authorized student financial aid programs available to students attending all segments of postsecondary education. Existing law establishes the State Nursing Assumption Program of Loans for Education (SNAPLE), administered by the commission, under which any person enrolled in an institution of postsecondary education and participating in that loan assumption program is eligible to receive a conditional warrant for loan assumption, to be redeemed upon becoming employed as a full-time nursing faculty member at a California college or university. Existing law establishes a loan assumption program for employees of specified state facilities within the SNAPLE program. This program provides loan assumption benefits to persons who fulfill agreements to work full time for 4 consecutive years as clinical registered nurses in state-operated 24-hour facilities, as specified, that employ registered nurses and that, at the time the person commences employment at the facility, have a vacancy rate of greater than 10% in clinical registered nursing positions, as reported, pursuant to the bill, to the commission by the Department of Personnel Administration. The program provides for a progressive assumption of the amount of a qualifying loan over 4 consecutive years of qualifying clinical registered nursing service, up to a total loan assumption of \$20,000. Under existing law, this program becomes inoperative on July 1, 2012, and is repealed on January 1, 2013. This bill would make a person who has earned a baccalaureate or graduate level degree, and who meets the other requirements of the program, eligible to enter into an agreement for loan assumption under the program. The bill would require that, if a provision is added to the program and the commission deems it necessary to adopt a rule or regulation to implement that provision, the commission develop and adopt that rule or regulation no later than 6 months after the operative date of the statute that adds the provision. The bill would make a person who is currently employed as a registered nurse in a state-operated 24-hour facility ineligible to enter into an agreement for loan assumption under this program. The bill would also specify that, in any fiscal year, the commission shall award no more than the number of warrants that are authorized by the Governor and the Legislature in the annual Budget Act for that year for the assumption of loans pursuant to the program. (3) Existing law authorizes the Board of Governors of the California Community Colleges and the Chancellor of the California Community Colleges to award grants to community college districts with associate degree nursing programs to expand enrollment, reduce program attrition, or both. Under this provision, funds may be used for, among other purposes, the providing of diagnostic assessments. This bill would provide that the board of governors solely, rather than the board of governors and the chancellor, would award these grants. The bill would authorize a community college district, irrespective of whether it participates in the program established by this provision, to use multicriteria screening measures, including any diagnostic assessment tool that is commonly used in registered nursing programs and is approved by the chancellor. The bill would authorize a community college registered nursing program to use additional multicriteria screening measures if it determines that the number of applicants to that

program exceeds its capacity. The bill would prohibit a community college district from excluding an applicant to a registered nursing program on the sole basis that the applicant is not a resident of that district or has not completed prerequisite courses in that district. (4) Existing law establishes the California State University, under the administration of the Trustees of the California State University, as one of the segments of public postsecondary education in this state. Existing law provides for the operation of 25 component institutions of the university. Existing law establishes the University of California, under the administration of the Regents of the University of California, as one of the segments of public postsecondary education in this state. Existing law authorizes the provision of instruction at the 10 component institutions of the university. Existing law expresses legislative intent with respect to the expansion of baccalaureate degree nursing programs of those respective segments. This bill would express legislative intent that the funding for the baccalaureate degree enrollment expansions referenced in these provisions be funded within the general enrollment growth funding that is traditionally provided to the respective segments during the annual budget process. The bill would prohibit the California State University from disqualifying or prohibiting a student who possesses a baccalaureate or higher degree from enrolling in, and completing, a baccalaureate degree nursing program on the sole basis of that student's possession of the degree. (5) Existing law establishes the Office of Statewide Health Planning and Development, which is charged with the administration of health policy and planning. Existing law establishes the California Health Data and Planning Fund, and authorizes moneys from that fund to be appropriated for expenditure for health-related programs of the office. This bill would provide for the establishment of a health care workforce clearinghouse under the administration of the Office of Statewide Health Planning and Development. The bill would provide that the clearinghouse would serve as the central source of health care workforce and educational data in the state. The bill would provide that the activities of the clearinghouse would be funded by appropriations made from the California Health Data and Planning Fund.

Status: CHAPTERED

SB 151
Denham

Income taxation: credit: qualified health expenses

The Personal Income Tax Law and the Corporation Tax Law authorize various credits against the taxes imposed by those laws. This bill would authorize a credit against those taxes for each taxable year beginning on or after January 1, 2008, and before January 1, 2013, in an amount equal to the amount paid or incurred during the taxable year for qualified health expenses, as defined, by a qualified employer, as defined. This bill would make an appropriation by requiring that any amount of the credit that is not used by the taxpayer in a taxable year be refunded to the taxpayer.

Status: Hearing postponed by Sen. REV & TAX Committee. (last activity 4/19/07)

SB 199
Harman

Income and corporation taxes: credit: health savings account

The Personal Income Tax Law and the Corporation Tax Law authorize various credits against the taxes imposed by those laws. This bill would authorize a credit against those taxes for each taxable year beginning on or after January 1, 2008, and before January 1, 2014, in an amount equal to 15% of the amount paid or incurred by a qualified taxpayer, as defined, during the taxable year for qualified health insurance, as defined, for employees of the taxpayer. This bill would require the Legislative Analyst to report to the Legislature on or before March 1, 2013, on the effectiveness of the credit, as specified. This bill would take effect immediately as a tax levy.

Status: Set, first hearing. Testimony taken. Further hearing to be set. (last activity 5/9/07)

SB 236
Runner

Health care

Existing law, the Knox-Keene Health Care Service Plan Act of 1975, provides for the licensure and regulation of health care service plans by the Department of Managed Health Care. Existing law also provides for the regulation of health insurers by the Department of Insurance. Under existing law, an employer in this state is not required to provide health care coverage for its employees, and residents are not required to obtain and maintain such coverage for themselves. This bill would express the Legislature's intent to enact the Cal CARE program to improve access to health care services for the residents of this state, as specified. The bill would declare that the Legislature shall enact specified legislation and would declare the Legislature's intent to accomplish specified acts in order to improve access and affordability to health care.

Status: Re-referred to Sen. Com. on Rls. (last activity 4/19/07)

SB 260
Steinberg

Medi-Cal

Existing law provides for the Medi-Cal program, which is administered by the State Department of Health Care Services pursuant to which medical benefits are provided to public assistance recipients and certain other low-income persons. Existing law provides that federally qualified health center services and rural health clinic services, as defined, are covered benefits under the Medi-Cal program, to be reimbursed, to the extent that federal financial participation is obtained, to providers on a per-visit basis. "Visit" is defined as a face-to-face encounter between a patient of a federally qualified health center or a rural health clinic and specified health care professionals. This bill would provide that more than one encounter between a patient and the same health care professional on the same day and at a single location may each be separately reimbursed in specified circumstances. The bill would also provide that, under specified circumstances, visits with different health care professionals on the same day of service may be billed as separate visits. The bill would require the department to promptly seek all necessary federal approvals in order to implement the bill, including any necessary amendments to the state Medi-Cal plan.

Status: VETOED

SB 350
Runner

Hospitals: discount payment and charity care policies

Existing law requires each hospital, as a condition of licensure, to maintain a written policy regarding discount payments for financially qualified patients as well as a written charity care policy. Existing law requires any extended payment plans offered by a hospital to be interest free. This bill would limit that requirement to situations where all the payments are timely made and would specify that the hospital extended payment plan may be declared no longer operative after the patient's failure to make all consecutive payments due during a 90-day period, as provided. The bill would also prescribe procedures for the extension or renegotiation of an extended payment plan, and would prohibit the hospital, collection agency, or assignee from reporting adverse information to a consumer credit reporting agency or commencing a civil action against the patient for nonpayment prior to the time the extended payment plan is declared to be nonoperative. The bill would make related conforming changes. Existing law requires a hospital to reimburse the patient or patients any amount actually paid in excess of the amount due for hospital care, including interest. This bill would prescribe the amount of interest required to be paid by the hospital for those excess amounts actually paid by a patient or patients, as well as the interest accrual date.

Status: CHAPTERED

SB 389
Yee

Health care coverage: claims

Existing law, the Knox-Keene Health Care Service Plan Act of 1975, provides for the licensure and regulation of health care service plans by the Department of Managed Health Care and makes a violation of the act a crime. Existing law provides for the regulation of health insurers by the Department of Insurance. Existing law establishes an independent medical review system in which requests for review of certain claim disputes are conducted by an independent medical review organization. This bill would require the Department of Managed Health Care and the Department of Insurance, on or before March 1, 2008, to implement an independent provider dispute resolution system, in consultation with representatives of health plans or insurers, providers, and consumer representatives. Existing law requires that a contract between a health care provider and a health care service plan be in writing and provide that in the event the plan fails to pay for services as forth in the contract, the subscriber or enrollee shall not be liable for any sums owed by the plan. This bill would, commencing March 1, 2008, prohibit a hospital-based physician, as defined, from seeking payment from individual enrollees for services he or she rendered and would require that physician or group of physicians to seek reimbursement solely from the enrollee's health care service plan or the contracting risk-bearing organization. The bill would require a health care service plan that becomes aware that one of its enrollees has been billed in violation of these provisions to report that violation to the Department of Managed Health Care. This bill would also provide that an enrollee shall have no obligation to pay an amount billed in violation of these provisions.

Status: Hearing postponed by Sen. Health Com. (last activity 4/9/07)

- SB 400
Corbett *Medi-Cal: federally qualified health centers: prescribed drugs*
Existing law provides for the Medi-Cal program, which is administered by the State Department of Health Care Services and under which health care services are provided to qualified low-income persons. Federally qualified health center (FQHC) services described under federal law are covered Medi-Cal benefits. Existing law includes within the definition of an FQHC certain entities known as FQHC look-alikes, which have been determined to meet specified funding requirements, but have not received that funding. Existing law requires that FQHCs be reimbursed on a per-visit basis, and allows an FQHC to apply for an adjustment to its per-visit rate based on a change in the scope of services it provides. This bill would allow an FQHC to provide, and subject to the availability of federal financial participation, to bill the Medi-Cal program for, FQHC services, as defined, delivered at designated offsite locations by a provider who is an employee or a contracted member of the staff of the FQHC if specified requirements are met, and would make other conforming changes. The bill would also authorize the department, until January 1, 2010, to adopt emergency regulations to implement these provisions, as provided. Under existing law, one of the benefits provided to Medi-Cal recipients is outpatient prescription drugs subject to the Medi-Cal List of Contract Drugs and utilization controls. This bill would provide that the purchase of outpatient prescribed drugs executed in written, nonelectronic form, on or after October 1, 2007, be on tamper resistant prescription forms to the extent required by federal law.
Status: To Asm. Third reading. (last activity 9/11/07)
- SB 438
Aanestad *Medi-Cal: reimbursement rates*
Existing law provides for the Medi-Cal program, which is administered by the State Department of Health Care Services, and which provides health care services to qualified low-income persons. This bill would state the intent of the Legislature to enact legislation that would increase Medi-Cal reimbursement rates for providers over the next 8 years and to make it a budget priority to increase the lowest rates first.
Status: To Com. on Rls. (last activity 2/28/07)
- SB 458
Torlakson *Lung cancer: early detection and treatment*
Existing law requests the University of California to administer a comprehensive grant program to support research efforts related to the prevention, causes, and treatment of tobacco-related diseases. This bill would establish the Lung Cancer Early Detection and Treatment Research Fund in the State Treasury consisting of all moneys appropriated to it by the Legislature, and would request the Regents of the University of California, to the extent sufficient funds are made available in the fund for this purpose, beginning July 1, 2008, to establish and administer the Lung Cancer Early Detection and Treatment Research Program, a comprehensive grant program to support research efforts related to lung cancer early detection and treatment and a program for the collection, assessment, and periodic publication of data pertinent to the research. The bill would also declare the intent of the Legislature that the program be administered pursuant to the bill and implemented within the structure of the above-described tobacco-related disease grant program.
Status: Set, second hearing. Held in committee and under submission. (last activity 7/11/07)
- SB 510
Negrete
McLeod *Medi-Cal: managed care*
Existing law establishes the Medi-Cal program, administered by the State Department of Health Care Services, under which basic health care services are provided to qualified low-income persons. This bill would state the intent of the Legislature to provide a defined process, including legislative oversight and review, to ensure that the state and federal governments meet their obligations to provide full access to adequate health care to low-income seniors and persons with disabilities and to improve the quality of health care for those persons, as specified.
Status: To Com. on Rls. (last activity 2/28/07)
- SB 564
Ridley-
Thomas *Public School Health Center Support Program*
Existing law requires the State Department of Public Health, in cooperation with the State Department of Education, to establish a Public School Health Center Support Program to perform specified functions relating to the establishment, retention, or expansion of school health centers in California. Existing law, for purposes of those provisions, defines a "school health center" to mean a

center or program that provides age-appropriate health care services at the program site or through referrals, and may be located on or at a local educational agency. This bill would also specify that a "school health center" may conduct routine physical health, mental health, and oral health assessments, and provide for any services not offered onsite or through a referral process. The bill would require the State Department of Public Health, to the extent funds are appropriated to the department for implementation of the Public School Health Center Support Program, to establish a grant program to provide technical assistance, and funding for the expansion, renovation, and retrofitting of existing school health centers, and the development of new school health centers, in accordance with specified procedures.

Status: Placed on inactive file on request of Assembly Member Bass. (last activity 7/10/07)

SB 623
Wiggins

Medi-Cal: drug benefits

Existing law provides for the Medi-Cal program, which is administered by the State Department of Health Care Services and under which qualified low-income persons receive health care benefits, including, for certain beneficiaries, prescription drug benefits. The Medi-Cal program is, in part, governed and funded by federal Medicaid provisions. Existing law provides for the federal Medicare Program, which provides health care benefits, including prescription drug benefits, to persons 65 years of age and older and other specified persons. Under the Medicare Program, prescription drug benefits are obtained through enrollment in a prescription drug plan offered under the program. Existing law requires Medicare-eligible persons who are also eligible for Medi-Cal prescription drug benefits (known as dual eligible persons) to obtain those benefits through a prescription drug plan under the Medicare Program, except as specified. This bill would provide that, beginning January 1, 2008, the department shall pay all copayments required by drug plans under the Medicare Program for generic or brand name medications for full-benefit dual eligible beneficiaries under specified conditions. The bill would require the department to develop a process for the reimbursement of Medi-Cal enrolled pharmacies for the cost of the copayments, unless specified conditions are met.

Status: Set, first hearing. Held in Sen. Veterans Affairs Com. and under submission. (last activity 5/31/07)

SB 646
Cox

California Major Risk Medical Insurance Program: waiting list

Existing law creates the California Major Risk Medical Insurance Program (MRMIP), which is administered by the Managed Risk Medical Insurance Board, to arrange for major risk medical coverage for eligible residents of the state who are unable to secure adequate private health care coverage. Existing law creates the Major Risk Medical Insurance Fund within the MRMIP where revenue, including revenue from the Cigarette and Tobacco Products Surtax Fund created pursuant to the Tobacco Tax and Health Protection Act of 1988, is deposited for the operation of the program. Under existing law, the revenue in the Cigarette and Tobacco Products Surtax Fund may be appropriated solely for designated purposes, including medical and hospital care and treatment for patients who cannot afford to pay for those services, and for whom payment will not be made by private coverage or a program funded in whole by the federal government. This bill would express the Legislature's intent to appropriate additional funds from the Cigarette and Tobacco Products Surtax Fund for deposit into the Major Risk Medical Insurance Fund to eliminate a waiting list for the MRMIP.

Status: To Com. on Rls. (last activity 3/8/07)

SB 766
Alquist

Public postsecondary education: health insurance for coverage for students

Existing law, the Donahoe Higher Education Act, sets forth the missions and functions of the 3 segments comprising the state's public postsecondary education system. These segments are the University of California, administered by the Regents of the University of California, the California State University, administered by the Trustees of the California State University, and the California Community Colleges, administered by the Board of Governors of the California Community Colleges. Provisions of the act apply to the University of California only to the extent that the regents act, by resolution, to make the provisions applicable. This bill would add a provision to the Donahoe Higher Education Act that would require the University of California, the California State University, and each community college district of the California Community Colleges to each provide, as part of their respective health care services programs, health insurance coverage for each full-time student

of their respective segments who is not otherwise covered by a private health insurance plan or by publicly financed health care coverage. Pursuant to existing law, the bill would apply to the University of California only to the extent that the regents act, by resolution, to make it applicable. **Status:** To Com. on Ed. Set, first hearing. Hearing canceled at the request of author. (last activity 4/25/07)

SB 809
Ashburn

Nurse practitioners: scope of practice

(1) Existing law, the Nursing Practice Act, provides for the certification and regulation of nurse practitioners and nurse-midwives by the Board of Registered Nursing and requires the board to establish categories of, and standards for, nurse practitioners in consultation with specified health care practitioners, including physicians and surgeons with expertise in the nurse practitioner field. Existing law requires nurse practitioners to meet certain requirements, including educational requirements, and authorizes a nurse practitioner who has been issued a board number for the furnishing or ordering of drugs to furnish or order drugs under certain conditions, including pursuant to standardized procedures or protocols and under the supervision of a physician and surgeon. Existing law prohibits a physician and surgeon from supervising more than 4 nurse practitioners at one time. A violation of the Nursing Practice Act is a crime. This bill would set forth the activities that a nurse practitioner is authorized to engage in, and would delete the requirement that the board consult with physicians and surgeons in establishing categories of nurse practitioners. The bill would revise the educational requirements for certification as a nurse practitioner and would require a nurse practitioner to be certified by a nationally recognized certifying body approved by the board. The bill would allow a nurse practitioner to prescribe drugs and devices if he or she has been certified by the board to have satisfactorily completed at least 6 months of supervised experience in the prescribing of drugs and devices and if such prescribing is consistent with his or her education or established clinical competency, would delete the requirement of standardized procedures and protocols, and would delete the requirement of physician supervision. The bill would require that a nurse practitioner be issued a board number prior to prescribing drugs and devices and would allow revocation or suspension or denial of a board number for incompetence or gross negligence. The bill would delete the prohibition against a physician and surgeon supervising more than 4 nurse practitioners at one time. Because this bill would impose additional requirements under the Nursing Practice Act, the violation of which would be a crime, it would impose a state-mandated local program. (2) Existing law, the Medi-Cal Act, provides for the Medi-Cal program, pursuant to which medical benefits are provided to public assistance recipients and certain other low-income persons. The act authorizes certain covered health care services provided under in a long-term health care facility to be delegated to a nurse practitioner if specified conditions are met, including mandatory supervision by a physician and surgeon. This bill would remove the requirement of mandatory supervision of the nurse practitioner by a physician and surgeon in order for the services to be delegated to a nurse practitioner. (3) Existing law, the Emergency Medical Services System and Prehospital Emergency Medical Care Personnel Act, authorizes a county to establish an emergency medical services fund for reimbursement of emergency medical service related costs. Existing law makes physician and surgeons eligible to receive payment from the fund for patient care services, as specified, performed by a nurse practitioner or nurse-midwife under the direct supervision of a physician and surgeon. This bill would also make a nurse practitioner eligible to receive payment for those patient care services and would remove the requirement of supervision of the services by a physician and surgeon. The bill would authorize a nurse practitioner to receive reimbursement for emergency services and inpatient and outpatient obstetric pediatric services that the nurse practitioner determines to be medically necessary.

Status: Re-referred to Com. on B., P. & E.D. Set, first hearing. Hearing canceled at the request of author. (last activity 4/10/07)

SB 840
Kuehl

Single-payer health care coverage

Existing law does not provide a system of universal health care coverage for California residents. 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 Care Services. Existing law

provides for the regulation of health care service plans by the Department of Managed Health Care and health insurers by the Department of Insurance. This bill would establish the California Healthcare System to be administered by the newly created California Healthcare Agency under the control of a Healthcare Commissioner appointed by the Governor and subject to confirmation by the Senate. The bill would make all California residents eligible for specified health care benefits under the California Healthcare System, which would, on a single-payer basis, negotiate for or set fees for health care services provided through the system and pay claims for those services. The bill would provide that a resident of the state with a household income, as specified, at or below 200% of the federal poverty level would be eligible for the type of benefits provided under the Medi-Cal program. The bill would require the commissioner to seek all necessary waivers, exemptions, agreements, or legislation to allow various existing federal, state, and local health care payments to be paid to the California Healthcare System, which would then assume responsibility for all benefits and services previously paid for with those funds. The bill would create the Healthcare Policy Board to establish policy on medical issues and various other matters relating to the system. The bill would create the Office of Patient Advocacy within the agency to represent the interests of health care consumers relative to the system. The bill would create within the agency the Office of Health Planning to plan for the health care needs of the population, and the Office of Health Care Quality, headed by a chief medical officer, to support the delivery of high quality care and promote provider and patient satisfaction. The bill would create the Office of Inspector General for the California Healthcare System within the Attorney General's office, which would have various oversight powers. The bill would prohibit health care service plan contracts or health insurance policies from being issued for services covered by the California Healthcare System. The bill would create the Healthcare Fund and the Payments Board to administer the finances of the California Healthcare System. The bill would create the California Healthcare Premium Commission (Premium Commission) to determine the cost of the California Healthcare System and to develop a premium structure for the system that complies with specified standards. The bill would require the Premium Commission to recommend a premium structure to the Governor and Legislature on or before January 1, 2010, and to make a draft recommendation to the Governor, the Legislature, and the public 90 days before submitting its final premium structure recommendation. The bill would specify that only its provisions relating to the Premium Commission would become operative on January 1, 2008, with its remaining provisions becoming operative on the date the Secretary of Health and Human Services notifies the Legislature, as specified, that sufficient funding exists to implement the California Healthcare System. The bill would require that system to be operative within 2 years of that date and would provide for various transition processes for that period. The bill would extend the application of certain insurance fraud laws to providers of services and products under the system, thereby imposing a state-mandated local program by revising the definition of a crime. The bill would enact other related provisions relative to budgeting, regional entities, federal preemption, subrogation, collective bargaining agreements, compensation of health care providers, conflict of interest, patient grievances, independent medical review, and associated matters.

Status: Read second time. Amended. Re-referred to Asm. Com. on APPR. (last activity 7/10/07)

SB 885
Calderon

Health care coverage: employer mandate

Existing law provides for the creation of various programs to provide health care services to persons with limited incomes and who meet specified eligibility requirements, including the Healthy Families Program administered by the Managed Risk Medical Insurance Board and the Medi-Cal program administered by the State Department of Health Care Services. Existing law does not require that an employer provide health care coverage for its employees. This bill would express the Legislature's intent to require employers to provide health care coverage for their employees to the extent allowed by federal law.

Status: To Com. on Rls. (last activity 3/15/07)

SB 1014
Kuehl

Taxation: single-payer health care coverage tax

The Personal Income Tax Law, which is administered by the Franchise Tax Board, imposes taxes upon the taxable income of individual taxpayers, at specified rates, based on the amount of the taxpayer's taxable income and alternative minimum taxable income. This bill, for taxable years beginning on or after January 1, 2008, would impose an additional tax at the rate of 1% on the

taxpayer's taxable income that exceeds \$200,000 but is not over \$1,000,000, a tax on self-employment income, as defined, of an individual taxpayer and a tax on nonwage income, as defined, of a taxpayer. This bill would require all revenues received by the Franchise Tax Board from those taxes be deposited in the Health Insurance Fund, as provided. This bill would also impose a health care coverage tax on the wages of an employee to be paid by both the employee and his or her employer, as provided. This bill would require that all revenues derived from the payroll health care coverage taxes be transmitted to the Treasurer to be deposited in the Health Insurance Fund. This bill would make an appropriation by requiring that all moneys deposited in the Health Insurance Fund be continuously appropriated to the California Health Insurance Agency for purposes of administering health care benefits under the California Health Insurance System, as defined. This bill would require an employer, as defined, to withhold and remit to the Employment Development Department, for each payroll period, the amount of payroll health care coverage taxes, as provided, reasonably estimated to be due, as prescribed by the Franchise Tax Board, and to file a withholding report in a form prescribed by the Employment Development Department. This bill would also require the Franchise Tax Board and the Employment Development Department to promulgate rules and regulations to implement the provisions imposing all those additional taxes. This bill would result in a change in state taxes for the purpose of increasing state revenues within the meaning of Section 3 of Article XIII A of the California Constitution, and thus would require for passage the approval of 2/3 of the membership of each house of the Legislature.

Status: Set, first hearing. Testimony taken. Further hearing to be set. (last activity 4/25/07)

SB 1039
Committee
on Health

State Department of Public Health

Existing law, the California Public Health Act of 2006, commencing July 1, 2007, establishes the former State Department of Public Health, renames the State Department of Health Services as the State Department of Health Care Services, and redistributes between these 2 departments the functions and responsibilities of the former State Department of Health Services. This bill would make technical and conforming changes. Existing law, until July 1, 2007, expressly requires that the appointment of the Chief Deputies of the State Department of Health Services be subject to Senate confirmation. Commencing July 1, 2007, existing law does not specify whether the appointment of the Chief Deputies of the State Department of Public Health or of the State Department of Health Care Services are subject to Senate confirmation. This bill would specify that appointment of the Chief Deputies of the State Department of Public Health and of the State Department of Health Care Services are subject to Senate confirmation.

Status: CHAPTERED

Safety

- AB 23
Ma *Department of Transportation: marked crosswalk: control signal*
Existing law requires that whenever a marked pedestrian crosswalk is established in a roadway contiguous to a school building or its grounds, the crosswalk be painted or marked in yellow as shall be all the marked pedestrian crosswalks at an intersection in case one of the crosswalks is required to be marked in yellow. The bill would require the Department of Transportation to place and maintain an audible indicator that indicates when a pedestrian may safely cross the highway and an official control signal that emits a count down pedestrian display at a marked pedestrian crosswalk, if that crosswalk crosses a state highway and is within 2,000 feet of a school building or the grounds of that school building or a senior center, as defined.
Status: In Asm. Com. on Trans: Hearing postponed by committee. (last activity 4/23/07)
- AB 57
Soto *Highways: federal funds: Safe Routes to School*
Existing law authorizes certain state and local entities to secure and expend federal funds appropriated under the federal Highway Safety Act of 1973 for a number of programs relating to projects for the improvement of highway safety and the reduction of traffic congestion. This bill would instead authorize those state and local entities to secure and expend federal funds appropriated under the federal act known as SAFETEA-LU for programs relating to highway safety improvements that can reduce the number of fatal and serious injury accidents, as specified. The bill would declare the Legislature's intent that these federal funds be allocated in approximately equal amounts between state highways and local roads. Existing law requires, until January 1, 2008, the Department of Transportation, in consultation with the Department of the California Highway Patrol, to establish and administer a "Safe Routes to School" construction program pursuant to authority granted under specified federal law and to use federal transportation funds for construction of bicycle and pedestrian safety and traffic calming projects. Existing law requires the department to make grants available to local agencies under the program through a competitive grant process. This bill would extend indefinitely the department's authority to establish and administer that program, without reference to federal law or federal funding, but would require that any federal funding received for "Safe Routes to School" projects shall be distributed under the competitive grant process. The bill would require any annual budget allocation to fund grants under the "Safe Routes to School" construction program to be in addition to any federal funding received by the state for projects under the program. The bill would also authorize the department to administer the competitive grant program, as it existed prior to the enactment of the bill, with respect to any funds allocated during the 2006-07 and 2007-08 fiscal years.
Status: CHAPTERED
- AB 116
Aghazarian *Child abuse: endangerment: controlled substances*
Existing law provides that any person who engages in degrading or immoral habits or practices in the presence of any child in his or her care, custody, or control is punishable by a fine not exceeding \$1,000, imprisonment in a county jail for a period not exceeding 6 months, or both. Existing law also provides that any person who under circumstances or conditions other than those likely to produce great bodily harm or death, having the care or custody of any child, causes or permits that child to be placed in a situation where his or her person or health is endangered, shall be punished by a fine not exceeding \$1,000, imprisonment in a county jail for a period not to exceed 6 months, or by both that fine and imprisonment. This bill would provide that any parent, guardian, or caregiver of a minor child who knowingly and unlawfully consumes, smokes, inhales, ingests, or otherwise uses a specified controlled substance, if the act occurs in the immediate presence of, or is witnessed by, a minor child under his or her care, is punishable by imprisonment in the state prison for 16 months, or 2 or 3 years. This bill would provide that if the county in which the offense is prosecuted has a highly structured drug court, prosecutions brought under this bill shall be handled by that court. This bill would provide that if probation is granted for this offense, the court shall, as a condition of probation place the defendant in a drug treatment program, as specified.
Status: In Asm. Com. on Pub. Safety: Set, second hearing. Failed passage. Reconsideration granted (last activity 4/10/07)

- AB 129
Emmerson *Imitation firearms*
Existing law, subject to exceptions, makes it an offense punishable by imprisonment in a county jail for a term of not less than 30 days to draw or exhibit an imitation firearm, as defined, in a threatening manner against another person. This bill would make it a crime for a person to draw or exhibit an imitation firearm in a threatening manner at a peace officer, in such a way to cause a reasonable person apprehension or fear of bodily harm and would make a violation of the offense a misdemeanor, punishable by imprisonment in the county jail for not less than 90 days and no more than 6 months.
Status: Referred to Sen. Com. on Public Safety. (last activity 6/1/07)
- AB 139
Bass *Vehicles: schoolbus drivers: medical examinations*
Existing law requires an applicant for an original or renewal certificate to drive a schoolbus, school pupil activity bus, youth bus, general public paratransit vehicle, or farm labor vehicle to submit to the Department of Motor Vehicles a report of a medical physician's examination of the applicant given not more than 2 years prior to the application date. This bill would authorize the medical examination to be given by a licensed advanced practice registered nurse qualified to perform a medical examination, or a licensed physician assistant.
Status: CHAPTERED
- AB 229
Strickland *Prohibited weapons*
Existing law makes it a misdemeanor or a felony for a person, subject to exceptions, to bring or possess any of specified weapons including dirks, daggers, ice picks, certain knives, unguarded razor blades, tasers, stun guns, instruments expelling metallic projectiles, and spot marker guns upon the grounds of any public or private school providing instruction in kindergarten or grades 1 to 12, inclusive. This bill would also make it a misdemeanor or felony to bring or possess a box cutter, an exacto knife, or a knife with characteristics similar to an exacto knife, upon those school grounds.
Status: Referred to Sen. Com. on Pub. S. (last activity 5/17/07)
- AB 321
Nava *Vehicles: prima facie speed limits: schools*
Existing law establishes a 25 miles per hour prima facie limit when approaching or passing a school building or the grounds thereof, contiguous to a highway and posted with a standard "SCHOOL" warning sign, while children are going to or leaving the school either during school hours or during the noon recess period. The prima facie limit also applies when approaching or passing school grounds that are not separated from the highway by a fence, gate, or other physical barrier while the grounds are in use by children and the highway is posted with a standard "SCHOOL" warning sign. A violation of that prima facie limit is an infraction. Existing law allows a city or county, based on an engineering and traffic survey that the prima facie speed limit of 25 miles per hour is more than is reasonable or safe, by ordinance or resolution, to determine and declare a prima facie speed limit of 20 or 15 miles per hour, whichever is justified as the appropriate speed limit by that survey. This bill would additionally allow a city or county to establish in a residence district, on a highway with a posted speed limit of 30 miles per hour or slower, a 15 miles per hour prima facie limit when approaching, at a distance of less than 500 feet from, or passing, a school building or the grounds thereof, contiguous to a highway and posted with a school warning sign that indicates a speed limit of 15 miles per hour, while children are going to or leaving the school, either during school hours or during the noon recess period. The prima facie limit would also apply when approaching, at that same distance, or passing school grounds that are not separated from the highway by a fence, gate, or other physical barrier while the grounds are in use by children and the highway is posted with one of those signs. The bill would provide that a 25 miles per hour prima facie limit in a residence district, on a highway with a posted speed limit of 30 miles per hour or slower, applies, as to those local authorities, when approaching, at a distance of 500 to 1,000 feet from, one of those areas where children are going to or leaving the school, either during school hours or during the noon recess period, that is posted with a school warning sign that indicates a speed limit of 25 miles per hour. The bill would require that these prima facie speed limits apply only to highways that meet certain conditions. The bill would require a city or county that adopts a resolution or ordinance establishing revised prima facie limits to reimburse the Department of Transportation for any costs incurred by that department in implementing the bill.

Status: CHAPTERED

AB 331
Emmerson

School safety: persistently dangerous schools

Existing law, the Classroom Instructional Improvement and Accountability Act, requires each school district to develop and implement a school accountability report card, as prescribed. The act prohibits any change to its provisions, except a change to further its purpose enacted by a bill passed by a vote of 2/3 of the Legislature and signed by the Governor. The act requires that the school accountability report card include an assessment of, among other specified school conditions, classroom discipline and climate for learning, including suspension and expulsion rates for the most recent 3-year period. Existing federal law, the No Child Left Behind Act of 2001, requires each state that receives funds under that act to establish and implement a statewide policy requiring that a pupil attending a persistently dangerous public elementary school or secondary school, as determined by the state, be allowed to attend a safe public elementary school or secondary school within the local educational agency, including a charter school. This bill would require the assessment of classroom discipline and climate for learning included in the school accountability report card at each reporting school to also include, for a school that meets the criteria for a "persistently dangerous" school, as specified, the number of incidents, as defined, of various specified types of criminal violations that occurred at that school during the applicable period of 3 consecutive fiscal years. By requiring school districts to include additional information in the school accountability report card, the bill would impose a state-mandated local program. The bill would define the term "persistently dangerous" for purposes of that provision and for purposes of implementing the existing federal law described above. The bill would also require the State Board of Education to adopt regulations consistent with that definition. The bill would state findings and declarations of the Legislature that the changes made to the Classroom Instructional Improvement and Accountability Act by its provisions further the purposes of that act. *Status:* In Asm. Com. on Ed: Failed passage. From committee without further action pursuant to Joint Rule 62(a). (last activity 8/22/07)

AB 334
Levine

Firearms: loss and theft

Existing law defines "firearm" and provides that for certain purposes, including certain offenses, "firearm" includes the frame or receiver of the weapon. This bill would provide that the term "firearm" also includes the frame or receiver of the weapon for purposes of the offense of failure to report a stolen or lost firearm. Existing law generally regulates the possession of firearms. This bill would make it an infraction for any person whose handgun is stolen or irretrievably lost to, within 5 working days after his or her discovery or knowledge of, or within 5 working days after the date he or she should reasonably have known of, the theft or loss, fail to report the theft or loss to a local law enforcement agency of the jurisdiction in which the theft or loss occurred or in which the person resides. The bill would require the Attorney General, in cooperation with law enforcement agencies and firearms-related organizations to develop a protocol for the implementation of these provisions, as specified, on or before April 1, 2008. The protocol would include requirements that peace officers notify victims of theft of the requirement to report missing or lost handguns, and requirements that the peace officer assist the victim, to the extent practicable, in identifying the make, model, and serial number of the victim's lost or stolen handgun. By creating a new crime, this bill would impose a state-mandated local program. By imposing additional duties on local peace officers, this bill would impose a state-mandated local program. Existing law requires the Department of Justice to prescribe the form of the register and the record of electronic transfer in connection with information recorded and forwarded to the department by firearms dealers in connection with handgun sales, as specified. This bill would require these documents to contain an advisement regarding the requirement of a handgun owner to report a missing or lost handgun, as specified. The bill would make other technical changes. *Status:* To inactive file on motion of Senator Lowenthal. (last activity 9/11/07)

- AB 352
Solorio *Weapons*
Existing law, subject to exception, provides that any person who brings or possesses, among other things, any instrument that expels a metallic projectile such as a BB or pellet through the force of air pressure, CO2 pressure, or spring action, upon the grounds of, or within, any public or private school providing instruction in kindergarten or any of grades 1 to 12, inclusive, is guilty of a public offense, punishable by imprisonment in a county jail not exceeding one year, or by imprisonment in the state prison. Existing law excludes from this offense a person who brings such an instrument with the written permission of the school principal or his or her designee. This bill would expand the scope of the offense to include bringing or possessing any instrument that expels a nonmetallic BB or pellet.
Status: Referred to Sen. Com. on Pub. S. (last activity 5/9/07)
- AB 362
De Leon *Ammunition*
Existing law requires the Department of Justice and the Attorney General to maintain records pertaining to firearms transactions. This bill would require the Attorney General to prepare and submit to the Legislature, on or before January 1, 2009, a report on the feasibility of creating a system of licensing, registration, or both licensing and registration, of handgun ammunition sales.
Status: In Sen. APPR Com: Set, first hearing. Held under submission. (last activity 8/30/07)
- AB 425
Adams *Vehicles: motorcycles: safety helmets: exceptions*
Existing law requires a driver and any passenger to wear a safety helmet meeting certain requirements when riding on a motorcycle, motor-driven cycle, or motorized bicycle. This bill would exempt from this requirement a driver who is 18 years of age or older who has either completed a motorcycle rider training program, or has been issued a class M1 license or endorsement or a comparable license or endorsement from another jurisdiction, for 2 years or more.
Status: In Asm. Com. on Trans: Set, first hearing. Hearing canceled at the request of author. (last activity 4/16/07)
- AB 430
Benoit *Vehicles: speed contests and reckless driving*
(1) Existing law requires persons convicted of either reckless driving, or of engaging in motor vehicle speed contests, that proximately cause one or more of various specified injuries to a person, other than the driver, to be punished by imprisonment in the state prison, or by imprisonment in a county jail for not less than 30 days nor more than 6 months, or by a specified fine, or by both the fine and imprisonment. Any violation of the Vehicle Code is a crime. This bill would include one or both of those crimes within the scope of various existing statutes including, among others, provisions relating to time limits for destruction of court records; exceptions to requirements that insurance companies not raise premium rates where the insured or applicant has been convicted of a traffic violation while driving an employer's vehicle during the course and scope of employment; exceptions to requirements that insurance companies not cancel or refuse to renew commercial motor vehicle liability policies where employed drivers have been convicted of traffic violations while driving vehicles not owned or leased by the employer; allocation of specified fines to certain programs; suspension or revocation of driver's licenses; violation point counts and penalties; arrest procedures, and voluntary county amnesty programs.
Status: CHAPTERED
- AB 478
Wolk *Vehicles: bicycle safety*
The Vehicle Code regulates the safe operation of bicycles on highways and roadways. Operation of a bicycle upon a highway, during darkness, requires the use of an illuminated lamp and certain specified reflecting devices. It is a crime to violate any provision of the Vehicle Code. This bill would expand the places where the operator of a bicycle is required to use an illuminated lamp and certain specified reflecting devices to include sidewalks where bicycle operation is not prohibited by the local jurisdiction and bikeways, as defined. The bill would expand the requirement that the operator of the bicycle have reflectors on each pedal to include the option of having reflectors on his or her shoes or ankles.
Status: CHAPTERED
- AB 502 *Domestic violence*

Charles Calderon Under existing law, any person who perpetrates domestic violence, as defined, is subject to both criminal penalties and civil remedies, as specified. In that regard, the purposes of the Domestic Violence Prevention Act are to prevent the recurrence of acts of violence and sexual abuse and to provide for the separation of the persons involved in the domestic violence for a period sufficient to enable those persons to seek a resolution of the causes of the violence. This bill would require the City of Los Angeles to establish a 2-year pilot program by contracting with, or arranging for, a nonprofit organization or nonprofit organizations to provide aid to certain victims of domestic violence who are undocumented immigrants, subject to appropriation in the Budget Act of no more than \$145,000, as specified. The bill would require that nonprofit organizations providing legal services have an expertise in immigration law as it relates to the federal Violence Against Women Act (VAWA) and at least 5 years experience, and nonprofit organizations providing vocational services have at least 2 years experience, and would set forth other professional standards, as specified. The bill would further require the City of Los Angeles, before July 1, 2012, to compile and submit a report to the Legislature that contains specified information. The bill also would set forth related findings and declarations with regard to VAWA.
Status: VETOED

AB 589 Pupils: *teen dating and sexual violence prevention*
Levine (1) Existing law declares the intent of the Legislature that all California public schools that offer kindergarten and any of grades 1 to 12, inclusive, develop a comprehensive school safety plan. School districts and county offices of education are responsible for the overall development of the comprehensive school safety plans for their constituent schools. The comprehensive school safety plan for a school is required to include assessment of the current status of crime committed on school campuses and at school-related functions and identification of appropriate strategies and programs to provide or maintain a high level of school safety and address the school's procedures for complying with existing laws related to school safety. This bill would establish the Statewide Task Force on Teen Dating and Sexual Violence. The task force would be required, among other things, to develop a culturally competent model policy and protocol for school response to teen dating and sexual violence and, by July 1, 2009, prepare and submit reports on the findings and recommendations of the task force to the department, the Attorney General's office, and domestic, dating, and sexual violence organizations in the state. By August 31, 2010, a school district, in collaboration with local organizations that work in the areas of domestic violence, teen dating violence, and sexual violence, would be required to establish and implement a policy and protocol for responding to teen dating violence and sexual violence in middle and high schools. School districts would be required to have personnel who are specially trained on teen dating violence and sexual violence and the district's policy and protocol. A fine of \$2,000 per month would be imposed on a school district that the State Department of Education finds is not in compliance with those provisions. (2) This bill would also include a number of other revising, clarifying, and conforming statutory changes to assist school districts in identifying, preventing, and responding to teen dating violence and sexual violence.
Status: In Asm. APPR Com: Set, second hearing. Held under submission. (last activity 5/31/07)

AB 605 *Speed contest: forfeiture procedure*
Walters Existing law allows a peace officer to arrest and take into custody a person that a peace officer determines was engaged in a motor vehicle speed contest and permits the peace officer to cause the removal and seizure of the motor vehicle used in the contest, subject to certain conditions. A vehicle impounded under these provisions is required to be impounded for not more than 30 days, with specified exceptions. Existing law permits the release of the motor vehicle prior to the end of the impoundment period in specified circumstances. The registered owner or his or her agent is responsible for, among other things, all towing and storage charges related to the impoundment and all authorized administrative charges, except under specified circumstances. This bill would extend those provisions to persons engaged in reckless driving on a highway, reckless driving in an off-street parking facility, or an exhibition of speed on a highway. It would require the impounding agency to release the vehicle to the registered owner prior to the conclusion of the impoundment period if the registered owner was neither the driver nor a passenger in the vehicle at the time of the alleged violation, or was unaware that the vehicle was being used to engage in the prohibited activities.

Status: In Asm. Com. on Pub. S.: Set, first hearing. Hearing canceled at the request of author. (last activity 5/8/07)

AB 658
Bass

Crime: homicide: Community Homicide and Violence Reduction Program

Existing law requires each sheriff or police chief executive to furnish to the Department of Justice daily reports of homicide describing the nature and character of each crime and noting all particular circumstances thereof. Existing law also requires the department to compile, collate, index, and make available to the general public demographic information on all persons who are the victims of, and all persons who are charged with, homicide, including age, gender, race, and ethnic background. Existing law also requires the department to annually publish a report containing this information. This bill would state legislative findings and declarations regarding homicide among African-Americans. This bill would establish the Community Homicide and Violence Reduction Program to be administered by the Office of Emergency Services, in consultation with the State Department of Public Health. The program would award grants on a competitive basis to community-based organizations for the development and implementation of evidence-based approaches for homicide and violence prevention, as specified. This bill would require the Office of Emergency Services, in consultation with the State Department of Public Health, to create an evaluation design for the program that will assess its effectiveness.

Status: VETOED

AB 743
Solorio

School safety: school security officers

Existing law authorizes the governing board of a school district to establish a security department under the supervision of a chief of security or a police department under the supervision of a chief of police. Statutory provisions declare the intent of the Legislature to ensure the safety of pupils, staff, and the public on or near public schools by providing school security officers, as defined, with training that will enable them to deal with increasingly diverse and dangerous situations. This bill would require every school district to maintain a minimum ratio of one school security officer for every 500 pupils enrolled at each of its middle schools and comprehensive high schools.

Status: In Asm. Com. on Ed: Set, first hearing. Hearing canceled at the request of author. (last activity 4/25/07)

AB 810
Lieu

School safety plans

Existing law declares the intent of the Legislature that all California public schools that offer kindergarten and any of grades 1 to 12, inclusive, develop a comprehensive school safety plan. School districts and county offices of education are responsible for the overall development of the comprehensive school safety plans for their constituent schools. The schoolsite council of a school is required to write and develop the school safety plan relevant to the needs and resources of the particular school. This bill would require principals or schoolsite administrators of schools subject to those provisions annually to notify the State Department of Education by October 15 if his or her school has not complied with certain specified statutory requirements regarding school safety plans. Principals or schoolsite administrators also would be required to make copies of their school safety plans available upon request to parents, teachers, and other members of the school staff and to notify those individuals regarding revisions to the plan. If a principal or schoolsite administrator fails to comply with these requirements by October 15 of each school year, the Superintendent would be required to provide written notice of that failure to the Commission on Teacher Credentialing and to the principal or schoolsite administrator. The Commission on Teacher Credentialing would be required to suspend the administrative services credential of the principal or schoolsite administrator for one year if he or she does not correct the noncompliance within 30 days of receiving the notice from the Superintendent. By requiring principals or schoolsite administrators to perform additional duties the bill would impose a state-mandated local program.

Status: In Asm. APPR Com: Set, final hearing. Held under submission. (last activity 5/31/07)

AB 854
Keene

Firearms

Existing law generally regulates the transfer of firearms. Existing law also provides various exceptions to these requirements. This bill would provide exceptions to various requirements in connection with the transfer of firearms in the case of transfers, including loans, to consultant-

evaluators, as defined. The bill would also make technical, nonsubstantive changes, and state the intent of the Legislature relative to the purposes of the bill.

Status: CHAPTERED

AB 875

Crime prevention

Davis

Existing law establishes programs within the Department of Justice for the purpose of curtailing specified criminal activity. This bill would declare the intent of the Legislature to enact legislation to establish in state government the Safe Communities Through Technology Program, which will provide funds to cities for the purpose of developing electronic surveillance of streets in high-crime neighborhoods.

Status: From printer. May be heard in committee March 25. (last activity 2/23/07)

AB 881

Vehicles: child passengers: restraint systems

Mullin

Existing law establishes rules of the road governing the operation of vehicles upon the highways. A violation of these rules is a public offense. Existing law prohibits a parent or legal guardian, while present in a motor vehicle, from permitting his or her child or ward to be transported upon a highway in the vehicle without providing and properly securing the child or ward in a rear seat in a child passenger restraint system meeting applicable federal safety standards, unless the child or ward is 6 years of age or older or weighs 60 pounds or more. Existing law imposes a similar prohibition on the driver of a vehicle, unless the parent or legal guardian of the child is also present in the vehicle and is not the driver. Existing law places certain duties and restrictions on hospitals, clinics, and birthing centers, as well as car rental agencies, involving providing information and notices regarding child passenger restraint system laws. This bill would recast these provisions by requiring a child who is under 8 years of age to be secured in a rear seat in an appropriate child passenger restraint system. The bill would provide an exception from the child passenger restraint system requirement for a child who is under 8 years of age, but who is 4 feet 9 inches tall or taller and who is properly restrained by a safety belt. The bill would prohibit a parent or legal guardian or driver from transporting in a motor vehicle, a child or ward who is 8 years of age or older, but less than 16 years of age, without properly securing the child or ward in an appropriate child passenger restraint system or a safety belt. The bill additionally would require, for transport upon a highway in a motor vehicle, that a parent or legal guardian properly secure his or her child or ward who is under one year of age or weighs less than 20 pounds in a rear-facing child passenger restraint system in a rear seat. The bill would impose a similar requirement on the driver of a motor vehicle, unless the parent or legal guardian of the child is also present in the vehicle and is not the driver.

Status: VETOED

AB 1013

Unlawful detainer: nuisance abatement

Krekorian

(1) Existing law establishes the criteria for determining when a tenant is guilty of unlawful detainer, including conduct involving illegally selling a controlled substance, which is deemed to constitute committing a nuisance on the premises. This bill would add the circumstance of a person who commits an offense involving unlawful possession or use of illegal weapons or ammunition or uses the premises to further that purpose, to those circumstances that are deemed to constitute a nuisance. (2) Existing law establishes procedures for unlawful detainer actions in the name of the people for certain nuisances, to be brought by the city attorney or city prosecutor. This bill would create pilot programs in specified cities in the Counties of Los Angeles, San Diego, Sacramento, and Alameda that would establish as a basis for the unlawful detainer action in the name of the people, an unlawful weapons or ammunition purpose, as defined. The programs, effective until January 1, 2010, would require the city attorney and city prosecutor of each participating jurisdiction to annually provide specified information to the Judicial Council regarding the number of cases for unlawful detainer filed for a weapons or ammunition purpose and would require the Judicial Council to compile that information, and report the merits of the pilot programs to the Legislature by April 15, 2009. By imposing new duties on local officials, the bill would create a state-mandated local program. The bill would make other conforming changes.

Status: CHAPTERED

- AB 1105
Garrick *Firearms*
Existing law generally defines firearms for regulatory purpose. Existing law requires specified information about a firearms purchaser to be forwarded to the Department of Justice for determination of whether the applicant is a person prohibited from acquiring a firearm, as specified. This bill would require the department, on or before July 1, 2008, to submit to the Legislature a report, as specified, containing information about the time required by the department to process each application to purchase a firearm, the number of applications that have been denied by the department, the Dealers' Record of Sale Special Account, and how the waiting period for the delivery of firearms can be reduced. This bill would provide that these provisions would remain in effect until January 1, 2009, and as of that date are repealed.
Status: In Asm. Public Safety Com: Set, first hearing. Hearing canceled at the request of author. (last activity 4/17/07)
- AB 1106
Plescia *Public safety*
Existing law establishes the Citizens Options for Public Safety (COPS) program. This bill would state the intent of the Legislature to revise that program.
Status: Read first time. (last activity 2/26/07)
- AB 1218
Duvall *Firearms*
Existing law requires the Department of Justice to compile, publish, and maintain a roster listing all of the handguns that have been tested by a certified testing laboratory, have been determined not to be unsafe handguns, and that may be sold in this state, as specified. Existing law also provides that any person who offers or exposes for sale, gives, or lends any unsafe handgun shall be punished by imprisonment in a county jail not exceeding one year. This bill would provide that these provisions shall not apply the sale, loan, or transfer of any pistol, revolver, or other firearm capable of being concealed upon the person that is defined as an "antique firearm," as specified. This bill would provide that this change is declaratory of existing law. This bill would also provide that these provisions shall not apply to the sale, loan, or transfer of a pistol, revolver, or other firearm capable of being concealed upon the person to a dealer if specified conditions are met, or to the sale, loan, or transfer of a pistol, revolver, or other firearm capable of being concealed upon the person by a dealer who received that firearm under specified conditions if it is accompanied by a notification stating that it has not qualified for inclusion on the roster of pistols, revolvers, and other firearms capable of being concealed upon the person that may be sold in this state that is compiled by the department, as specified.
Status: In Asm. Public Safety Com: Set, first hearing. Hearing canceled at the request of author. (last activity 4/24/07)
- AB 1290
Mendoza *Community crime prevention*
Existing law establishes the California Gang, Crime, and Violence Prevention Partnership Program to partner with and provide funds to local agencies, as specified, that provide services and activities designed to prevent or deter at-risk youth from participating in gangs, criminal activity, or violent behavior. Existing law also establishes the Gang Violence Suppression Program to provide funding to local organizations and agencies that are primarily engaged in the suppression of gang violence. This bill would establish a community crime prevention pilot program in each of 4 Assembly districts, as specified. As part of the program, the bill would authorize representatives from police departments, school districts, and municipal governments within each of the Assembly districts to form a joint powers agency for the purpose of sharing resources, law enforcement tools, and crime prevention strategies. The bill would require each joint powers agency to hire a coordinator and grant writer, as specified. By June 30, 2011, each joint powers agency would be required to report back to the public safety committees of the Legislature on the effectiveness of the program in reducing crime and gang activity in that Assembly district.
Status: In Sen. Public Safety Com: Set, first hearing. Hearing canceled at the request of author. (last activity 7/3/07)
- AB 1357
Parra *Handgun safety certificates: exemptions*
Existing law provides exceptions from the requirements for a handgun safety certificate, as specified.

This bill would establish additional exemptions for persons who hold a certificate with a hunter safety instruction validation stamp or who hold a hunting license, as specified.

Status: Re-referred to Asm. Com. on Public Safety. (last activity 5/31/07)

AB 1471
Feuer

Firearms: microstamping

Existing law defines unsafe handguns as failing to pass certain tests, or lacking certain features, as specified. This bill, the Crime Gun Identification Act of 2007, would, commencing January 1, 2010, expand the definition of "unsafe handgun" to include semiautomatic pistols that are not designed and equipped with a microscopic array of characters that identify the make, model, and serial number of the pistol, etched in 2 or more places on the interior surface or internal working parts of the pistol, and that are transferred by imprinting on each cartridge case when the firearm is fired. Those provisions would be subject to specified certification procedures by the Department of Justice regarding the use of that technology.

Status: CHAPTERED

AB 1524
Villines

Vehicles: motorcycles: helmets

Existing law requires a driver and a passenger to wear a safety helmet meeting certain requirements when riding on a motorcycle, motor-driven cycle, or motorized bicycle. This bill would make technical, nonsubstantive changes in that law.

Status: Read first time. (last activity 2/26/07)

SB 67
Perata

Vehicles: speed contests and reckless driving

Existing law, as of January 1, 2007, allows a peace officer to arrest and take into custody a person that a peace officer determines was engaged in a motor vehicle speed contest and permits the peace officer to cause the removal and seizure of the motor vehicle used in the contest, in accordance with specified statutory procedures. A vehicle impounded under these provisions is required to be impounded for not more than 30 days, with specified exceptions. Existing law permits the release of the motor vehicle prior to the end of the impoundment period in specified circumstances. Existing law makes the registered owner or his or her agent responsible for, among other things, all towing and storage charges related to the impoundment and any authorized administrative charges, except under specified circumstances. This bill, the U'Kendra K. Johnson Memorial Act, would extend those provisions to persons engaged in reckless driving on a highway, reckless driving in an offstreet parking facility, or an exhibition of speed on a highway. It would require the impounding agency to release the vehicle to the registered owner prior to the conclusion of the impoundment period if the registered owner was neither the driver nor a passenger in the vehicle at the time of the alleged violation, or was unaware that the vehicle was being used to engage in the prohibited activities. This bill would declare that it is to take effect immediately as an urgency statute.

Status: CHAPTERED

SB 266
Steinberg

Motor vehicle speed contest: forfeiture

Existing law allows a peace officer to arrest and take into custody a person that a peace officer determines was engaged in a motor vehicle speed contest and permits the peace officer to cause the removal and seizure of the motor vehicle used in the contest, in accordance with specified statutory procedures. A vehicle impounded under these provisions is required to be impounded for not more than 30 days, with specified exceptions. Existing law permits the release of the motor vehicle prior to the end of the impoundment period in specified circumstances. The registered owner or his or her agent is responsible for, among other things, all towing and storage charges related to the impoundment and any authorized administrative charges, except under specified circumstances. This bill would extend those provisions to persons engaged in reckless driving on a highway, reckless driving in an offstreet parking facility, or an exhibition of speed on a highway. It would require the impounding agency to release the vehicle to the registered owner prior to the conclusion of the impoundment period if the registered owner was neither the driver nor a passenger in the vehicle at the time of the alleged violation, or was unaware that the vehicle was being used to engage in the prohibited activities.

Status: Set, first hearing. Hearing canceled at the request of the author. (last activity 5/8/07)

- SB 327
Migden *Firearms*
Existing law requires the Attorney General to maintain certain information reported to the Department of Justice in connection with handgun transactions. This bill would require the Attorney General to maintain certain information related to the dated delivery of handguns. Existing law prescribes certain information to be included in a register in connection with a firearms transaction. This bill would also require the date of delivery of a handgun be reported, as specified. The bill would require law enforcement agencies to record deliveries of certain firearms as institutional weapons, as specified. The bill would make other conforming changes. By imposing additional duties on local law enforcement entities, this bill would impose a state-mandated local program. The bill would also authorize issuance of a handgun registration card by the Department of Justice, upon request of the handgun owner, as specified.
Status: Re -referred to Com. on Pub. S. Set, second hearing. Hearing canceled at the request of author. (last activity 4/16/07)
- SB 844
Calderon *Crime: school zones*
Existing law provides that a "safe school zone" as an area that encompasses any specified places during regular school hours or within 60 minutes before or after the schoolday or 60 minutes before or after a school-sponsored activity at the schoolsite. This bill would specify for that purpose that "school" includes any public or private school. Existing law defines "safe school zone" as the area within 1,000 feet of a school. This bill would expand the definition of "safe school zone" as the area within 1,500 feet of a school. Existing law provides for criminal punishment for certain gang activities, lewd or lascivious acts, lewd conduct, interference with civil rights, vandalism, annoying or molesting a child, offenses involving driving while intoxicated, and certain drug offences. Existing law also provides that a court may issue a civil injunction prohibiting street gang activity, as defined. This bill would provide that any person who is convicted of violating these crimes, or the terms of a civil gang injunction, in addition and consecutive to the punishment prescribed for the crime for which he or she has been convicted, be punished by an additional fine or period of incarceration, as specified. In all circumstances, the penalty would include formal probation and a stay away order from the specified safe school zone. Existing law prohibits certain suspended or dismissed students or employees and certain persons who have been directed to leave a school campus or facility from entering the campus or facility. This bill would specify that these provisions apply to public and private schools. Existing law provides that a person who comes into any school building or upon any school ground, or street, sidewalk, or there to public way adjacent without lawful business, who remains or returns after having been asked to leave, is guilty of a public offense. Existing law also provides that certain drug offenders who come into those areas are guilty of a public offense, as specified. This bill would make those prohibitions applicable to persons who come into any school building or upon any school ground, or street, sidewalk, or adjacent public way as designated as a safe school zone. Existing law provides that any person required to register as a sex offender who comes into any school building or upon any school ground without lawful business and written permission is guilty of a misdemeanor. This bill would extend that prohibition to loitering within a safe school zone or a public park, playground, or youth center. Existing law prohibits the possession of a firearm within a school zone, which is defined as the grounds of, or an area within 1,000 feet from the grounds of a public or private school. This bill would change the distance to 1,500 feet. The bill would make related changes.
Status: Set, first hearing. Hearing canceled at the request of author. (last activity 4/9/07)

Shelter

AB 335
De Leon

CalWORKS: aid: homeless assistance

Existing federal law provides for allocation of federal funds through the federal Temporary Assistance for Needy Families (TANF) block grant program to eligible states. Existing law provides for the California Work Opportunity and Responsibility to Kids (CalWORKs) program under which, through a combination of state and county funds and federal funds received through the TANF program, each county provides cash assistance and other benefits to qualified low-income families. Existing law establishes maximum aid grant amounts to be provided under the CalWORKs program, and provides, with certain exceptions, that the aid grant amounts shall be adjusted annually to reflect any increases or decreases in the cost of living. Under existing law, after a family has used all available liquid resources in excess of \$100, the family shall be entitled to receive an allowance for nonrecurring special needs, including homeless assistance, under specified circumstances, including when homelessness is a direct result of domestic violence by a spouse, partner, or roommate. Existing law requires domestic violence under these circumstances to be verified by a 3rd-party governmental or private health and human services agency. This bill would also permit the domestic violence to be verified by a sworn statement made by the victim, as provided by specified existing law. It would also require county welfare departments to inform recipients who verify domestic violence by this sworn statement of specified information. By increasing the duties of local officials, this bill would impose a state-mandated local program.

Status: CHAPTERED

AB 382
Committee
on Housing
and
Community
Development

Housing omnibus

(1) Existing law authorizes a redevelopment agency, a housing authority, a city, or a county to issue bonds to provide financing for the acquisition, construction, rehabilitation, refinancing, or development of units reserved for occupancy by low- or very low income households for a specified period. When the period for reservation expires or terminates, existing law requires the units to remain available to eligible households occupying the units until one of specified alternatives occurs. These provisions also apply to units financed with the proceeds of bonds that have been refunded, as specified. This bill would make a technical, clarifying change to these provisions. (2) Existing law regulates manufactured housing communities. The Mobilehome Parks Act requires the Department of Housing and Community Development, or a city, county, or city and county that assumes responsibility for the enforcement of the act, to enter and inspect mobilehome parks every 7 years to ensure enforcement of the act and implementing regulations. A mobilehome park may include manufactured homes. This bill would delete provisions in existing law governing manufactured housing communities and, instead, would define "manufactured housing community" for the purposes of the Mobilehome Parks Act. (3) Existing law authorizes establishment of a renewal area by the legislative body of a community for the purpose of providing low-income, middle-income, and normal-market housing, including single- or multiple-family dwellings, and sufficient commercial establishments to serve persons living within a reasonable distance of the renewal area, and for the purpose of rebuilding or rehabilitating a renewal area to maintain its neighborhood character. This bill would repeal these provisions. (4) Existing law, the Limited Dividend Housing Corporations Law, authorizes the formation of corporations for the purpose of providing housing for families of low income or reconstructing slum areas, subject to approval by the department. This bill would repeal the Limited Dividend Housing Corporations Law (5) Existing law requires a redevelopment agency to establish a separate Low and Moderate Income Housing Fund and deposit in that fund certain tax increment funds derived from redevelopment. The moneys in the fund are required to be used to increase, improve, and preserve the supply of low- and moderate-income housing within the territorial jurisdiction of the agency. The agency is required to require all new or substantially rehabilitated housing units developed or otherwise assisted with moneys from the fund, except as specified, to remain available at affordable housing cost to, and occupied by, persons and families of low or moderate income and very low income and extremely low income households for the longest feasible time, but for not less than 55 years for rental units, and not less than 45 years for owner-occupied units. This bill would require the agency to require all new or substantially rehabilitated mutual self-help housing units, as defined, developed or otherwise assisted with moneys from the fund, except as specified, to remain available at affordable housing cost to, and occupied by,

persons and families of low or moderate income and very low income and extremely low income households for the longest feasible time, but for not less than 15 years. The bill would authorize the sale of these housing units prior to the expiration of the 15-year period pursuant to a program that meets certain conditions. (6) Existing law authorizes the Redevelopment Agency of the County of Alameda, for only the Mt. Eden Sub-Area of the Eden Redevelopment Project Area, to count, towards satisfaction of specified low-income housing production requirements in existing law, the construction of units outside the project area but within the City of Hayward if all of certain conditions are met. This provision is scheduled to be repealed on January 1, 2012. This bill would delete the specified repeal date and, instead, would provide that this provision does not apply to a housing unit for which construction commences on or after January 1, 2012. (7) The Housing Authorities Law authorizes the establishment of a functioning housing authority within a city or county by enactment of a resolution by the city or county declaring that there is need of a functioning housing authority in the city or county. A housing authority may contract with the Department of Housing and Community Development, or any other authority, for the furnishing by the department or authority of any necessary staff services associated with or required by an authority and which could be performed by the staff of an authority. This bill, additionally, would authorize a housing authority to contract with any city or county for the furnishing of those services. (8) Existing law authorizes a city or county to enter into an agreement with another city or county to form an area housing council for the purpose of developing and implementing an area housing plan covering the cities and counties comprising the membership of the council. This bill would repeal this authority. (9) Existing law establishes a low-income housing tax credit program, administered by the California Tax Credit Allocation committee, which provides procedures and requirements for the allocation of state tax credit amounts among low-income housing projects based on federal law. Existing law defines "rural area" for the purposes of the program and for related provisions of existing law. Existing law requires the Department of Housing and Community Development, upon the request of the committee, to prepare a list of areas located in nonmetropolitan areas, including a list of census tracts for unincorporated areas. Existing law also establishes a farmworker housing assistance program and prescribes requirements for claiming tax credits under the program, including a requirement that expenditures upon which the amount of the credit is based shall be eligible costs, as defined, and a limitation on the amount of development fees that may be included as eligible costs. This bill would delete the requirement that the department prepare the lists specified above, and would make various technical, nonsubstantive changes to the definition of "rural area" for purposes of the above provisions. The bill would revise the definition of "eligible costs" for purposes of the farmworker housing assistance program. It would also require the amount of development fees included as eligible costs under the farmworker housing assistance program to be consistent with the amount of development fees allowed for eligible costs under the low-income housing tax credit program. (10) Existing law establishes the Local Housing Trust Fund Matching Grant Program for the purpose of supporting local housing trust funds dedicated to the creation or preservation of affordable housing. Existing law authorizes the department to make matching grants available to cities and counties, or a city and county, and existing charitable nonprofit organizations that have created, funded, and operated housing trust funds prior to January 1, 2003. Existing law also authorizes the department to make matching grants available to new local housing trusts created after January 1, 2003. Existing law requires applicants for the grant program to be required to continue funding the local housing trust fund from specified local sources, and continue the trust in operation, for a period of no less than 5 years from the date of award. If the funding is not continued for a 5-year period, then the amount of the department's grant to the local housing trust fund, to the extent that the trust fund has unencumbered funds available, is required to be immediately repaid, and any payments from any projects funded by the local housing trust fund that would have been paid to the local housing trust fund are required to be paid instead to the department and used for the grant program. This bill, instead, would require that payments from any projects funded by the local housing trust fund that would have been paid to the local housing trust fund be paid instead to the department and used for the Multifamily Housing Program, or its successor. (11) Existing law creates the Building Equity and Growth in Neighborhoods (BEGIN) Program and the BEGIN Fund. Moneys in the fund are made available, upon appropriation, to the department for grants to cities, counties, and cities and counties for assistance in the form of 2nd mortgage loans for downpayment purposes to qualifying new home buyers in those cities, counties, and cities and counties that have taken

prescribed actions to remove barriers to affordable housing. This bill would require the maximum amount of downpayment assistance under the BEGIN Program to be set in the current Notice of Funding Availability (NOFA), and would delete the loan maximum in existing law of \$30,000, but would retain the loan maximum in existing law of 20% of the sale price of the residence.

Status: CHAPTERED

AB 415
Jones

Local planning: residential development

The Planning and Zoning 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 land suitable for residential development in meeting the jurisdiction's share of the regional housing need. For purposes of this assessment, existing law specifies that "land suitable for residential development" includes, among other things, vacant sites zoned for nonresidential use that allows residential development. This bill would limit, as specified, the manner in which a jurisdiction utilizes, in identifying land suitable for residential development to meet the jurisdiction's share of the regional housing need, vacant sites zoned for nonresidential use that allows residential development and for which the applicable zoning and development standards allow substantially all of the site to be developed without residential use.

Status: In Sen. Education Com: Set, first hearing. Hearing canceled at the request of author. (last activity 7/12/07)

AB 551
Blakeslee

Local government: housing

Existing law sets forth the Legislature's findings and declarations regarding the availability of affordable housing throughout California. This bill would make technical and nonsubstantive changes to this provision.

Status: From printer. May be heard in committee March 24. (last activity 2/22/07)

AB 637
Plescia

Affordable housing

Existing law, until January 1, 2010, authorizes contiguous agencies located within adjoining cities in a Metropolitan Statistical Area to create and participate in a joint powers authority in order to pool their housing funds to pay for the direct costs of constructing, substantially rehabilitating, or preserving the affordability of housing units that are affordable to very low or low income households. Existing law also requires specified conditions be met and described in a mutually binding contract between the joint powers authority and each participating agency and a receiving entity for the use and transfer of pooled housing funds, and that the conditions include, among other things, a determination by the Department of Housing and Community Development that the community of each participating agency has adopted housing elements that are in compliance with existing law and that the proposed use of pooled funds by the receiving entity for these purposes is in compliance with these provisions. The bill would make technical, nonsubstantive changes to these provisions.

Status: From printer. May be heard in committee March 24. (last activity 2/22/07)

AB 641
Torrice

Developer fees

Existing law prohibits a local agency that imposes any fees or charges on a residential development for the construction of public improvements or facilities from requiring the payment of those fees or charges until the date of the final inspection, or the date the certificate of occupancy is issued, whichever occurs first, except that the agency is authorized to require the payment of those fees and charges at an earlier time if (1) the local agency determines that the fees or charges will be collected for public improvements or facilities for which an account has been established and funds appropriated, and for which the local agency has adopted a proposed construction schedule or plan prior to final inspection or issuance of the certificate of occupancy, or (2) the fees or charges are to reimburse the local agency for expenditures previously made. If the fee or charge is not fully paid prior to issuance of a building permit, existing law authorizes the local agency issuing the building permit to require the property owner, as a condition of issuance of the building permit, to execute a contract to pay the fee or charge within the specified time. This bill would provide that the specified exemption to the existing prohibition does not apply except by developer fees levied for school

construction purposes to units reserved for occupancy by lower income households included in a residential development proposed by a nonprofit housing developer in which at least 49% of the total units are reserved for occupancy by lower income households, as defined, at an affordable rent, as defined. The bill would provide that fees and charges exempted under the bill from payment prior to the date of final inspection or issuance of the certificate of occupancy shall become immediately due and payable when the residential development no longer meets the lower income household occupancy requirements. The bill would authorize a city, county, or city and county to require the posting of a performance bond or a letter of credit from a federally insured, recognized depository institution, in addition to the contract required under existing law, to guarantee payment of any fees or charges that are subject to the exemption provided under the bill.

Status: CHAPTERED

AB 792
Garcia

Environmentally Sustainable Affordable Housing Program

Existing law, the Housing and Emergency Shelter Trust Fund Act of 2006, authorizes the issuance of bonds in the amount of \$2,850,000,000 pursuant to the State General Obligation Bond Law. Proceeds from the sale of these bonds are required to be used to finance various existing housing programs, capital outlay related to infill development, brownfield cleanup that promotes infill development, and housing-related parks. The act establishes the Housing and Emergency Shelter Trust Fund of 2006 in the State Treasury and requires the sum of \$1,500,000,000 to be deposited in the Affordable Housing Account, which the act establishes in the fund. The act continuously appropriates the money in the account in accordance with a specified schedule that requires, among other things, the transfer of the sum of \$100,000,000 to the Affordable Housing Innovation Fund, which the act establishes in the State Treasury, to be administered by the Department of Housing and Community Development and expended for competitive grants or loans to sponsoring entities that develop, own, lend, or invest in affordable housing, and to create pilot programs to demonstrate innovative, cost-saving approaches to creating or preserving affordable housing. This bill would establish the Environmentally Sustainable Affordable Housing Program under the administration of the department, consisting of the Construction Liability Insurance Reform Pilot Program; the Green Building, Energy Efficiency, and Building Design Program; and the Affordable Housing for Teachers Program, all of which would be under the administration of the department. The bill would require the department to fund these programs, with bond funds transferred to the Affordable Housing Innovation Fund that are made available to the department for that purpose. The bill would establish the Construction Liability Insurance Reform Pilot Program under the administration of the department for the purpose of promoting best practices for residential construction quality control in housing programs sponsored by the department or by the California Housing Finance Agency, as a means of reducing insurance rates for condominium developers in California. The bill would establish the Green Building, Energy Efficiency, and Building Design Program under the administration of the department for the purpose of promoting the use of green building to assist in the implementation of the goals established by the Climate Action Team Report to the Governor and Legislature, which identified strategies to reduce greenhouse gas emissions, including continued implementation of the Green Building Initiative. The bill would establish the Affordable Housing for Teachers Program under the administration of the department for the purpose of establishing a pilot program of assistance to school districts and community college districts attempting to attract and retain district employees, including teachers, through provision of on-campus housing. This bill would declare that it is to take effect immediately as an urgency statute.

Status: Re-referred to Com. on H.& C.D. In committee: Hearing postponed by committee. (last activity 4/9/07)

AB 848
Solorio

Local government: home ownership assistance

Existing law provides programs to assist various income levels in obtaining housing and home ownership. This bill would declare the intent of the Legislature to enact legislation that would improve local governments' ability to assist moderate income families with home ownership opportunities.

Status: From printer. May be heard in committee March 25. (last activity 2/23/07)

- AB 872
Davis
CEQA: urban infill affordable housing developments: exception
The California Environmental Quality Act requires a lead agency, as defined, to prepare, or cause to be prepared by contract, and certify the completion of, an environmental impact report on a project, as defined, that it proposes to carry out or approve that may have a significant effect on the environment, or to adopt a negative declaration if it finds that the project will not have that effect. The act exempts from its provisions, among other things, certain types of ministerial projects proposed to be carried out or approved by public agencies, and emergency repairs to public service facilities necessary to maintain service. This bill would exempt an urban infill affordable housing development project of less than 300 units from the provisions of the act, if the project complies with all applicable local land use and zoning ordinances and regulations. Because the bill would impose new duties upon local agencies by requiring those agencies to determine the applicability of, and give notice of, that exemption, the bill would create a state-mandated local program.
Status: In Asm. Natural Resources Com: Set, first hearing. Hearing canceled at the request of author. (last activity 4/16/07)
- AB 884
Dymally
Low-income housing tax credit allocation program
Existing law establishes the California Tax Credit Allocation Committee in state government to provide low-income housing tax credits to stimulate the production and rehabilitation of shelter for lower income individuals and families. Existing law requires the committee to allocate the housing tax credit on a regular basis consisting of 2 or more periods during which applications may be filed and considered. The committee is required to use certain criteria in allocating housing tax credits. This bill would include 2 additional appointed members in the committee. The bill would require the committee to consider whether a project is an infill project or eliminates neighborhood blight, among the criteria used in allocating housing tax credits.
Status: Failed passage. From committee without further action pursuant to Joint Rule 62(a). (last activity 8/22/07)
- AB 927
Saldana
Multifamily housing program
Existing law establishes the Multifamily Housing Program under the administration of the Department of Housing and Community Development to provide a standardized set of program rules and features applicable to all housing types based on the department's California Housing Rehabilitation Program. This bill , on and after January 1, 2008, would require the percentage of the total assistance provided under the Multifamily Housing Program that is awarded for units restricted to senior citizens, as defined, to be equal to the percentage of lower income renter households in the state that are lower income elderly renter households, as reported by the federal Department of Housing and Urban Development on the basis of the most recent decennial census conducted by the United States Census Bureau.
Status: CHAPTERED
- AB 971
Portantino
Housing: Community Workforce Housing Innovation Program
The Housing and Emergency Shelter Trust Fund Act of 2006 authorizes the issuance of bonds in the amount of \$2,850,000,000 pursuant to the State General Obligation Bond Law and requires \$100,000,000 of the proceeds from the sale of these bonds to be deposited to the Affordable Housing Innovation Fund, to be administered by the Department of Housing and Community Development and expended for competitive grants or loans to sponsoring entities that develop, own, lend, or invest in affordable housing and used to create pilot programs to demonstrate innovative, cost-saving approaches to creating or preserving affordable housing. This bill would establish the Community Workforce Housing Innovation Program for the purpose of assisting cities, counties, and school districts to recruit and retain public employees by making affordable housing available to those employees. The Department of Housing and Community Development would be required to administer the program, make grants available to cities, counties, and school districts from funds appropriated for this purpose, establish competitive criteria to use in the selection of grant applicants, and establish per-project limits on the amount of grant funding a city, county, or school district may receive.
Status: Re-referred to Asm. Com. on H. & C.D. (last activity 4/24/07)

- AB 976
Charles Calderon
Tenancy: tenant's characteristics
Existing law regulates the terms and conditions of residential tenancies. Existing law requires, among other things, that a dwelling unit be fit for human occupation, and prohibits a landlord from engaging in certain activities, including threats and extortion, to influence a tenant to vacate. This bill would prohibit a city, county, or city and county from requiring a landlord to, among other things, compile, disclose, report, provide, or otherwise take any action regarding a tenant or a prospective tenant based on the immigration or citizenship status of that tenant. The bill would also prohibit a landlord from independently performing any of these acts. The bill would specify that these provisions do not prohibit a landlord from complying with any federal law or from requesting information necessary to determine or verify identity or financial qualifications.
Status: CHAPTERED
- AB 987
Jones
Low and Moderate Income Housing Fund: affordability covenants and restrictions
The Community Redevelopment Law requires that not less than 20% of the tax-increment revenue allocated to a redevelopment agency be used to increase, improve, and preserve the supply of the community's low- and moderate-income housing within the territorial jurisdiction of the agency, and for this purpose, the funds are held in a separate Low and Moderate Income Housing Fund. The Community Redevelopment Law requires that all new or substantially rehabilitated housing units developed or otherwise assisted with moneys from the Low and Moderate Income Housing Fund pursuant to an agreement approved by an agency on or after January 1, 1988, remain available at affordable housing cost to, and occupied by, persons and families of low or moderate income, very low income, and extremely low income households for the longest feasible time, but for not less than specified periods of time, except as specified. Existing law requires the agency to record these covenants and restrictions in the office of the county recorder for each parcel or unit that is subject to these provisions. Existing law requires the covenants and restrictions to run with the land and be enforceable against the original owner and successors in interest by the agency or the community. This bill, instead, would require the covenants and restrictions to be enforceable by any person or family of low or moderate income, as defined, and other specified persons, against any owner who violates a covenant or restriction and each successor in interest who continues the violation. The bill would require the recordation of a separate document, called "Notice of Affordability Restrictions on Transfer of Property," for all new or substantially rehabilitated units developed or otherwise assisted with moneys from the Low and Moderate Income Housing Fund on or after January 1, 2008. The bill would establish specific procedures for the recordation of the covenants and restrictions and the new notice of affordability restrictions document. The bill would require a redevelopment agency to compile and maintain a database of existing, new and substantially rehabilitated, housing units developed or otherwise assisted with moneys from the Low and Moderate Income Housing Fund, include certain information in the database, make the database available to the public on the Internet, and update it on an annual basis. The bill would require the database to omit any property used to confidentially house victims of domestic violence. The bill would also require the agency to provide reasonable notice to the community regarding the existence of the database upon establishment of the database.
Status: CHAPTERED
- AB 1017
Ma
Affordable housing program
This bill would establish the California Affordable Housing Revolving Development and Acquisition Program under the administration of the Department of Housing and Community Development for the purpose of funding projects to develop or preserve affordable housing. The bill would establish the California Affordable Housing Revolving Development and Acquisition Fund in the State Treasury and would make moneys in the fund available for the purposes of making loans authorized under the bill. The bill would require the department to issue a Notice of Funding Availability to select a private sector entity to manage the fund, including reviewing and approving loan applications, originating loans, and servicing loans. The bill would, upon appropriation by the Legislature, require the sum of \$25,000,000 to be transferred to the fund from the Affordable Housing Innovation Fund in the State Treasury. The bill would also establish the Affordable Housing Committee in state government, consisting of the Director of Housing and Community Development, or his or her designee, and 4 additional members appointed by the Senate Committee

on Rules and the Assembly Committee on Rules. The bill would establish the Affordable Housing Committee Fund in the State Treasury and would make moneys in the fund available for the purposes of making loans authorized under the bill. The bill would require the committee to manage the fund and review and approve loan applications, originate loans, and service loans. The bill would, upon appropriation by the Legislature, require the sum of \$25,000,000 to be transferred to this fund from the Affordable Housing Innovation Fund in the State Treasury.

Status: Re-referred to Coms. on H.C. & D. (last activity 4/9/07)

AB 1053
Nunez

Regional Planning, Housing, and Infill Incentive Account: programs

The Housing and Emergency Shelter Trust Fund Act of 2006 authorizes the issuance of bonds in the amount of \$2,850,000,000 pursuant to the State General Obligation Bond Law. Proceeds from the sale of these bonds are required to be used to finance various existing housing programs, capital outlay related to infill development, brownfield cleanup that promotes infill development, and housing-related parks. The act establishes the Housing and Emergency Shelter Trust Fund of 2006 in the State Treasury, requires the sum of \$850,000,000 to be deposited in the Regional Planning, Housing, and Infill Incentive Account, which the act establishes in the fund, and makes the moneys in the account available, upon appropriation, for infill incentive grants for capital outlay related to infill housing development and other related infill development, and for brownfield cleanup that promotes infill housing development and other related infill development consistent with regional and local plans, subject to the conditions and criteria that the Legislature may provide in statute. Existing law establishes the Infill Incentive Grant Program of 2007 to require the Department of Housing and Community Development, upon appropriation by the Legislature of the funds in the Regional Planning, Housing, and Infill Incentive Account for certain purposes, to establish and administer a competitive grant program to allocate those funds to selected capital improvements projects related to qualifying infill projects or qualifying infill areas, as defined. The Property and Business Improvement District Law of 1994 authorizes a city to form a property and business improvement district that may levy assessments within a business improvement area for the purpose of making improvements and promoting activities of benefit to the properties within the district. Existing law authorizes the establishment of an "owners' association" as a private nonprofit entity that is under contract with the city to administer or implement the activities and improvements specified in the management district plan. This bill would add to the definition of "eligible applicant" under the grant program a city, county, city and county, public housing authority, or redevelopment agency that has jurisdiction over a qualifying infill area and applies for funding jointly with an owners' association for a business or property improvement district that includes a qualifying infill area.

Status: CHAPTERED

AB 1091
Bass

Transit-Oriented Development Implementation Program

The Housing and Emergency Shelter Trust Fund Act of 2006, authorizes the issuance of bonds in the amount of \$2,850,000,000 pursuant to the State General Obligation Bond Law. Proceeds from the sale of these bonds are required to be used to finance various existing housing programs, capital outlay related to infill development, brownfield cleanup that promotes infill development, and housing-related parks. The act establishes the Housing and Emergency Shelter Trust Fund of 2006 in the State Treasury, requires the sum of \$300,000,000 to be deposited in the Transit-Oriented Development Account, which the act establishes in the fund, and makes the money in the account available, upon appropriation, for expenditure under the Transit-Oriented Development Implementation Program, which is established under existing law under the administration of the Department of Housing and Community Development. Existing law requires the department, to the extent that funds are available under the program, to make grants to cities, counties, cities and counties, redevelopment agencies, or transit agencies for the provision of infrastructure necessary for the development of higher density uses within close proximity to a transit station, or to facilitate connections between that development and the station. Developments assisted under the program are required to be on parcels at least a portion of which are located within 1/4 mile of a transit station. This bill would require developments assisted under the program to be on parcels at least a portion of which are located within 1/2 mile of a transit station via a readily walkable route.

Status: VETOED

- AB 1205 *Affordable housing*
Salas Existing law states that the availability of housing is of vital statewide importance and that, among other things, local and state governments have a responsibility to use the powers vested in them to facilitate the improvement and development of housing to make adequate provision for the housing needs of all economic segments of the community. This bill would additionally state that local and state governments have a responsibility to use the powers invested in them to facilitate affordable housing opportunities that create safe, decent, and affordable housing including the availability of affordable housing in high cost areas as defined by the California Housing Finance Authority. This bill would also revise these findings to declare that the availability of housing is a matter of vital statewide importance.
Status: Read first time. (last activity 2/26/07)
- AB 1231 *Infill development: incentive grants*
Garcia Existing law, the Housing and Emergency Shelter Trust Fund Act of 2006, authorizes the issuance of bonds in the amount of \$2,850,000,000 pursuant to the State General Obligation Bond Law. Proceeds from the sale of these bonds are required to be used to finance various existing housing programs, capital outlay related to infill development, brownfield cleanup that promotes infill development, and housing-related parks. The act establishes the Housing and Emergency Shelter Trust Fund of 2006 in the State Treasury, requires the sum of \$850,000,000 to be deposited in the Regional Planning, Housing, and Infill Incentive Account, which the act establishes in the fund, and makes the money in the account available, upon appropriation, for infill incentive grants for capital outlay related to infill housing development and other related infill development, and for brownfield cleanup that promotes infill housing development and other related infill development consistent with regional and local plans, subject to the conditions and criteria that the Legislature may provide in statute. This bill would require the Department of Housing and Community Development to use funds allocated from the Regional Planning, Housing, and Infill Incentive Account to make infrastructure grants for construction or acquisition of capital assets to qualifying cities, counties, and cities and counties. The bill would require the grants to be used for infrastructure that is directly related to, and integral to facilitating the development of, identified infill housing projects. The bill would require the department to issue periodic Notices of Funding Availability specifying per-project limits and the competitive criteria upon which projects shall be selected. The bill would require projects to conform to certain criteria in order to be eligible for funding.
Status: In Asm. Com. on H.C. & D. Hearing postponed by committee. (last activity 4/9/07)
- AB 1256 *Density bonus: exemption: local inclusionary ordinance*
Caballero The Planning and Zoning Law requires a city, county, or city and county to provide a housing developer with a density bonus and other incentives or concessions for the production of lower income housing units or the donation of land within a development when the developer proposes a housing development within the local government's jurisdiction and meets certain requirements. This law requires that an applicant for a bonus agree to continued affordability for 30 years or longer of low-and very low-income units that qualified the applicant for the award of the density bonus. This bill would exempt a city, county, or city and county from complying with the density bonus requirement, and the incentive and concession requirement, if the local government has in effect a local inclusionary ordinance, as specified, that meets certain requirements.
Status: In Asm. Com. on L. Gov.: Set, first hearing. Hearing canceled at the request of author. (last activity 4/12/07)
- AB 1266 *Local government: housing*
Cook Existing law requires local governments to adopt a general plan that consists of a number of elements including the housing element. The housing element must be updated at specified intervals, and when updating the housing element, the local government must take into account regional housing needs for various income levels. Existing law permits local governments to conduct a review or appeal regarding allocation data provided by the Department of Housing and Community Development or the council of governments regarding the locality's share of the regional housing need or the submittal of data or information for a proposed allocation, as specified. This bill would make technical, nonsubstantive changes to this provision.

Status: Read first time. (last activity 2/26/07)

- AB 1366
Portantino
General plan: annual report
The Planning and Zoning Law requires a city, county, or city and county to adopt a comprehensive general plan that addresses a number of elements, including the housing element, and requires the planning agency to make an annual report each year by April 1 to the legislative body of the local government and specified state agencies. That law requires the housing element portion of the annual report to address, among other things, the progress each local government is making toward fulfilling regional housing needs. This bill would provide that the housing element portion of the annual report filed by the planning agency may include a specific description of the status of the local government's efforts to meet its share of that agency's regional housing needs assessment, and when those needs are not met, the annual report may set forth an estimate of the time needed to complete a review of, and implement, the actions that will contribute to achieving its share of regional housing needs.
Status: In Sen. Trans & Housing Com: Set, first hearing. Hearing canceled at the request of author. (last activity 6/13/07)
- AB 1422
Davis
Housing: downpayment assistance
Existing law creates the Building Equity and Growth in Neighborhoods (BEGIN) Program and the BEGIN Fund. Moneys in the fund are made available, upon appropriation, to the Department of Housing and Community Development for grants to cities, counties, and cities and counties for assistance in the form of 2nd mortgage loans for downpayment purposes to qualifying new home buyers in those cities, counties, and cities and counties that have taken prescribed actions to remove barriers to affordable housing. Existing law establishes the maximum amount of downpayment assistance under the BEGIN Program at 20% of the sale price of the residence, but not to exceed \$30,000. This bill would authorize a jurisdiction that has spent locally controlled government assistance on housing for persons of very low income and for persons of low income in at least the same proportion as the total number of housing units needed for each of those income groups bears to the total number of units needed for persons of very low, low, and moderate income within the community, as those needs have been determined for the community pursuant to the housing element of the jurisdiction's general plan, to seek waiver of the \$30,000 loan limitation in existing law, and, upon a finding by the department supporting the waiver, establish the maximum loan in an amount not to exceed 20% of the sale price of the residence.
Status: In Asm. H. & C.D. Com: Set, second hearing. Hearing canceled at the request of author. (last activity 5/9/07)
- AB 1449
Saldana
Density bonus
The Planning and Zoning Law requires a city, county, or city and county to provide a housing developer with a density bonus and other incentives or concessions for the production of lower income housing units or the donation of land within a development, if the developer proposes a housing development within the jurisdiction of the local government and meets certain requirements, including a requirement that the developer agrees to construct a specified percentage of the total units for specified income households or qualifying residents. This bill would revise the eligibility requirements for construction of moderate- income housing units to conform to the requirements in existing law for low- and very low income housing units and would make changes in related provisions of existing law.
Status: In Asm. Com. on L. Gov: Hearing postponed by committee. (last activity 4/12/07)
- AB 1493
Saldana
Affordable Housing Innovation Fund: housing trust fund
The Housing and Emergency Shelter Trust Fund Act of 2006 authorizes the issuance of bonds in the amount of \$2,850,000,000 pursuant to the State General Obligation Bond Law. Proceeds from the sale of these bonds are required to be used to finance various existing housing programs, capital outlay related to infill development, brownfield cleanup that promotes infill development, and housing-related parks. The act establishes the Housing and Emergency Shelter Trust Fund of 2006 in the State Treasury and requires the sum of \$1,500,000,000 to be deposited in the Affordable Housing Account, which the act establishes in the fund. The act continuously appropriates the money in the

account in accordance with a specified schedule that requires, among other things, the transfer of the sum of \$100,000,000 to the Affordable Housing Innovation Fund, which the act establishes in the State Treasury, to be administered by the Department of Housing and Community Development and expended for competitive grants or loans to sponsoring entities that develop, own, lend, or invest in affordable housing, and to create pilot programs to demonstrate innovative, cost-saving approaches to creating or preserving affordable housing. Existing law establishes the Local Housing Trust Fund Matching Grant Program for the purpose of supporting local housing trust funds dedicated to the creation or preservation of affordable housing. The department is authorized to make matching grants available to cities and counties, or a city and county, and existing charitable nonprofit organizations that have created, funded, and operated housing trust funds prior to January 1, 2003. Existing law also authorizes the department to make matching grants available to new local housing trusts created after January 1, 2003. This bill would require the sum of \$20,000,000 from the funds in the Affordable Housing Innovation Fund to be used for the purposes of making matching grants under the Local Housing Trust Fund Matching Grant Program to cities and counties, or a city and county, and existing charitable nonprofit organizations that have created, funded, and operated housing trust funds prior to January 1, 2003. The bill would require the sum of \$20,000,000 from the funds in the Affordable Housing Innovation Fund to be used for the purposes of making matching grants under the Local Housing Trust Fund Matching Grant Program to cities and counties, or a city and county, and existing charitable nonprofit organizations that have local housing trusts created after January 1, 2003, except that any of that amount that is not encumbered by the department within 24 months after being made available under this provision would be used for the purposes of making matching grants under the program to cities and counties, or a city and county, and existing charitable nonprofit organizations that have created, funded, and operated housing trust funds prior to January 1, 2003. The bill would make an appropriation by requiring these continuously appropriated funds to be used for these additional purposes.

Status: In Asm. Com. on H.C. & D: Hearing postponed by committee. (last activity 4/9/07)

AB 1536
Smyth

Parks: Housing and Emergency Shelter Trust Fund Act of 2006

The Housing and Emergency Shelter Trust Fund Act of 2006 (bond act), adopted by the voters in a statewide general election on November 6, 2006, among other things, authorizes the proceeds of bonds, upon appropriation, to be made available for housing-related parks grants in urban, suburban, and rural areas, and for grants for park creation, development, or rehabilitation to encourage infill development. This bill would require the Department of Parks and Recreation to be the primary agency authorized to administer the housing-related parks grants in urban, suburban, and rural areas, and to administer the grants for park creation, development, or rehabilitation to encourage infill development, pursuant to the bond act.

Status: In Asm. Water, Parks, and Wildlife Com: Set, first hearing. Hearing canceled at the request of author. (last activity 4/18/07)

SB 46
Perata

Housing and Emergency Shelter Trust Fund Act of 2006: Regional Planning, Housing, and Infill Incentive Account

The Housing and Emergency Shelter Trust Fund Act of 2006 authorizes the issuance of bonds in the amount of \$2,850,000,000 pursuant to the State General Obligation Bond Law. Proceeds from the sale of these bonds are required to be used to finance various existing housing programs, capital outlay related to infill development, brownfield cleanup that promotes infill development, and housing-related parks. The act establishes the Housing and Emergency Shelter Trust Fund of 2006 in the State Treasury, requires the sum of \$850,000,000 to be deposited in the Regional Planning, Housing, and Infill Incentive Account, which the act establishes in the fund, and makes the money in the account available, upon appropriation, for infill incentive grants for capital outlay related to infill housing development and other related infill development, and for brownfield cleanup that promotes infill housing development and other related infill development consistent with regional and local plans, subject to the conditions and criteria that the Legislature may provide in statute. This bill would establish the Infill Incentive Grant Program of 2007, to require the Department of Housing and Community Development, upon appropriation by the Legislature of the funds in the Regional Planning, Housing, and Infill Incentive Account for certain purposes, to establish and administer a competitive grant program to allocate those funds to selected qualifying infill projects, as defined, for

capital outlay related to infill housing development and related infill infrastructure needs. The bill would require the California Pollution Control Financing Authority, upon appropriation by the Legislature of the funds in the Regional Planning, Housing, and Infill Incentive Account for certain additional purposes, to allocate those funds to selected infill projects for the purposes of assessment, remedial planning and reporting, technical assistance, cleanup or remediation of brownfield sites, or related costs.

Status: Read second time. Amended. Re-referred to Sen. Com. on APPR. (last activity 7/16/07)

SB 303
Ducheny

Local government: land use planning

(1) The Planning and Zoning Law requires a city, county, or city and county to adopt a comprehensive, long-term general plan for the physical development of the city, county, or city and county that addresses a number of elements, including, among other things, a housing and an open-space element. Existing law provides that the general plan may be adopted as a single document or as a group of documents relating to subjects or geographic segments of the planning area. This bill would require the general plan, and each of its elements to encompass a planning and projection period of at least 20 years, except for the housing element, and would require each element, except for the housing, conservation, and open-space elements, to be updated at least every 10 years. The bill would require the housing element to be updated as specified, and would require the conservation element and the open-space element to be updated concurrently with the housing element. The bill would revise the open-space element and require local governments to consider the guidelines adopted by the Office of Planning and Research. The bill would also define "regional housing need" and "existing and projected housing need" to mean the minimum amount of housing needed over the next 10-year period. (2) The Planning and Zoning Law requires the housing element of a general plan to identify and analyze various elements, and include a statement of the community's goals, quantified objectives, and policies relative to the maintenance, preservation, improvement, and development of housing. This bill would require the statement be relative to the maintenance, preservation, improvement, and development of housing for extremely low, very low, low- and moderate-income households, and for any special housing needs, as specified. (3) Existing law requires the housing element to include, among other things, a program that sets forth a 5-year schedule for actions the local government is undertaking, or intends to undertake to implement the policies and achieve the goals and objectives of the housing element, as specified. The program adopted must, among other requirements, identify actions that will be taken to make sites available during the planning period of the general plan, as specified. This bill would, instead, require the program to identify sites to facilitate and encourage the development of a variety of types of housing for all income levels, as specified. (4) Existing law requires the housing element of a general plan to include an inventory of sites that can be developed for housing within the planning period to accommodate that portion of a city's or county's share of the regional housing need for all income levels, as specified, and requires the city or county to provide an analysis demonstrating how the adopted densities accommodate its share of the regional housing need for lower income households or meet specified densities to accommodate housing for lower income households. This bill would delete the option to provide an analysis demonstrating how the adopted densities accommodate the city's or county's share of the regional housing need for lower income households and would, instead, require cities and counties to permit specified densities to accommodate housing for lower income households. (5) Existing law requires the housing element of a general plan to include an inventory of sites that can be developed for housing within the planning period to accommodate that portion of a city's or county's share of the regional housing need for all income levels, as specified. This bill would require the city council or county board of supervisors to designate in its land use element sufficient land for residential use to accommodate the jurisdiction's 10-year housing need. By imposing additional duties upon local officials, this bill would create a state-mandated local program. (6) Existing law requires each local government to review its housing elements as frequently as appropriate to evaluate a number of factors, as specified. This bill would revise the factors that each local government is required to evaluate in its review of the housing element and would require the housing element to be updated every 5 years. The bill would also specify the dates that specific groups of local governments are required to update the housing elements, notwithstanding the 5-year requirement. The bill would also provide that the deadlines specified for the amendment of the housing element are mandatory and these modifications are not intended to affect existing law with

respect to the planning, use, or development of areas outside the sites designated and zoned for residential use to accommodate the jurisdiction's 10-year housing need. (7) Existing law requires county and city ordinances to be consistent with the general plan. For a zoning ordinance to be considered consistent with a general plan officially adopted by a county or city, the various land uses authorized by the ordinance must be compatible with the objectives, policies, general land uses and programs specified in the general plan. Existing law also authorizes a resident or property owner within a city or county to bring an action or proceeding to enforce compliance with these provisions within 90 days of the enactment of any new zoning ordinance or the amendment of an existing ordinance. Existing law also applies these provisions to specified charter cities. This bill would require the county or city zoning ordinances to be consistent with the general plan of the county or city by the date of the next housing element update, and thereafter. The bill would revise the factors required for a zoning ordinance to be considered consistent with a general plan to include a requirement for residential uses that the zoning ordinance allows development at the density range specified in the general plan. The bill would authorize a property owner to bring an action in court to order a city, county, or city and county to perform a specified action of the housing element within 60 days, as specified. The bill would also declare that these provisions have statewide implications and would apply these provisions to a charter city, charter county, and charter city and county, as well as general law cities and counties. (8) The bill would also continuously appropriate the sum of \$45,000,000 provided by the Housing and Emergency Shelter Trust Fund Act of 2006 for the purpose of establishing a revolving loan fund in the General Fund to assist cities and counties in funding the enhanced planning and environmental obligations established by this act. The bill would also require that the revolving loan fund be administered by the Office of Planning and Research through a specified repayment program.

Status: In Asm. Local Gov. Com. Set, first hearing. Held under submission. (last activity 7/3/07)

SB 522
Dutton

Infill housing: incentives

Existing law, the Housing and Emergency Shelter Trust Fund Act of 2006, authorizes the issuance of bonds in the amount of \$2,850,000,000 pursuant to the State General Obligation Bond Law. Proceeds from the sale of these bonds are required to be used to finance various existing housing programs, capital outlay related to infill development, brownfield cleanup that promotes infill development, and housing-related parks. The act establishes the Housing and Emergency Shelter Trust Fund of 2006 in the State Treasury, requires the sum of \$850,000,000 to be deposited in the Regional Planning, Housing, and Infill Incentive Account, which the act establishes in the fund, and makes the money in the account available, upon appropriation, for infill incentive grants for capital outlay related to infill housing development and other related infill development, and for brownfield cleanup that promotes infill housing development and other related infill development consistent with regional and local plans, subject to the conditions and criteria that the Legislature may provide in statute. This bill would authorize the Department of Housing and Community Development to administer a program to provide grants to cities and counties with allocated bond funds for the construction or acquisition of capital assets, as defined, to qualifying cities, counties, and cities and counties. This bill would further set forth specific criteria upon which the department shall give preference for a awarding a grant under this program.

Status: Read second time. Amended. Re-referred to Sen. Com. on Rls. (last activity 2/28/07)

SB 546
Ducheny

Department of Housing and Community Development: bond fund expenditures: report

The Housing and Emergency Shelter Trust Fund Act of 2002 authorizes, for purposes of financing various existing housing and code enforcement programs, and additional specified programs subject to the enactment of enabling legislation, the issuance of bonds in the amount of \$2,100,000,000 pursuant to the State General Obligation Bond Law. The Housing and Emergency Shelter Trust Fund Act of 2006 authorizes the issuance of bonds in the amount of \$2,850,000,000 pursuant to the State General Obligation Bond Law. Proceeds from the sale of these bonds are required to be used to finance various existing housing programs, capital outlay related to infill development, brownfield cleanup that promotes infill development, and housing-related parks. Existing law requires the Department of Housing and Community Development, on or before December 31 of each year, to submit an annual report to the Governor and both houses of the Legislature on the operations and accomplishments during the previous fiscal year of the housing programs administered by the

department. This bill would require the specified report to include certain information relating to the programs funded under the Housing and Emergency Shelter Trust Fund Act of 2002 and the Housing and Emergency Shelter Trust Fund Act of 2006.

Status: Placed on inactive file on request of Assembly Member Bass. (last activity 9/4/07)

SB 586
Dutton

Affordable Housing Innovation Fund: Affordable Housing Revolving Development and Acquisition Program

Existing law, the Housing and Emergency Shelter Trust Fund Act of 2006, authorizes the issuance of bonds in the amount of \$2,850,000,000 pursuant to the State General Obligation Bond Law. Proceeds from the sale of these bonds are required to be used to finance various existing housing programs, capital outlay related to infill development, brownfield cleanup that promotes infill development, and housing-related parks. The act establishes the Housing and Emergency Shelter Trust Fund of 2006 in the State Treasury and requires the sum of \$1,500,000,000 to be deposited in the Affordable Housing Account, which the act establishes in the fund. The act continuously appropriates the money in the account in accordance with a specified schedule that requires, among other things, the transfer of the sum of \$100,000,000 to the Affordable Housing Innovation Fund, which the act establishes in the State Treasury, to be administered by the Department of Housing and Community Development and expended for competitive grants or loans to sponsoring entities that develop, own, lend, or invest in affordable housing, and to create pilot programs to demonstrate innovative, cost-saving approaches to creating or preserving affordable housing. This bill would establish the Affordable Housing Revolving Development and Acquisition Program under the administration of the department. The bill would authorize applicants under the program to apply for loans to purchase real property for the development or preservation of housing affordable to low-income households and would require applicants to demonstrate certain qualification factors. The bill would require the department to adopt guidelines and regulations establishing the minimum criteria required of the fund manager and applicants, as well as a point system for prioritizing requests in the event that requests exceed the funds available for the program in any given year. The guidelines and regulations would give priority to applicants who can demonstrate specified criteria. The bill would require the department to issue a request for qualification to select a private sector entity to manage the Loan Fund. The bill would establish criteria that the fund manager must meet and would also require applicants for the fund manager position to submit a business plan that addresses appropriate financial and internal controls as well as a description of how the lender would close loans quickly. The bill would require the funds in the Affordable Housing Innovation Fund to be allocated in the amount of \$50,000,000 for the Affordable Housing Revolving Development and Acquisition Program, of which \$25,000,000 would be made available to the Loan Fund and \$25,000,000 would be made available to the Practitioner Fund; \$5,000,000 for the Construction Liability Insurance Reform Pilot Program, which this bill would establish within the department; \$35,000,000 for a local housing trust fund matching grant program established under a specified provision of existing law; and \$10,000,000 for the Innovative Homeownership Program, which the bill would require the department to develop and implement as specified. The bill would make an appropriation by authorizing the funds in the continuously appropriated fund to be expended for these additional purposes. The bill would require the department to grant preference to a housing trust fund that agrees to expend more than 65% of state funds to a specified first-time homebuyers' program and to set aside funding for a specified 36-month period for newly established housing trust funds that are in a county with a population of less than 425,000 persons when awarding the \$35,000,000 under the local housing trust fund matching grant program. The bill would also require the department to make available 50% of this grant money exclusively for newly established housing trust funds.

Status: CHAPTERED

SB 707
Ducheny

Housing loan conversions

Existing law authorizes the Department of Housing and Community Development to provide technical assistance to groups and persons with various housing needs and to administer various housing loan programs. This bill on or after July 1, 2008 would authorize the department, or the California Housing Finance Agency to extend the term of existing multifamily housing loans made under specified programs upon the request of any borrower, subject to certain conditions, as provided, and would make related legislative findings and declarations.

Status: CHAPTERED

SB 923
Oropeza

Local government: housing

Existing law requires local governments to adopt a general plan that consists of a number of elements including the housing element. The housing element must be updated at specified intervals, and in updating the housing element, the local government must take into account regional housing needs for various income levels. Existing law permits local governments to conduct a review or appeal regarding allocation data provided by the Department of Housing and Community Development or the council of governments regarding the locality's share of the regional housing need or the submittal of data or information for a proposed allocation. This bill would make technical, nonsubstantive changes to this provision.

Status: To Com. on Rls. (last activity 3/15/07)

SB 934
Lowenthal

Housing and infrastructure zones

The Community Services District Law identifies the procedures for district formation and specifies the services that a district may provide. Among those services are the acquisition, construction, improvement, maintenance, and operation of recreation facilities, including parks and open space, and community facilities, including libraries, and child care facilities; supplying water for any beneficial use; the collection, treatment, or disposal of sewage, wastewater, recycled water, stormwater, and solid waste; and the acquisition, construction, improvement, and maintenance of streets, roads, rights-of-way, bridges, culverts, drains, curbs, gutters, sidewalks, and any incidental works. The Community Redevelopment Law authorizes redevelopment agencies to pay the principal of, and interest on, indebtedness incurred to finance or refinance redevelopment, from a portion of property tax revenues diverted from other taxing agencies. The portion of taxes diverted is the amount attributable to increases in assessed valuation of property in the redevelopment project area subsequent to establishment thereof. This method of financing is commonly known as "tax increment" financing and is specifically authorized by Section 16 of Article XVI of the California Constitution. Existing law requires a redevelopment agency to use at least 20% of its tax increment revenues to increase, improve, and preserve low- and moderate-income housing available at affordable cost to persons and families of low or moderate income and lower, very low, and extremely low income households, unless the agency makes certain findings. Under existing law, there are programs that provide assistance for, among other things, multifamily housing, emergency housing, farmworker housing, and homeownership for low- and very low income households, and that provide downpayment assistance for first-time homebuyers. Existing law sets forth the duties of the California Economic Development and Infrastructure Development Bank generally in promoting economic development activities in the state. This bill would establish a pilot project allowing for the formation, under criteria developed by specified councils of governments and the Secretary of Business, Transportation and Housing, of 100 housing and infrastructure zones in the state. A city or county would be eligible to apply to its council of governments or the agency, as applicable, in order to establish a housing and infrastructure zone, subject to approval by the bank, and specified reporting requirements. By requiring local governments to perform certain duties with respect to the selection and establishment of zones, the bill would impose a state-mandated local program. The bill would authorize the bank to finance the purchase, construction, expansion, improvement, seismic retrofit, or rehabilitation of real or other tangible property, for various purposes, including interchanges, ramps and bridges, arterial streets, parking facilities, transit facilities, sewage treatment and water reclamation plants and interceptor pipes, facilities for the collection and treatment of water for urban uses, child care facilities, libraries, parks, recreational facilities, open space, facilities for the transfer and disposal of solid waste, including transfer stations and vehicles, and housing. The bank would be authorized to issue bonds and to receive allocations of revenues resulting from a type of tax increment financing for these purposes. By requiring local agencies to conduct funding allocation activities, the bill would impose a state-mandated local program. The pilot project would end on a specified date, but the bank would receive tax increment revenues for a period of 20 years after the date the district was established, plus an additional 10 years solely for the repayment of debt incurred prior to that date.

Status: Set, first hearing. Held in Sen. APPR Com. and under submission. (last activity 5/31/07)

Transportation

- AB 20
Eng *Transit-oriented plan amendments*
Existing law requires a redevelopment agency, not later than 45 days prior to the public hearing on a proposed plan amendment to (1) change the limitation on the number of dollars of taxes that may be divided and allocated to the agency, (2) change the limit on the amount of bonded indebtedness that can be outstanding at one time, or (3) change the time limit on the establishing of loans, advances, and indebtedness to be paid with the proceeds of property taxes received pursuant to existing tax increment allocations, and to prepare and deliver a specified report to the Department of Finance and the Department of Housing and Community Development that includes, among other things, specified projections of the tax revenues that will be generated as a result of the proposed plan amendment and a description and map of the project area that remains blighted. This bill would exempt transit-oriented plan amendments from this requirement and would instead require that the redevelopment agency submit a specified written information statement to the Department of Finance and the Department of Housing and Community Development. The bill would also require that the proposed plan amendment contain specified provisions relating to the indebtedness incurred for redevelopment activities within the transit village development district or for the improvement of affordable housing within the community.
Status: Re-referred to Com. on L.Gov. by unanimous consent, and then be re-referred to Com. on H. & C.D. (last activity 4/10/06)
- AB 60
Nava *Vehicles: bicycles*
Under existing law a driver of a vehicle overtaking another vehicle or a bicycle proceeding in the same direction is required to pass to the left at a safe distance without interfering with the safe operation of the overtaken vehicle or bicycle, subject to certain limitations and exceptions. A violation of this provision is an infraction punishable by a fine not exceeding \$100 for a first conviction, and up to a \$250 fine for a 3rd and subsequent conviction occurring within one year of 2 or more prior infractions. This bill would recast this provision as to overtaking a bicycle by requiring the driver of a motor vehicle overtaking a bicycle that is proceeding in the same direction to pass to the left at a safe distance, at a minimum clearance of 3 feet, without interfering with the safe operation of the overtaken bicycle. The bill would make a violation of this provision an infraction punishable by a \$250 fine. The bill would make it a misdemeanor or felony if a person operates a motor vehicle in violation of the above requirement and that conduct proximately causes a significant or substantial physical injury, or death to the bicycle operator.
Status: In Asm. Com. on Trans: Set, first hearing. Hearing canceled at the request of author. (last activity 4/16/07)
- AB 842
Jones *Regional plans: traffic reduction*
(1) Existing law authorizes the California Transportation Commission to establish guidelines for the preparation of regional transportation plans. This bill would require the commission to update its guidelines for the preparation of regional transportation plans, including a requirement that each regional transportation plan provide for a 10% reduction in the growth increment of vehicle miles traveled. (2) Existing law, the Housing and Emergency Shelter Trust Fund Act of 2006, authorizes the issuance of bonds in the amount of \$2,850,000,000 pursuant to the State General Obligation Bond Law. Proceeds from the sale of these bonds are required to be used to finance various existing housing programs, capital outlay related to infill development, brownfield cleanup that promotes infill development, and housing-related parks. The act establishes the Housing and Emergency Shelter Trust Fund of 2006 in the State Treasury, requires the sum of \$850,000,000 to be deposited in the Regional Planning, Housing, and Infill Incentive Account, which the act establishes in the fund, and makes the money in the account available, upon appropriation, for infill incentive grants for capital outlay related to infill housing development and other related infill development, and for brownfield cleanup that promotes infill housing development and other related infill development consistent with regional and local plans, subject to the conditions and criteria that the Legislature may provide in statute. The act requires the amount of \$300,000,000 to be deposited in the Transit-Oriented Development Account, which the act establishes in the fund, for transfer to the Transit-Oriented Development Implementation Fund, for expenditure, upon appropriation by the Legislature,

pursuant to the Transit-Oriented Development Implementation Program established under the act. This bill would require an unspecified sum to be made available, upon appropriation, from the Regional Planning, Housing, and Infill Incentive Account to the Department of Housing and Community Development to fund grants to assist agencies of local government in the planning and production of infill housing. The bill would also require an unspecified sum to be allocated from the Transit-Oriented Development Account to the Transit-Oriented Development Implementation Program, in the amount of an unspecified sum for loans and an unspecified sum for grants. The bill would also require the department, in ranking applications received for infill housing and the Transit-Oriented Development Implementation Program, to award a substantial preference to applications for projects that meet specified criteria.

Status: Re-referred to Asm. Com. on H. & C. D. (last activity 4/24/07)

AB 867
Davis

Traffic analysis zones

Existing law provides for the designation of transportation planning agencies in regions throughout the state with various transportation planning and other related responsibilities. Existing federal law provides for the designation of metropolitan planning organizations with various planning responsibilities, including certain transportation planning duties. Transportation planning activities of these entities, and in certain cases other entities such as county transportation commissions or authorities, include development of a regional transportation plan and a regional transportation improvement program. This bill would require each metropolitan planning organization and each regional transportation planning agency, as applicable, serving an area with a population in excess of 300,000, in developing the regional transportation plan, to factor the mobility of low-income and minority residents into its computer analysis of traffic analysis zones (TAZs) used to estimate travel behavior and traffic generation as part of the transportation demand model, and to make a direct comparison between low-income and non-low-income TAZs and between minority and nonminority TAZs. The bill would require the results of the comparison to be published and made available to the public, and to be added as an addendum to the regional transportation plan.

Status: In Sen. APPR Com: Set, first hearing. Held under submission. (last activity 8/30/07)

AB 1181
Blakeslee

Local government: transportation planning

Existing law, for purposes of the Transportation Fund, designates specified entities as the transportation planning agencies for areas within the state. This bill would make a technical, nonsubstantive change to this provision.

Status: Read first time. (last activity 2/26/07)

AB 1221
Ma

Transit village developments: tax increment financing

Existing law authorizes a city or county to create a transit village plan for a transit village development district. Existing law requires a transit village plan to include all land within not less than 1/4 mile of the exterior boundary of the parcel on which is located a transit station, as defined, and to include any 5 of the specified demonstrable public benefits. Existing law also encourages local, regional, and state plans to direct new development close to transit stations by providing financial incentives to implement these plans. This bill would increase the area included in a transit village plan to include up to 1/2 mile of the exterior boundary of the parcel on which is located a transit station. This bill would also allow a city or county that prepares a transit village plan, with the agreement of every governmental entity that may receive property taxes within the transit village district and at least one governmental entity that owns and operates a transit station in the transit village district, regardless of whether it may collect property taxes, to engage in tax increment financing, as provided, to fulfill the goals of a transit development plan. The bill also allows a transit village plan and tax increment financing under the plan to address and provide for housing in the transit village district, subject to certain conditions.

Status: In Sen. Com. on L. Gov: Set, first hearing. Hearing canceled at the request of author. (last activity 6/27/07)

AB 1350
Nunez

Transportation bond funds

Existing law, the Highway Safety, Traffic Reduction, Air Quality, and Port Security Bond Act of 2006, approved by the voters as Proposition 1B in the November 2006 general election, establishes

the Highway Safety, Traffic Reduction, Air Quality, and Port Security Fund of 2006 in the State Treasury. Specified moneys in the fund are required to be deposited in the Transit System Safety, Security, and Disaster Response Account to be made available, upon appropriation by the Legislature, for capital projects that provide increased protection against a security and safety threat, and for capital expenditures to increase the capacity of transit operators to develop disaster response transportation systems. This bill would require these funds to be allocated to transit operators for eligible projects, as defined, based on various formulas, and would require funds to be allocated by the Office of Emergency Services in consultation with the Office of Homeland Security. An eligible applicant would be required to annually advise the Office of Emergency Services of the applicant's need for funding in the following fiscal year, and the office would submit a request to the Department of Finance and to the legislative budget committees in that regard. The bill would enact other related provisions.

Status: In Sen. APPR Com: Hearing postponed by committee. (last activity 8/20/07)

AB 1358
Leno

Planning: circulation element: transportation

(1) Existing law requires the legislative body of each county and city to adopt a comprehensive, long-term general plan for the physical development of the county or city with specified elements, including a circulation element consisting of the general location and extent of existing and proposed major thoroughfares, transportation routes, terminals, any military airports and ports, and other local public utilities and facilities, all correlated with the land use element of the plan. This bill would require, commencing January 1, 2010, that the legislative body of a city or county, upon any revision of the circulation element of the general plan, modify the circulation element to accommodate the safe and convenient travel of users of streets, roads, and highways, defined to include motorists, pedestrians, bicyclists, children, persons with disabilities, seniors, movers of commercial goods, and users of public transportation, in a manner that is suitable to the rural, suburban, or urban context of the general plan. By requiring new duties of local officials, this bill would impose a state-mandated local program. (2) Existing law establishes in the office of the Governor the Office of Planning and Research with duties that include developing and adopting guidelines for the preparation of and content of mandatory elements required in city and county general plans. This bill would require the office, on or before January 1, 2009, to prepare or amend guidelines for a legislative body to accommodate the safe and convenient travel of users of streets, roads, and highways in a manner that is suitable to the rural, suburban, or urban context of the general plan, and in doing so to consider how appropriate accommodation varies depending on its transportation and land use context. It would authorize the office, in developing these guidelines, to consult with leading transportation experts, including, but not limited to, bicycle transportation planners, pedestrian planners, public transportation planners, local air quality management districts, and disability and senior mobility planners.

Status: Withdrawn from committee. Ordered placed on third reading file. (last activity 9/10/07)

AB 1581
Fuller

Traffic-actuated signals: bicycles: motorcycles

Existing law provides for official traffic control devices. This bill would include as an official traffic control device a traffic-actuated signal that displays one or more of its indications in response to the presence of traffic detected by mechanical, visual, electrical, or other means. Upon the first placement of a traffic-actuated signal or replacement of the loop detector of a traffic-actuated signal, the signal would have to be installed and maintained, to the extent feasible and in conformance with professional engineering practices, so as to detect lawful bicycle or motorcycle traffic on the roadway. Cities and counties would not be required to comply with those requirements until the Department of Transportation has established uniform standards, specifications, and guidelines for the detection of bicycles and motorcycles by traffic-actuated signals and related signal timing. The Commission on State Mandates would be required to consult with the Department of Transportation regarding mandate claims relating to these provisions. This bill would provide that its provisions would remain in effect until January 1, 2018, and would be repealed on that date. By imposing new duties on local government, this bill would impose a state-mandated local program upon local governments.

Status: CHAPTERED

- AB 1637
DeSaulnier *Public transportation: subsidies for low-income riders*
Existing law provides various sources of funding to public transit operators. Under the Mills-Alquist-Deddeh Act, also known as the Transportation Development Act (TDA), revenues from a 1/4% sales tax in each county are available, among other things, for allocation by the transportation planning agency to transit operators. Under the State Transit Assistance (STA) Program, a portion of revenues in the Public Transportation Account in the State Transportation Fund is allocated by the Controller by formula to each transportation planning agency, and those funds are allocated to transit operators by the agency. One of the formulas used to allocate funds is based on fare revenue generated by a transit operator compared to fare revenues generated by all transit operators. Existing law specifies the allowable uses of these transit funds. This bill would authorize a transit operator to use TDA and STA funds specifically to provide discount fares for qualifying low-income riders. The bill would allow STA funds used by an operator for this purpose to count as fare revenue for the purpose of determining the operator's allocation that is based on the above-described fare revenue formula. The bill would also authorize operators to file claims for TDA funds for special transit services for low-income persons, such as shuttles. The bill would enact other related provisions.
Status: In Asm. Com. on Trans: Set, first hearing. Hearing canceled at the request of author. (last activity 4/23/07)
- AB 1672
Nunez *California Transportation Commission*
(1) Existing law, the Highway Safety, Traffic Reduction, Air Quality, and Port Security Bond Act of 2006, approved by the voters as Proposition 1B in the November 2006 general election, establishes the Highway Safety, Traffic Reduction, Air Quality, and Port Security Fund of 2006 in the State Treasury. Existing law requires specified moneys in the fund to be deposited in designated accounts and funds to be available, upon appropriation by the Legislature, for allocation by the California Transportation Commission for certain transportation-related purposes. This bill would require the commission to provide written notification to the chairs of the appropriate policy committees of the Legislature not less than 30 days prior to adopting changes to any guidelines for the expenditure of funds pursuant to the Highway Safety, Traffic Reduction, Air Quality and Port Security Act of 2006.
(2) Existing law creates the California Transportation Commission, with specified powers and duties relating to allocation of transportation capital funds through the state transportation improvement program process and various other responsibilities. Existing law provides for a commission of 11 members, with 9 members appointed by the Governor with the advice and consent of the Senate and 2 ex officio nonvoting legislative members. Voting members serve terms of 4 years. This bill would expand the commission to 13 members, with one additional voting member each appointed by the Speaker of the Assembly and the Senate Committee on Rules, who would not be subject to Senate confirmation. The bill would also require vacancies to be filled by the appointing authority, as specified.
Status: CHAPTERED
- SB 47
Perata *Transportation bonds*
Proposition 1B, approved by the voters at the November, 2006, general election enacts the Highway Safety, Traffic Reduction, Air Quality, and Port Security Bond Act of 2006, which authorizes the issuance of \$19.925 billion of general obligation bonds for various transportation purposes, including \$1 billion for the State-Local Partnership Program, to be allocated by the California Transportation Commission to eligible transportation projects nominated by transportation agencies, subject to appropriation by the Legislature. Existing law requires a dollar for dollar match of local funds for projects funded with these bond funds. This bill would state the intent of the Legislature to enact provisions governing project eligibility, matching fund requirements, and the application process relative to allocation of bond proceeds to the State-Local Partnership Program.
Status: To Com. on Rls. (last activity 1/18/07)
- SB 375
Steinberg *Transportation planning: travel demand models: sustainable communities strategy: environmental review*
(1) Existing law requires certain transportation planning activities by the Department of Transportation and by designated regional transportation planning agencies, including development of a regional transportation plan. Existing law authorizes the California Transportation Commission,

in cooperation with the regional agencies, to prescribe study areas for analysis and evaluation. This bill would require the commission, by July 1, 2008, to adopt guidelines for travel demand models used in the development of regional transportation plans by certain transportation planning entities. The bill would require the Department of Transportation to assist the commission, on request, in this regard, and would impose other related requirements. This bill would also require the regional transportation plan for specified regions to include a sustainable communities strategy, as specified, designed to achieve certain goals for the reduction of greenhouse gas emissions from automobiles and light trucks in a region. The bill would require the State Air Resources Board, working in consultation with the affected transportation agencies, to provide each affected region with greenhouse gas emission reduction targets from the automobile and light truck sector for 2020 and 2035 by January 1, 2009, and to update the regional targets, as specified, until 2050. The bill would require certain transportation planning and programming activities by affected regional agencies to be consistent with the sustainable communities strategy contained in the regional transportation plan, but would state that certain transportation projects programmed for funding on or before December 31, 2011, are not required to be consistent with the sustainable communities strategy. To the extent the sustainable communities strategy is unable to achieve the greenhouse gas emissions reduction targets, the bill would require affected regional agencies to prepare a supplement to the sustainable communities strategy that would achieve the targets through alternative development patterns or additional transportation measures. The bill would also require an affected regional agency to submit a report to the California Transportation Commission on the relationship of each project in the regional transportation improvement program to the regional transportation plan and supplement adopted by the regional agency. The bill would enact other related provisions. Because the bill would impose additional duties on local agencies, it would impose a state-mandated local program

(2) The California Environmental Quality Act (CEQA) requires a lead agency, as defined, to prepare, or cause to be prepared, and certify the completion of, an environmental impact report (EIR) on a project that it proposes to carry out or approve that may have a significant effect on the environment or to adopt a negative declaration if it finds that the project will not have that effect. CEQA also requires a lead agency to prepare a mitigated negative declaration for a project that may have a significant effect on the environment if revisions in the project would avoid or mitigate that effect and there is no substantial evidence that the project, as revised, would have a significant effect on the environment. This bill would require the environmental document prepared pursuant to CEQA to only examine the significant or potentially significant project specific impacts of a project located in a local jurisdiction that has amended its general plan so that the land use, housing, and open-space elements of the general plan are consistent with the sustainable communities strategy most recently adopted by the transportation planning agency, pursuant to the requirements specified in the bill, if the project meets certain requirements. The bill would provide that no additional review is required pursuant to CEQA for a project if the legislative body of a local jurisdiction that has amended its general plan, as provided above, finds, after conducting a public hearing, that the project meets certain criteria and is declared to be a sustainable communities project. The bill would also authorize the legislative body of a local jurisdiction to adopt traffic mitigation measures for future residential projects that meet specified criteria. The bill would exempt such a residential project seeking a land use approval from compliance with additional measures for traffic impacts, if the local jurisdiction has adopted those traffic mitigation measures.

Status: Read second time. Amended. Re-referred to Asm. Com. on APPR. (last activity 9/12/07)

SB 872
Ackerman

State-Local Partnership Program

Existing law provides various sources of funding for transportation capital projects. Proposition 1B, approved by the voters at the November 7, 2006, statewide general election, enacts the Highway Safety, Traffic Reduction, Air Quality, and Port Security Bond Act of 2006, which authorizes the issuance of \$19.925 billion of general obligation bonds for various transportation purposes, including \$1 billion for the State-Local Partnership Program Account, to be allocated by the California Transportation Commission over a 5-year period to eligible transportation projects nominated by transportation agencies, subject to appropriation by the Legislature. This bill would create the State-Local Partnership Program and state the intent of the Legislature to appropriate \$200,000,000 per year for 5 years beginning in the 2010-11 fiscal year. The bill would provide for allocation of state funds to eligible highway and mass transit guideway projects nominated by local agencies that are to

be funded with at least 50% of local funds derived from a locally imposed transportation sales tax. The bill would specify the process for applying for, receiving, and expending these funds. The bill would state the intent of the Legislature in that regard.

Status: Set, first hearing. Held in Sen. APPR Com. and under submission. (last activity 5/31/07)