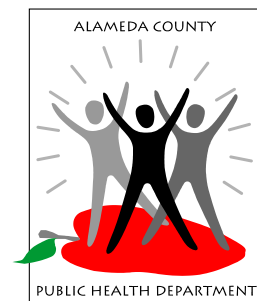


Public Health Legislation from the 2014 California Legislative Session

Prepared by Pam Willow, January, 2015

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 passed and signed into law during the 2014 session of the California State Legislature and is organized by Health Care Services Agency Departments, Public Health Department Divisions and by the social determinants of health (criminal justice, economic development, income, education, housing land use and transportation). Two new sections were added this year – Climate Change and Immigration. All bills are included only once under the most appropriate category, although many could appropriately be included in more than one category. You may want to browse other sections to make sure you haven't missed a bill that is of importance to you.

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.

Unless otherwise indicated, all legislation will become effective on January 1, 2015.

Legislative Council

This document was prepared under the auspices of the Alameda County Public Health Department Legislative Council. The Legislative Council is comprised of twelve active members from the following departments, divisions, and areas: Health Care Services, Behavioral Health Care Services, Environmental Health, Administrative Services, Community Health Services, Communicable Disease Control & Prevention, Emergency Medical Services, Family Health Services, Public Health Nursing, the Office of AIDS, Office of the Director, and Office of the Health Officer. 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.

Health Care Services Agency

AB 334	Alameda Health System hospital authority	8
AB 357	Medi-Cal Children's Health Advisory Panel	8
AB 369	Continuity of Care	8
AB 467	Prescription drugs: collection and distribution program	9
AB 496	Medicine: continuing medical education: sexual orientation, gender identity, and gender expression	9
AB 505	Medi-Cal: managed care: language assistance services	10
AB 617	California Health Benefit Exchange: appeals	10
AB 1124	Medi-Cal: reimbursement rates	10
AB 1727	Prescription drugs: collection and distribution program	11
AB 1755	Medical information	11
AB 1812	Health facilities: information: disclosure	11
AB 1967	Drug Medi-Cal	12
AB 1974	Health facilities: special services	12
AB 2051	Medi-Cal: providers: affiliate primary care clinics	12
AB 2557	Hospitals: seismic safety	13
AB 2632	Care facilities	13
AB 2706	Schools: health care coverage: enrollment assistance	14
SB 18	Medi-Cal renewal	14
SB 20	Individual health care coverage: enrollment periods	15
SB 508	Medi-Cal: eligibility	15
SB 959	Health care coverage	16
SB 964	Health care coverage	17
SB 972	California Health Benefit Exchange: board: membership	18
SB 1034	Health care coverage: waiting periods	18
SB 1052	Health care coverage	19
SB 1053	Health care coverage: contraceptives	19
SB 1089	Medi-Cal: juvenile inmates	20
SB 1161	Drug Medi-Cal	20
SB 1276	Health care: fair billing policies	20
SB 1315	Medi-Cal: providers	21
SB 1340	Health care coverage: provider contracts	22
SB 1352	Alameda Health System	22
SB 1446	Health care coverage: small employer market	22
SB 1465	Health	23

Behavioral Health Care Services

AB 1271	School safety plans: pupil mental health care	26
AB 1340	Enhanced treatment programs	26
AB 1790	Foster children: mental health services	27
AB 1847	Mental health disorders: language	27
AB 2213	Behavioral health care licenses	27
AB 2374	Substance abuse: recovery and treatment services	28
AB 2679	County mental health services: baseline reports	29
SB 578	Behavioral sciences: records retention	29
SB 973	Narcotic treatment programs	29
SB 1045	Medi-Cal Drug Treatment Program	30
SB 1339	Medi-Cal: Drug Medi-Cal Treatment Program providers	30

Environmental Health Services

AB 380	Spill response for railroads	31
AB 896	Wildlife management areas: mosquito abatement	31
AB 1414	Pasteurized in-shell eggs: labeling	31
AB 1642	Pest control: Pierce's disease	32
AB 1965	Outdoor dining facilities: pet dogs	32
AB 2130	Retail food safety	32
AB 2539	Certified farmers' markets	33
SB 270	Solid waste: single-use carryout bags	33
SB 445	Underground storage tanks: hazardous substances: petroleum: groundwater and surface water contamination	35
SB 712	Hazardous waste facility: permitting: interim status	38
SB 1117	Pesticide Contamination Prevention Act	38
SB 1167	Vector control	39
SB 1332	Pesticides: carbon monoxide pest control devices	39
SB 1395	Public beaches: inspection for contaminants	39
SB 1458	Hazardous substances	40

Community Health Services

AB 1174	Dental professionals	42
AB 1733	Public records: fee waiver	42
AB 1787	Airports: commercial operations: lactation accommodation	43
AB 1819	Family day care home: smoking prohibition	43
AB 1928	Alcoholic beverages: coupons: beer	43
AB 2004	Alcoholic beverage sales: beer manufacturers	44
AB 2073	Alcoholic beverage control: public schoolhouses	44
AB 2182	Alcoholic beverages control: winegrowers: wine sales event permits	45
AB 2203	Alcoholic beverages: beer labeling	45
AB 2413	The Office of Farm to Fork	45
AB 2488	Alcoholic beverages: certified farmers' market sales permit	45
AB 2690	Driving under the influence	46
SB 1245	The Dental Hygiene Committee of California	46
SB 1266	Pupil health: epinephrine auto-injectors	46
SB 1416	Dentistry: fees	47

Communicable Disease Control and Prevention

AB 966	Prisoner Protections for Family and Community Health Act	48
AB 1667	Tuberculosis testing in schools	48
AB 1743	Hypodermic needles and syringes	48
AB 1898	Public health records: reporting: HIV/AIDS	48
AB 2069	Immunizations: influenza	49
AB 2425	Laboratories: review committee	49

Emergency Medical Service

AB 2217	Pupil and personnel health: automated external defibrillators	51
AB 2399	Organ and tissue donor registry: driver's license information	51

SB 1127	Emergency Services: individuals with developmental disabilities and cognitive impairments	51
SB 1211	Emergency services: Next Generation 911	51
SB 1417	Emergency Management Assistance Compact	52

Family Health Services

AB 388	Juveniles	53
AB 1089	Foster care	54
AB 1523	Residential care facilities for the elderly: liability insurance	54
AB 1559	Newborn screening program	54
AB 1570	Residential care facilities for the elderly	55
AB 1572	Residential care facilities for the elderly: resident and family councils	55
AB 1579	CalWORKs: pregnant women	56
AB 1595	State Council on Developmental Disabilities	56
AB 1628	Visitation rights: grandparent rights	57
AB 1658	Foster care: consumer credit reports	57
AB 1687	Persons with Developmental Disabilities Bill of Rights	58
AB 1761	Dependent children: placement	58
AB 1775	Child Abuse and Neglect Reporting Act: sexual abuse	59
AB 1843	Child custody evaluations: confidentiality	59
AB 1899	Residential care facilities for the elderly	60
AB 1944	Child care: administration: preferred placement of children of 11 or 12 years of age	60
AB 1978	Child welfare services	61
AB 2044	Residential care facilities for the elderly	61
AB 2171	Residential care facilities for the elderly	61
AB 2228	Crisis nurseries	62
AB 2379	Abuse of elders and dependent adults: multidisciplinary teams	62
AB 2454	Foster youth: nonminor dependents	62
AB 2621	Child day care facilities: licensing information	63
AB 2668	Foster care: nonminor dependent program	63
SB 577	Autism and other developmental disabilities: employment	64
SB 878	In-home supportive services: onsite provider orientation	64
SB 895	Residential care facilities for the elderly	65
SB 911	Residential care facilities for the elderly	65
SB 1093	Developmental services: regional centers: culturally and linguistically competent services	66
SB 1099	Dependent children: wards of the juvenile court: sibling visitation	67
SB 1136	Foster care providers: criminal records	68
SB 1153	Residential care facilities for the elderly	69
SB 1382	Residential care facilities for the elderly	69
SB 1445	Developmental services: regional centers: individual program plans: telehealth	69
SB 1460	Child welfare	70

Public Health Administration

AB 548	Public postsecondary education: community college registered nursing programs	72
AB 1577	Certificates of death: gender identity	72

AB 1951	Vital records: birth certificates	72
---------	-----------------------------------	----

Climate Change

AB 52	Native Americans: California Environmental Quality Act	74
AB 1179	Recycling: waste tires: public works projects	74
AB 1447	California Global Warming Solutions Act of 2006: Greenhouse Gas Reduction Fund: traffic synchronization	75
AB 1471	Water Quality, Supply, and Infrastructure Improvement Act of 2014	75
AB 1721	Vehicles: high-occupancy vehicle lanes	76
AB 1811	High-occupancy vehicle lanes	76
AB 2013	Vehicles: high-occupancy lanes	76
AB 2067	Urban water management plans	76
AB 2082	Forest practices: resource conservation standards: stocking standards	77
AB 2100	Common interest developments: yard maintenance: fines: drought	77
AB 2137	Energy efficiency programs: information available for small businesses	77
AB 2414	Parking facilities: electric vehicle charging	78
AB 2565	Rental property: electric vehicle charging stations	78
AB 2636	CalConserve Water Use Efficiency Revolving Fund	79
SB 104	Drought Relief	79
SB 985	Stormwater resource planning	81
SB 1036	Urban water management plans	82
SB 1275	Vehicle retirement and replacement: Charge Ahead California Initiative	82
SB 1414	Electricity: demand response	83
SB 1420	Water management: urban water management plans	83

Criminal Justice and Public Safety

AB 319	Local agencies: domestic violence	85
AB 579	Mandatory supervision	85
AB 1014	Gun violence restraining orders	85
AB 1276	Youth offenders: security placement	87
AB 1512	Corrections: inmate transfers	87
AB 1547	Domestic Violence Advisory Council	88
AB 1585	Human trafficking	88
AB 1591	Firearms: prohibited persons: notification	88
AB 1609	Firearms	88
AB 1610	Material witnesses: human trafficking	89
AB 1618	Juveniles: case file inspection	89
AB 1623	Family justice centers	89
AB 1629	Crime victims: compensation: reimbursement of violence peer counseling Expenses	90
AB 1791	Prostitution: minors	90
AB 1850	Restraining orders	90
AB 1860	Peace officers: basic training requirements	90
AB 1900	Victims of sex crimes: testimony: video recording	91
AB 1964	Unsafe handguns: single-shot pistols	91
AB 2089	Domestic violence: protective orders	91
AB 2300	Firearms: Prohibited Armed Persons File	92

AB 2396	Convictions: expungement licenses	92
AB 2411	Probation and parole	92
AB 2424	Prostitution	92
AB 2499	Offenders: home detention programs	93
AB 2570	Prisons: California Rehabilitation Oversight Board	94
AB 2607	Juveniles: detention	94
AB 2623	Peace officer standards and training	95
AB 2645	Probation: mandatory supervision: transfer of case	95
AB 2685	Crime Victim Compensation and Government Claims Board	95
SB 505	Peace officers: welfare checks: firearms	96
SB 833	Jails: discharge of prisoners	96
SB 838	Juveniles: sex offenses	96
SB 846	Crimes: Violent Crime Information Center	97
SB 910	Domestic violence: restraining orders	97
SB 939	Criminal jurisdiction	97
SB 955	Interception of electronic communications	98
SB 977	Juveniles	98
SB 978	Rape victims: local rape victim counseling centers: notice	99
SB 1015	Inmates	99
SB 1038	Juveniles: dismissal of petition	99
SB 1054	Mentally ill offender crime reduction grants	100
SB 1135	Inmates: sterilization	100
SB 1310	Misdemeanors: maximum sentence	101
SB 1388	Human trafficking	101
SB 1391	Community colleges: inmate education programs: computation of Apportionments	101
SB 1461	Public Safety	102

Economic Development and Income

AB 26	Construction: prevailing wage	104
AB 229	Local government: infrastructure and revitalization financing districts	104
AB 674	Microenterprise	104
AB 1522	Healthy Workplaces, Healthy Families Act of 2014	105
AB 1556	Unemployment insurance	105
AB 1723	Employees: wages	106
AB 1797	California Workforce Investment Board	106
AB 1870	Public works: prevailing wage: multiemployer apprenticeship program grants	106
AB 2022	Public contracts: Target Area Contract Preference Act	107
AB 2053	Employment discrimination or harassment: education and training: abusive Conduct	107
AB 2060	Supervised Population Workforce Training Grant Program	107
AB 2148	Workforce development: annual workforce metrics dashboard	108
AB 2272	Public works: prevailing wages	108
AB 2288	Child Labor Protection Act of 2014	108
AB 2292	Infrastructure financing districts: broadband	109
AB 2618	Property and business improvement areas: benefit assessments	109
AB 2743	Employment wages	109
AB 2744	Public works: apprenticeship program	110
AB 2749	Economic development	110
SB 266	Prevailing wages	111

SB 614	Local government: jurisdictional changes: infrastructure financing	111
SB 628	Enhanced infrastructure financing districts	112
SB 1141	Unemployment insurance: use of information	113
SB 1314	Unemployment insurance benefits: determination appeals	113

Education

AB 215	School employees: dismissal or suspension: hearings	114
AB 420	Pupil discipline: suspensions and expulsions and expulsions: willful defiance	115
AB 834	Private postsecondary education: School Performance Fact Sheets	115
AB 1432	Mandated child abuse reporting: school employees: training	115
AB 1433	Student safety	116
AB 1442	Pupil records: social media	117
AB 1455	Pupils: bullying: counseling services	117
AB 1590	Student financial aid: Cal Grant Program	117
AB 1599	Education: omnibus bill	118
AB 1643	Pupil attendance: school attendance review boards	120
AB 1668	Educational facilities: California Educational Facilities Authority	120
AB 1719	Kindergarten: evaluation and annual reporting	121
AB 1806	Pupil services: homeless children or youth	121
AB 1817	Voter registration: high school pupils	122
AB 1840	Pupil health: vision appraisal	123
AB 1851	School attendance: interdistrict attendance	123
AB 1930	CalFresh: student eligibility	123
AB 1942	Community colleges: accreditation	124
AB 1993	Pupils: bullying	124
AB 2141	Pupil attendance: truancy: referrals for prosecution	124
AB 2160	Cal Grant Program: grade point average	125
AB 2195	Juveniles: truancy	125
AB 2350	Postsecondary education: Equity in Higher Education Act: prevention of pregnancy discrimination	126
AB 2377	Student loans: California Student Loan Refinancing Program	126
AB 2382	CalWORKs: eligibility: truancy	127
AB 2560	Teacher credentialing: applications: child abuse reporting	128
SB 173	Education funding: adult education	128
SB 174	Student financial aid: Cal Grant Program	129
SB 267	Pupil assessment: high school exit examination: eligible pupils with disabilities	129
SB 384	California Memorial Scholarship Program	130
SB 798	Income taxes: credits: contributions to education funds	130
SB 845	Postsecondary education: electronic disbursement of student financial aid	130
SB 850	Public postsecondary education: community college districts: baccalaureate	131
SB 915	Standardized testing: inadequate or improper test conditions	131
SB 949	After school programs: Distinguished After School Health Recognition Program	132
SB 1022	Public postsecondary education: labor market outcomes information	132
SB 1023	Community colleges: foster youth	133
SB 1028	Student financial aid: Cal Grant C awards	133
SB 1060	School employees: professional growth	134
SB 1172	Pupil health: vision appraisals	134
SB 1200	Public postsecondary education: academic standards	135
SB 1221	After school programs	135
SB 1271	Personal Income Tax Law: cancellation of indebtedness: student loan forgiveness	137

SB 1296	Juveniles: contemptuous habitual truants	137
---------	--	-----

Housing

AB 523	Department of Housing and Community Development: loans	139
AB 1537	General plan housing element: regional housing need	139
AB 1690	Local planning: housing elements	139
AB 1793	Redevelopment housing successor: report	140
AB 1929	California Housing Finance Agency: MHSA funding: special needs housing for persons with mental illness	140
AB 2135	Surplus land: affordable housing	141
AB 2161	Affordable housing	142
AB 2222	Housing density bonus	142
AB 2753	Housing	142
SB 1252	Public social services: former foster youth: transitional housing	143

Immigration

AB 1660	Driver's licenses: nondiscrimination	144
SB 477	Foreign labor contractors: registration	144
SB 873	Human Services	145
SB 1210	Postsecondary education: California DREAM Loan Program	148

Land Use and Transportation

AB 471	Local government: redevelopment: successor agencies to redevelopment agencies	150
AB 745	Regional park and open-space districts: general manager: powers	151
AB 1193	Bikeways	151
AB 1963	Redevelopment	151
AB 2008	Transit village plans: goods movement	152
AB 2752	Transportation	152
SB 486	Department of Transportation: goals and performance measures	153
SB 674	California Environmental Quality Act: exemption: residential infill projects	154
SB 1134	Vehicles: public transit buses: illuminated signs	154
SB 1183	Vehicle registration fees: surcharge for bicycle infrastructure	155
SB 1433	Local Agency Public Construction Act: transit design-build contracts	155

Health Care Services Agency

- AB 334 *Alameda Health System hospital authority*
Buchanan Existing law authorizes the board of supervisors of Alameda County to establish an independent hospital authority strictly and exclusively dedicated to the management, administration, and control of the group of public hospitals, clinics, and programs that comprise the Alameda County Medical Center. Existing law, commencing January 1, 2015, authorizes the board to establish an independent hospital authority for the Alameda Health System, formerly known as the Alameda County Medical Center, and makes conforming changes. Existing law sets forth the powers and duties of the hospital authority, including, but not limited to, the power to contract for services required to meet its obligations. Existing law prohibits the hospital authority from entering into any contract with any private person or entity before January 1, 2024, to replace services being provided by physicians and surgeons who are employed by the hospital authority and in a recognized collective bargaining unit as of March 31, 2013, with services provided by a private person or entity without clear and convincing evidence that the needed medical care can only be delivered cost effectively by a private contractor. This bill would, until January 1, 2015, instead prohibit the Alameda County Medical Center, and after that date, would prohibit the hospital authority, from entering into any contract with any other person or entity, including, but not limited to, a subsidiary or other entity established by the authority, to replace the services described above with services provided by that other person or entity without clear and convincing evidence that the needed medical care can only be delivered cost effectively by that other person or entity. This bill would declare that it is to take effect immediately as an urgency statute.
- AB 357 *Medi-Cal Children's Health Advisory Panel*
Pan Existing law requires the state to implement and administer various child health and disease prevention programs. Existing law establishes the Healthy Families Advisory Board, a 15-member advisory panel appointed by the Managed Risk Medical Insurance Board. Existing law provides for the transition of children from the Healthy Families Program to Medi-Cal, including the transfer of the Healthy Families Advisory Board to the State Department of Health Care Services. This bill would repeal the Healthy Families Advisory Board and instead rename and recast the board as the Medi-Cal Children's Health Advisory Panel, an independent, statewide advisory body composed of 15 members charged with advising the State Department of Health Care Services on matters relevant to all children enrolled in Medi-Cal and their families, as specified. The bill would require that panel members, except as otherwise specified, be appointed by the department. The bill would specify the powers and duties of the panel and the department in this regard and would require that the department submit, on or before January 1, 2018, a report to the Legislature on the advisory panel's accomplishments, effectiveness, efficiency, and any recommendations for statutory changes needed to improve the ability of the advisory panel to fulfill its purpose.
- AB 369 *Continuity of care*
Pan 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. Existing law requires a health care service plan or a health insurer to provide for the completion of covered services by a terminated provider for enrollees or insureds who were receiving services from the provider for a specified condition at the time of the contract or policy termination. Existing law also requires a health care service plan to provide for the completion of covered services by a nonparticipating provider to a newly covered enrollee who, at the time his or her coverage became effective, was receiving services from that provider for a specified condition. Existing law specifies that this provision does not apply to a newly covered enrollee under an individual subscriber agreement. This bill would

require a health care service plan and a health insurer to arrange for the completion of covered services by a nonparticipating provider for a newly covered enrollee and a newly covered insured under an individual health care service plan contract or an individual health insurance policy whose prior coverage was withdrawn from the market between December 1, 2013, and March 31, 2014, inclusive, as specified. This bill would declare that it is to take effect immediately as an urgency statute.

AB 467
Stone

Prescription drugs: collection and distribution program

Existing law authorizes a county to establish, by ordinance, a repository and distribution program under which specified pharmacies and primary care clinics may distribute surplus unused medications, as defined, to persons in need of financial assistance to ensure access to necessary pharmaceutical therapies. Existing law authorizes specified health and care facilities, pharmacies, drug manufacturers, and pharmacy wholesalers to donate unused medications to the program. Existing law requires a county that has established a program to establish procedures to, among other things, ensure proper safety and management of any medications collected and maintained by a participating entity. Existing law exempts specified persons and entities, including prescription drug manufacturers and pharmacists and physicians who accept or dispense prescription drugs, from criminal and civil liability for injury caused when donating, accepting, or dispensing prescription drugs in compliance with these provisions. Existing law, the Pharmacy Law, governs the scope and practice of pharmacy, including dispensing dangerous drugs and devices. Existing law establishes in the Department of Consumer Affairs the California State Board of Pharmacy to exercise licensing, regulatory, and disciplinary functions with respect to the practice of pharmacy. Existing law provides that fees collected on behalf of the board are credited to the Pharmacy Board Contingent Fund, a continuously appropriated fund. A violation of the Pharmacy Law is a crime. This bill would require the California State Board of Pharmacy to license a surplus medication collection and distribution intermediary, as defined, established for the purpose of facilitating the donation of medications to or transfer of medications between participating entities under the unused medication repository and distribution program described above. Among other things, the bill would prohibit that intermediary from taking possession, custody, or control of dangerous drugs and devices, but would authorize the intermediary to charge specified fees for the reasonable costs of the support and services provided. The bill would also require a surplus medication collection and distribution intermediary to keep and maintain for 3 years complete records for which the intermediary facilitated the donation of medications to or transfer of medications between participating entities. The bill would require that a surplus medication collection and distribution intermediary license be renewed annually, and would require the payment of a fee in the amount of \$300 to obtain or renew the license. The bill would provide that the fees collected would be deposited in the Pharmacy Board Contingent Fund. By providing a new source of funds for a continuously appropriated fund, the bill would make an appropriation. Because a violation of the provisions governing licensing and recordkeeping would be crimes, the bill would impose a state-mandated local program. The bill would exempt a surplus medication collection and distribution intermediary from criminal or civil liability for injury caused when facilitating the donation of medications to or transfer of medications in compliance with these provisions.

AB 496
Gordan

Medicine: Continuing medical education: sexual orientation, gender identity, and gender expression

Existing law, the Medical Practice Act, provides for the licensure and regulation of physicians and surgeons by the Medical Board of California. Under the act, a physician and surgeon is required to demonstrate satisfaction of continuing education requirements. Existing law requires all continuing medical education courses on or after July 1, 2006, to contain curriculum that includes cultural and linguistic competency, as defined, in the practice of medicine. Existing law requires accrediting associations to develop standards for compliance with the cultural competency requirement before July 1, 2006, and authorizes the development of these standards

in conjunction with an advisory group that has expertise in cultural and linguistic competency issues, as specified. This bill would authorize the accrediting associations to update these compliance standards, as needed, in conjunction with the advisory group described above. Existing law, for purposes of these provisions, defines cultural competency as a set of integrated attitudes, knowledge, and skills that enables a health care professional or organization to care effectively for patients from diverse cultures, groups, and communities. Existing law recommends that this definition, at a minimum, include, among other things, understanding and applying cultural and ethnic data to the process of clinical care. This bill would expand this recommendation to include, as appropriate, information pertinent to the appropriate treatment of, and provision of care to, the lesbian, gay, bisexual, transgender, and intersex communities.

AB 505 *Medi-Cal: managed care: language assistance services*
Nazarian Existing law provides for the Medi-Cal program, which is administered by the State Department of Health Care Services, under which qualified low-income individuals receive health care services. The Medi-Cal program is, in part, governed and funded by federal Medicaid Program provisions. Under existing law, one of the methods by which Medi-Cal services are provided is pursuant to contracts with various types of managed care plans. This bill would require the department to require all managed care plans contracting with the department to provide Medi-Cal services, except as specified, to provide language assistance services, which includes oral interpretation and translation services, to limited-English-proficient Medi-Cal beneficiaries, as defined. The bill would require the department to determine when a limited-English-proficient population meets the requirement for translation services, as prescribed.

AB 617 *California Health Benefit Exchange: appeals*
Nazarian Existing federal law, the federal Patient Protection and Affordable Care Act (PPACA), enacts various health care coverage market reforms that take effect January 1, 2014. PPACA also requires each state to, by January 1, 2014, establish an American Health Benefit Exchange that facilitates the purchase of qualified health plans by qualified individuals and qualified small employers, as specified. Existing law establishes the California Health Benefit Exchange (Exchange) to implement the federal law. Existing law also requires the board of the Exchange to establish an appeals process for prospective and current enrollees of the Exchange that complies with all of the requirements of the federal act concerning the role of a state Exchange in facilitating federal appeals of Exchange-related determinations. This bill would require the board of the Exchange to contract with the State Department of Social Services to serve as the Exchange appeals entity designated to hear appeals of eligibility or enrollment determination or redetermination for persons in the individual market or exemption determinations within the Exchange's jurisdiction. The bill would establish an appeals process for eligibility or enrollment determinations and redeterminations for insurance affordability programs, as defined, or exemption determinations within the Exchange's jurisdiction, including an informal resolution process, as specified, establishing procedures and timelines for hearings with the appeals entity, and notice provisions. The bill would also establish a process for continuing eligibility for individuals during the appeals process. The bill would make other related changes, and would specify that certain provisions only be implemented to the extent they do not conflict with federal law.

AB 1124 *Medi-Cal: reimbursement rates*
Muratsuchi Existing law states the intent of the Legislature that the State Department of Health Care Services develop Medi-Cal reimbursement rates for clinical laboratory or laboratory services in accordance with specified criteria. Existing law exempts from compliance with a specified regulation laboratory providers reimbursed pursuant to any payment reductions implemented pursuant to these provisions for 21 months following the date of implementation of this reduction, and requires the department to adopt emergency regulations by July 1, 2014. This bill would instead exempt these laboratory providers from compliance with the specified regulation

until July 1, 2015, and would require the department to adopt emergency regulations by June 30, 2016. This bill would declare that it is to take effect immediately as an urgency statute.

AB 1727 *Prescription drugs: collection and distribution program*

Rodriguez Existing law authorizes a county to establish a repository and distribution program under which a pharmacy that is owned by, or contracts with, the county may distribute surplus unused medications, as defined, to persons in need of financial assistance to ensure access to necessary pharmaceutical therapies. Under existing law, only medication that is donated in unopened, tamper-evident packaging or modified unit dose containers that meet the United States Pharmacopoeia standards is eligible for donation to the repository and distribution program. Existing law also prohibits the donation of controlled substances to the repository and distribution program. This bill would also prohibit the donation to a county repository and distribution program of a medication that is the subject of a United States Food and Drug Administration managed risk evaluation and mitigation strategy that prohibits that inventory transfer or requires the inventory transfer to receive prior authorization from the manufacturer of the medication.

AB 1755 *Medical information*

Gomez Existing law requires a clinic, health facility, home health agency, or hospice to prevent unlawful or unauthorized access to, and use or disclosure of, patients' medical information, as defined. Existing law requires the clinic, health facility, home health agency, or hospice to report any unlawful or unauthorized access to, or use or disclosure of, a patient's medical information to the State Department of Public Health and to the affected patient or the patient's representative no later than 5 business days after the unlawful or unauthorized access, use, or disclosure has been detected. Existing law requires that the report to the patient or the patient's representative be made to that person's last known address. Existing law requires these entities to delay the report for specified law enforcement purposes and requires that the delayed report be submitted within 5 days of the end of the delay. Existing law authorizes the State Department of Public Health to assess administrative penalties for violation of these provisions and gives the department discretion to consider all factors when determining the amount of a penalty. This bill would instead require those entities to make those reports no later than 15 business days after the unlawful or unauthorized access, use, or disclosure has been detected and would authorize the report made to the patient or the patient's representative to be made by alternative means, including email, as specified. The bill would also require a delayed report for law enforcement purposes to be made within 15 business days of the end of the delay. The bill would give the department full discretion to consider all factors when determining whether to investigate under these provisions.

AB 1812 *Health facilities: information: disclosures*

Pan Existing law requires health facilities to file specified reports with the Office of Statewide Health Planning and Development. These reports include a Hospital Discharge Abstract Data Record, an Emergency Care Data Record, and an Ambulatory Surgery Data Record, which contain information regarding each patient. Existing law requires the office to maintain a file containing these reports and, subject to any rules the office may prescribe, requires that these reports be produced and made available for inspection upon the demand of any person, with the exception of hospital discharge abstract data that is required to be made available unless the office determines that an individual patient's rights of confidentiality would be violated. Existing law requires the office, notwithstanding any other law, to disclose, upon request, information contained in the above records to any California hospital and any local health department or local health officer. Existing law requires the office to disclose that same information to the National Center for Health Statistics or any other unit of the Centers for Disease Control and Prevention, or the Agency for Healthcare Research and Quality of the United States Department of Health and Human Services, for conducting a statutorily authorized activity, except as

specified. This bill would expand the list of federal agencies authorized to receive the disclosures of information described above to include the Centers for Medicare and Medicaid Services, the Health Resources and Services Administration, the Indian Health Service, Tribal Epidemiology Centers, as defined, the National Institutes of Health, the National Cancer Institute, and the Veterans Health Care Administration within the United States Department of Veterans Affairs.

AB 1967 *Drug Medi-Cal*

Pan Existing law provides for the Medi-Cal program, which is administered by the State Department of Health Care Services, under which qualified low-income individuals receive health care services. The Medi-Cal program is, in part, governed and funded by federal Medicaid Program provisions. Existing law establishes the Drug Medi-Cal Treatment Program (Drug Medi-Cal) under which the department is authorized to enter into contracts with counties for various drug treatment services to Medi-Cal recipients, or is required to directly arrange for these services if a county elects not to do so. Existing law requires a county to negotiate contracts only with providers certified to provide Drug Medi-Cal services. Existing law defines Drug Medi-Cal reimbursable services for purposes of these provisions. This bill would require the department to promptly notify the behavioral health director, or his or her equivalent, of each county that currently contracts with a certified provider for Drug Medi-Cal services if the department has commenced or concluded a preliminary criminal investigation, as defined, of the provider. This bill would require that any communication between the department and a county specific to the commencement or conclusion of a preliminary criminal investigation is confidential and not subject to disclosure pursuant to, among other things, the California Public Records Act. This bill would prohibit a county from taking any adverse action against a provider solely upon the preliminary criminal information disclosed to the county. This bill would authorize the department to notify the county if a preliminary criminal investigation of a county owned or operated program is commenced or concluded by the department. The bill would also make technical, nonsubstantive changes to the definition of Drug Medi-Cal reimbursable services. Existing constitutional provisions require that a statute that limits the right of access to the meetings of public bodies or the writings of public officials and agencies be adopted with findings demonstrating the interest protected by the limitation and the need for protecting that interest. This bill would make legislative findings to that effect.

AB 1974 *Health facilities: information: disclosure*

Quirk Existing law provides for the licensure and regulation of health facilities by the State Department of Public Health and prohibits a health facility from providing a special service without the approval of the department. Existing law defines a "special service" to mean a functional division, department, or unit of a health facility that is organized, staffed, and equipped to provide a specific type of patient care and that has been identified by regulations of the department and for which the department has established special standards for quality of care. The bill would specify that a "special service" does not include a functional division, department, or unit of a nursing facility, as defined, that is organized, staffed, and equipped to provide inpatient physical therapy services, occupational therapy services, or speech pathology and audiology services to residents of the facility if those services are provided solely to meet the federal Centers for Medicare and Medicaid Services certification requirements. The bill would specify that a "special service" includes physical therapy services, occupational therapy services, or speech pathology and audiology services provided by a nursing facility to outpatients and would state that these provisions do not limit the department's ability to enforce or evaluate compliance with specified therapy requirements during investigations or inspections.

AB 2051 *Medi-Cal: providers: affiliate primary care clinics*

Gonzalez Existing law provides for the Medi-Cal program, which is administered by the State Department of Health Care Services, under which qualified low-income individuals receive health care

services. The Medi-Cal program is, in part, governed and funded by federal Medicaid Program provisions. Existing law also establishes the Family Planning, Access, Care, and Treatment (Family PACT) Program to provide comprehensive clinical family planning services to individuals who meet specified income requirements. Existing law provides for a schedule of benefits under the Medi-Cal program, including services provided under the Family PACT Program. Existing law authorizes the department to adopt regulations for certification of each applicant and each provider in the Medi-Cal program. Existing law requires certain applicants or providers, as defined, to submit a complete application package for enrollment, continuing enrollment, or enrollment at a new location or a change in location. Existing law generally requires the department to give written notice regarding the status of an application to an applicant or provider within a prescribed period of time, as specified. This bill would require the department, within 30 calendar days of receiving confirmation of certification for enrollment as a Medi-Cal provider for an applicant that is an affiliate primary care clinic, to provide specified written notice to the applicant informing the applicant that its Medi-Cal enrollment is approved. The bill would require the department to enroll the affiliate primary care clinic retroactive to the date of certification. The bill would also impose similar requirements upon the department with respect to an application for enrollment into the Family PACT Program from an affiliate primary care clinic. The bill would make the effective date of enrollment into the Family PACT Program the later of the date the department receives confirmation of enrollment as a Medi-Cal provider, or the date the applicant meets all Family PACT provider enrollment requirements.

AB 2557 *Hospitals: seismic safety*

Pan Existing law, the Alfred E. Alquist Hospital Facilities Seismic Safety Act of 1983, establishes, under the jurisdiction of the Office of Statewide Health Planning and Development, a program of seismic safety building standards for certain hospitals constructed on and after March 7, 1973. Existing law requires that, after January 1, 2008, any general acute care hospital building that is determined to be a potential risk of collapse or pose significant loss of life be used only for nonacute care hospital purposes, except that the office may grant a 5-year extension under prescribed circumstances. Existing law also allows the office to grant an additional 2-year extension in specified circumstances. This bill would clarify that a general acute care hospital building described above may be used for purposes other than nonacute care hospital purposes if an extension of the January 1, 2008, deadline has been granted and, before the end of the extension, a replacement building has been constructed or a retrofit has been performed, as specified. The bill would authorize a hospital located in the County of Sacramento, San Mateo, or Santa Barbara or the City of San Jose that has received the additional 2-year extension to the January 2008 deadline pursuant to specified provisions to request an additional extension until September 1, 2015, to obtain either a certificate of occupancy for a replacement building or a construction final for a building on which a retrofit has been performed. This bill would make legislative findings and declarations as to the necessity of a special statute for the Counties of Sacramento, San Mateo, and Santa Barbara and the City of San Jose. This bill would declare that it is to take effect immediately as an urgency statute.

AB 2632 *Care facilities*

Maienschein Under existing law, the State Department of Social Services licenses and regulates, among other things, community care facilities, foster family home or certified family home, residential care facilities for persons with a chronic, life-threatening illness, residential care facilities for the elderly, and child day cares. Existing law requires the department, prior to issuing a license or special permit to operate any of those facilities, to secure from an appropriate law enforcement agency a criminal record to determine whether the applicant or any other person, as specified, has been convicted of a crime other than a minor traffic violation, or arrested for certain crimes, or for any crime for which the department cannot grant an exemption if the person was convicted and the person has not been exonerated. Existing law requires an individual to obtain either a criminal record clearance or a criminal record exemption from the department prior to

his or her employment, residence, or initial presence in those facilities listed above. Existing law prohibits the department from using a record of arrest to deny, revoke, or terminate any application, license, employment, or residence unless the department investigates the incident and secures evidence that is admissible in an administrative hearing to establish conduct by the person that may pose a risk to the health and safety of any person who is or may become a client. This bill would prohibit the department, with regard to those facilities, from issuing a criminal record clearance to a person who has violated or who has been arrested for specified crimes or for any crime for which the department is prohibited from granting a criminal record exemption prior to the department's completion of an investigation of the incident to establish conduct by the person that may pose a risk to the health and safety of any person who is or may become a client. The bill would also require the department, subsequent to licensing but prior to a person's employment, residence, or initial presence in a specified facility, to secure from an appropriate law enforcement agency a criminal record to determine whether a person not exempt from fingerprinting or other person, as specified, has been convicted of a crime other than a minor traffic violation, arrested for certain crimes, or for any crime for which the department cannot grant an exemption.

AB 2706 *Schools: health care coverage: enrollment assistance*

Roger
Hernandéz Existing law requires the governing board of a school district to make rules for the physical examination of pupils that will ensure proper care of the pupils and proper secrecy with regard to any defect noted. Existing law requires a pupil, while enrolled in kindergarten in a public school, or while enrolled in first grade in a public school if the pupil was not previously enrolled in kindergarten in a public school, to present proof, no later than May 31 of the school year, of having received an oral health assessment by a licensed dentist or other licensed or registered dental health professional operating within his or her scope of practice that was performed no earlier than 12 months prior to the date of the initial enrollment of the pupil. Existing law prohibits a school district from permitting access to pupil records, other than directory information, to any person without parental consent or without a judicial order, except to specified persons under certain circumstances, including to a pupil 16 years of age or older or who has completed grade 10. Existing law, the federal Patient Protection and Affordable Care Act (PPACA), requires an applicable individual to ensure that he or she, and any dependent of that individual, is covered under minimum essential coverage for each month beginning after 2013. This bill would require a public school, for purposes of the 2015-16, 2016-17, and 2017-18 school years, to add an informational item to its enrollment forms, or amend an existing enrollment form in order to provide the parent or legal guardian information about health care coverage options and enrollment assistance. The bill would authorize a school, in order to fulfill this requirement, to either use a template, develop an informational item, or amend an existing enrollment form to provide the information. The bill would authorize a school to also include a factsheet with its enrollment forms explaining basic information about affordable health care coverage options for children and families. The bill would require the State Department of Education to develop a standardized template for the factsheet and the informational item or amendment and would require the department to make those templates available on its Internet Web site on or before August 1, 2015, and provide written copies to a school district upon request.

SB 18 *Medi-Cal renewal*

Leno Existing law provides for the Medi-Cal program, which is administered by the State Department of Health Care Services, under which qualified low-income individuals receive health care services. The Medi-Cal program is, in part, governed and funded by federal Medicaid Program provisions. Existing law establishes the Healthcare Outreach and Medi-Cal Enrollment Account to collect and allocate non-General Fund public or private grant funds for expenditure, upon appropriation of the Legislature, for outreach to and enrollment of target Medi-Cal populations and to compensate Medi-Cal in-person assisters. This bill would require the State Department of

Health Care Services to accept contributions by private foundations in the amount of at least \$6,000,000 for the purpose of providing Medi-Cal renewal assistance payments, as specified. The bill would also appropriate \$6,000,000 from the Healthcare Outreach and Medi-Cal Enrollment Account and \$6,000,000 from the Federal Trust Fund, to be available for encumbrance or expenditure until December 31, 2016, and authorize the use of previously appropriated funds in that account for this purpose. The bill would require the department to seek federal matching funds for the contributions to the extent permissible for training, testing, certifying, supporting, and compensating persons and entities providing renewal assistance and for any other permissible renewal assistance related activities, and to seek all necessary federal approvals for purposes of obtaining federal funding. The bill would also require the department, in collaboration with the County Welfare Directors Association and legal services organizations, to develop renewal assistance training for employees of community-based organizations, as specified.

SB 20 *Individual health care coverage: enrollment periods*

Hernandez Existing federal law, the federal Patient Protection and Affordable Care Act (PPACA), enacts various health care coverage market reforms as of January 1, 2014. Among other things, PPACA requires each health insurance issuer that offers health insurance coverage in the individual or group market in a state to accept every employer and individual in the state that applies for that coverage and to renew that coverage at the option of the plan sponsor or the individual. 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. Existing law requires a health care service plan or health insurer, on and after October 1, 2013, to offer, market, and sell all of the plan's insurer's health benefit plans that are sold in the individual market for policy years on or after January 1, 2014, to all individuals and dependents in each service area in which the plan or insurer provides or arranges for the provision of health care services, as specified, but requires plans and insurers to limit enrollment in individual health benefit plans to specified open enrollment and special enrollment periods. Existing law requires a plan or insurer to provide an initial open enrollment period from October 1, 2013, to March 31, 2014, inclusive, and annual enrollment periods for plan years on or after January 1, 2015, from October 15 to December 7, inclusive, of the preceding calendar year. This bill would require a plan or insurer to provide an annual enrollment period for the policy year beginning on January 1, 2015, from November 15, 2014, to February 15, 2015, inclusive. This bill would declare that it is to take effect immediately as an urgency statute.

SB 508 *Medi-Cal: eligibility*

Hernandez (1) Existing law provides for the Medi-Cal program, which is administered by the State Department of Health Care Services, under which qualified low-income individuals receive health care services. The Medi-Cal program is, in part, governed and funded by federal Medicaid Program provisions. Existing law requires, with some exceptions, a Medi-Cal applicant's or beneficiary's income and resources be determined based on modified adjusted gross income (MAGI), as specified. Existing law requires the department to establish income eligibility thresholds for those eligibility groups whose eligibility will be determined using MAGI-based financial methods. This bill would codify the income eligibility thresholds established by the department and would make other related and conforming changes. (2) Existing law requires the department to implement specified provisions of federal law to provide Medi-Cal benefits to an individual who is in foster care on his or her 18th birthday until his or her 26th birthday, as specified. This bill would instead require the department to implement those provisions to provide Medi-Cal benefits to an individual until his or her 26th birthday if he or she was in foster care on his or her 18th birthday or such higher age the state has elected under federal law. The bill would also require the department to exercise its option under federal law to extend Medi-Cal benefits to independent foster care adolescents, as specified. This bill would

require the department to exercise its option under federal law to extend Medi-Cal benefits to individuals under 21 years of age placed in foster homes or private institutions and individuals under 21 years of age for whom a specified adoption agreement is in effect. The bill would require that all of the income considered when determining an individual's eligibility under these provisions be disregarded. Because counties are required to make eligibility determinations and this bill would expand Medi-Cal eligibility, the bill would impose a state-mandated local program. (3) Existing law, for purposes of determining eligibility, defines, in part, a medically needy family person as a parent or caretaker relative of a child who meets the deprivation requirements of Aid to Families with Dependent Children. This bill would delete the requirement that the parent or caretaker relative meet the deprivation requirements.

SB 959

Health care coverage

Hernandez

(1) Existing federal law, the federal Patient Protection and Affordable Care Act (PPACA), enacts various health care coverage market reforms that take effect January 1, 2014. Among other things, PPACA requires each state to, by January 1, 2014, establish an American Health Benefit Exchange that facilitates the purchase of qualified health plans by qualified individuals and qualified small employers. PPACA requires a health insurance issuer to consider all enrollees in its individual market plans to be part of a single risk pool and to consider all enrollees in its small group market plans to be part of a single risk pool. PPACA also requires an issuer to establish an index rate for each of those markets based on the total combined claim costs for providing essential health benefits within the single risk pool for that market and authorizes the issuer to vary premium rates from the index rate based only on specified factors. PPACA requires that the index rate be adjusted based on Exchange user fees and expected payments and charges under certain risk adjustment and reinsurance programs. Existing law establishes the California Health Benefit Exchange within state government for the purpose of facilitating the purchase of qualified health plans through the Exchange by qualified individuals and small employers. 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. Existing law requires a health care service plan and a health insurer to consider as a single risk pool the claims experience of all enrollees and insureds in its nongrandfathered small group market plans and to also consider as a single risk pool the claims experience of all enrollees and insureds in its nongrandfathered individual market plans. Existing law requires a plan or insurer to establish an index rate for those markets, as specified, and authorizes the plan or insurer to vary premium rates from the index rate based only on specified factors. Existing law requires that the index rate be adjusted based on expected payments and charges under the risk adjustment and reinsurance programs specified under PPACA. This bill would require that the index rate also be adjusted based on Exchange user fees, as specified under PPACA. PPACA requires a health insurance issuer offering coverage in the individual or small group market to ensure that the coverage includes the essential health benefits package and defines this package to mean coverage that, among other requirements, provides the platinum, gold, silver, or bronze level of coverage or, in the individual market, provides catastrophic coverage to specified individuals. Existing law requires health care service plans and health insurers participating in the Exchange to fairly and affirmatively offer, market, and sell in the Exchange at least one product in each of these 5 levels of coverage. Existing law requires a health care service plan or health insurer that does not participate in the Exchange to offer at least one standardized product designated by the Exchange in each of the platinum, gold, silver, and bronze levels of coverage. This bill would define the term "health benefit plan" for purposes of the provisions governing nongrandfathered small employer health care service plans. The bill would specify that health care service plans and health insurers participating in the small group market of the Exchange are only required to fairly and affirmatively offer, market, and sell in that market the platinum, gold, silver, and bronze levels of coverage. The bill would also specify that the requirement for plans or insurers not participating in the Exchange to offer at least one standardized product designated by the

Exchange in each of those levels of coverage only applies to the individual and small group markets. (2) Existing law prohibits a health care service plan or a health insurer offering coverage in the individual market from changing the premium rate or coverage without providing specified notice to the subscriber or policyholder at least 60 days prior to the contract or policy renewal date. The bill would require that the notice be sent on the earlier of 60 days prior to the renewal date or 15 days prior to the start of the annual enrollment period applicable to the contract or policy. Existing law requires a plan or insurer that declines to offer coverage or denies enrollment for an individual or his or her dependents applying for individual coverage or that offers individual or small group coverage at a rate that is higher than the standard rate to provide the applicant with the reason for the decision in writing. Existing law also requires the plan or insurer to inform the applicant about specified high risk pools, including the California Major Risk Medical Insurance Program, and specifies that this requirement does not apply when a plan or insurer rejects an applicant for Medicare supplement coverage. This bill would delete the requirement that the plan or insurer provide the applicant with the reason for the denial or higher than standard rate. The bill would require a plan or insurer to inform specified applicants for a grandfathered health plan who are denied or charged a higher than standard rate, and applicants for Medicare supplement coverage who are denied due to a specified condition, about the California Major Risk Medical Insurance Program and the Exchange, as specified. (3) Existing law requires a health care service plan or health insurer in the individual or small group market to file rate information with the Department of Managed Health Care or the Department of Insurance, as applicable, at least 60 days prior to implementing a rate change and requires the filing to be concurrent with the notice sent to subscribers prior to increasing premium rates. Existing law requires that the rate filing include specified information regarding the proposed rate increase and the plan's overall annual medical trend factor assumptions in each rate filing for all benefits and by aggregate benefit category. Existing law authorizes the plan to provide aggregated additional data that demonstrates year-to-year cost increases in specific benefit categories in major geographic regions of the state to be defined by the departments to include no more than 9 regions. This bill would eliminate the requirement that the rate filing be concurrent with the notice sent to subscribers prior to increasing premium rates. The bill would also require that the geographic regions correspond with those regions used by the plan to establish premium rates.

SB 964 *Health care Coverage*

Hernandez 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 (DMHC) and makes a willful violation of the act a crime. Existing law requires DMHC to adopt standards for timeliness of access to care and requires that contracts between health care service plans and providers ensure compliance with those standards. Existing law requires health care service plans to annually report to DMHC on compliance with those standards in a manner specified by DMHC. Under existing law, every 3 years, DMHC is required to review information regarding compliance with those standards and make recommendations for changes that further protect enrollees. This bill would authorize DMHC to develop standardized methodologies to be used by plans in making the annual reports on compliance with the timeliness standards, as specified, and would make the development and adoption of those methodologies exempt from the Administrative Procedure Act until January 1, 2020. The bill would require DMHC to annually review information regarding compliance with the timeliness standards and to post its findings from the reviews, and any waivers or alternative standards approved by DMHC, on its Internet Web site. The bill would also require a health care service plan, as part of the annual reports, to submit data regarding network adequacy to DMHC, as specified, and would require DMHC to review that data for compliance with the Knox-Keene Act. The bill would require, if DMHC requests additional information to be reported, that the department provide health care service plans with notice of the change by November 1 of the year prior to the change. The bill would also require a health care service plan that provides services to Medi-Cal beneficiaries to provide the report data to the State Department of Health

Care Services. Because a violation of the requirements imposed on health care service plans would be a crime, the bill would impose a state-mandated local program. Existing law provides for the Medi-Cal program, which is administered by the State Department of Health Care Services (DHCS), under which qualified low-income individuals receive health care services. One of the methods by which Medi-Cal services are provided is pursuant to contracts with various types of managed health care plans. Existing law requires DHCS to conduct annual medical audits of specified managed care plans and requires that these reviews be scheduled and carried out jointly with reviews carried out pursuant to the Knox-Keene Act. The Knox-Keene Act requires DMHC to periodically conduct an onsite medical survey of the health delivery system of each health care service plan and exempts a plan that provides services solely to Medi-Cal beneficiaries from the survey upon submission to DMHC the medical audit conducted by DHCS as part of the Medi-Cal contracting process. This bill would eliminate that exemption and would require DMHC to coordinate the surveys conducted with respect to Medi-Cal managed care plans with DHCS, to the extent possible, provided that the coordination does not result in a delay of the surveys or the failure of DMHC to conduct the surveys. This bill would also require DHCS to publicly report its findings of finalized medical audits as soon as possible, as specified, and to share those findings and other information with respect to Knox-Keene plans with DMHC. The bill would specify that any preliminary audit findings shared with DMHC under this provision would be exempt from disclosure under the California Public Records Act.

SB 972
Torres

California Health Benefit Exchange: board: membership

Existing law created the California Health Benefit Exchange (Exchange) as an independent public entity in the state government, not affiliated with an agency or department. The Exchange is governed by an executive board consisting of 5 members who are residents of California. Of the members of the board, 2 are appointed by the Governor, one is appointed by the Senate Committee on Rules, and one is appointed by the Speaker of the Assembly. The Secretary of California Health and Human Services or his or her designee serves as a voting, ex officio member of the board. Each person appointed to the board is required to have demonstrated and acknowledged expertise in at least 2 listed areas, including, but not limited to, individual health care coverage, health care finance, and purchasing health plan coverage. This bill would add marketing of health insurance products, information technology system management, management information systems, and enrollment counseling assistance, with priority to cultural and linguistic competency, to the list of areas of expertise.

SB 1034
Monning

Health care coverage: waiting periods

Existing law, the federal Patient Protection and Affordable Care Act (PPACA), enacts various health care coverage market reforms that take effect with respect to plan years on or after January 1, 2014. Among other things, PPACA prohibits a group health plan and a health insurance issuer offering group health insurance coverage from applying a waiting period that exceeds 90 days. 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. Existing law authorizes a group health care service plan contract and a group health insurance policy, as defined, to apply a waiting period of up to 60 days as a condition of employment if applied equally to all eligible employees and dependents. This bill would prohibit those group contracts and policies from imposing any waiting or affiliation period, as defined, and would make related conforming changes. Because a willful violation of the bill's requirements by a health care service plan would be a crime, the bill would impose a state-mandated local program. Existing law provides for the regulation of grandfathered small employer health care service plan contracts and health insurance policies, as defined. Existing law requires that those contracts and policies be fairly and affirmatively renewed and prohibits construing the provisions regulating those contracts and policies from limiting enrollment in a contract or policy to open enrollment periods, as

specified. Existing law requires the employer offering the plan to send a written notice to an eligible employee or dependent who fails to enroll during an open enrollment period that he or she may be excluded from coverage for a specified period of time. This bill would instead require the notice to inform the eligible employee or dependent that he or she may be excluded from eligibility for coverage until the next open enrollment period.

SB 1052

Health care coverage

Torres

Existing law, the Knox-Keene Health Care Service Plan Act (Knox-Keene 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. The Knox-Keene Act requires a health care service plan that provides prescription drug benefits and maintains one or more drug formularies to provide to members of the public, upon request, a copy of the most current list of prescription drugs on the formulary, as specified. This bill would require a health care service plan or health insurer that provides prescription drug benefits and maintains one or more drug formularies to post those formularies on its Internet Web site and update that posting with changes on a monthly basis. The bill would require the departments to jointly develop a standard formulary template by January 1, 2017, and would require plans and insurers to use that template to display formularies, as specified. The bill would make other related conforming changes. Because a willful violation of these requirements by a health care service plan would be a crime, the bill would impose a state-mandated local program. Existing law establishes the California Health Benefit Exchange within state government, specifies the powers and duties of the board governing the Exchange, and requires the board to facilitate the purchase of qualified health plans through the Exchange by qualified individuals and small employers. Existing law requires the board to determine the minimum requirements a health care service plan or health insurer must meet to be considered for participation in the Exchange and the standards and criteria for selecting qualified health plans to be offered through the Exchange that are in the best interests of qualified individuals and qualified small employers. This bill would require the board of the Exchange to ensure that its Internet Web site provides a direct link to the formularies for each qualified health plan offered through the Exchange that are posted by plans and insurers pursuant to the bill's provisions.

SB 1053

Health care coverage: contraceptives

Mitchell

Existing law, the federal Patient Protection and Affordable Care Act (PPACA), enacts various reforms to the health insurance market. Among other things, PPACA requires a nongrandfathered group health plan and a health insurance issuer offering group or individual insurance coverage to provide coverage, without imposing cost-sharing requirements, for certain preventive services, including those preventive care and screenings for women provided in specified guidelines. PPACA requires those plans and issuers to provide coverage without cost sharing for all federal Food and Drug Administration approved contraceptive methods, sterilization procedures, and patient education and counseling for all women with reproductive capacity, as prescribed by a provider, except as specified. 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. Existing law requires a health care service plan contract or health insurance policy that provides coverage for outpatient prescription drug benefits to provide coverage for a variety of federal Food and Drug Administration (FDA) approved prescription contraceptive methods designated by the plan or insurer, except as specified. Existing law authorizes a religious employer, as defined, to request a contract or policy without coverage of FDA-approved contraceptive methods that are contrary to the employer's religious tenets and, if so requested, requires a contract or policy to be provided without that coverage. Existing law requires an individual or small group health care service plan contract or health insurance policy issued,

amended, or renewed on or after January 1, 2014, to cover essential health benefits, which are defined to include the health benefits covered by particular benchmark plans. Existing law provides for the Medi-Cal program, which is administered by the State Department of Health Care Services, under which qualified low-income individuals receive specified health care services, including family planning services, subject to certain utilization controls. The Medi-Cal program is, in part, governed and funded by federal Medicaid Program provisions. Under existing law, one of the methods by which Medi-Cal services are provided is pursuant to contracts with various types of managed care plans. This bill would require a health care service plan contract or health insurance policy issued, amended, or renewed on or after January 1, 2016, to provide coverage for women for all prescribed and FDA-approved female contraceptive drugs, devices, and products, as well as voluntary sterilization procedures, contraceptive education and counseling, and related followup services. The bill would prohibit a nongrandfathered plan contract or health insurance policy from imposing any cost-sharing requirements or other restrictions or delays with respect to this coverage, as specified. The bill would include Medi-Cal managed plans, as specified, in the definition of a health care service plan for purposes of these provisions. The bill would retain the provision authorizing a religious employer to request a contract or policy without coverage of FDA-approved contraceptive methods that are contrary to the employer's religious tenets.

SB 1089 *Medi-Cal: juvenile inmates*

Mitchell Existing law provides for the Medi-Cal program, which is administered by the State Department of Health Care Services, under which qualified low-income individuals receive health care services. The Medi-Cal program is, in part, governed and funded by federal Medicaid provisions. Existing federal law, with certain exceptions, excludes federal financial participation for medical care provided to any individual who is an inmate in a public institution. Existing law requires the State Department of Health Care Services to develop a process to allow counties to receive any available federal financial participation for acute inpatient hospital services and inpatient psychiatric services provided to juvenile inmates, as defined, who are admitted as inpatients in a medical institution, as prescribed. Existing law requires that the process be implemented in only those counties that elect to provide the nonfederal share of the state's administrative costs associated with the implementation of the process and the nonfederal share of the expenditures for those services provided. This bill would instead provide that the process developed be implemented in only those counties that elect to provide the county's pro rata portion of the nonfederal share of the state's administrative costs.

SB 1161 *Drug Medi-Cal*

Beall Existing law provides for the Medi-Cal program, which is administered by the State Department of Health Care Services, under which qualified low-income individuals receive health care services. The Medi-Cal program is, in part, governed and funded by federal Medicaid Program provisions. Existing federal law prohibits federal financial participation for care or services provided to patients in an institution for mental diseases (IMD). Existing law establishes the Drug Medi-Cal Treatment Program (Drug Medi-Cal) under which the department is authorized to enter into contracts with counties for various drug treatment services for Medi-Cal recipients, or is required to directly arrange for these services if a county elects not to do so. This bill would require the department, if the department seeks a specified waiver to implement Drug Medi-Cal, to pursue federal approvals to address the need for greater capacity in both short-term residential treatment facilities and hospital settings for short-term voluntary inpatient detoxification.

SB 1276 *Health care: fair billing policies*

Hernandez (1) Existing law requires a hospital, as defined, to maintain an understandable written policy regarding discount payments for financially qualified patients as well as a written charity care policy, and authorizes a hospital to negotiate the terms of a payment plan with a patient. Existing law requires that uninsured patients or patients with high medical costs who are at or

below 350% of the federal poverty level be eligible for charity care or a discount payment policy from a hospital, as specified, and requires that specified patients be eligible for discount payments to an emergency physician. Existing law defines a patient with high medical costs as a person whose family income does not exceed 350% of the federal poverty level and who does not receive a discounted rate from the hospital or physician as a result of his or her 3rd-party coverage. This bill would instead require a hospital to negotiate with a patient regarding a payment plan, taking into consideration the patient's family income and essential living expenses. This bill would require the hospital to use a specified formula to create a reasonable payment plan, as defined, if the hospital and the patient cannot agree to a payment plan. This bill would change the definition of a person with high medical costs to include those persons who do receive a discounted rate from the hospital as a result of 3rd-party coverage. This bill would also require an emergency physician or his or her assignee to use a specified formula to calculate a reasonable payment formula when a patient is attempting to qualify for eligibility under the emergency physician's discount payment policy. This bill would authorize an emergency physician or his or her assignee to rely on the determination of family income and essential living expenses made by the hospital at which emergency care was provided for purposes of calculating the reasonable payment formula, and would authorize an emergency physician or his or her assignee, at his or her discretion, to accept self-attestation of family income and essential living expenses by a patient or a patient's legal representative. (2) Existing law requires a hospital or emergency physician to make a reasonable effort to obtain from the patient, or his or her representative, information about whether private or public health insurance or sponsorship may fully or partially cover the charges for care, including private health insurance, and requires the hospital or emergency physician to provide a patient who has not shown proof of 3rd-party coverage with specified information, including a statement that he or she may be eligible for specified health coverage programs, including Medi-Cal and the California Children's Services program, and applications for those programs. This bill would require the hospital or emergency physician to obtain information as to whether the patient may be eligible for the California Health Benefit Exchange and to include in the information provided to a patient that has not shown proof of 3rd-party coverage a statement that the consumer may be eligible for coverage through the California Health Benefit Exchange or other state- or county-funded health coverage programs. The bill would also specify that when a patient applies, or has a pending application, for another health coverage program at the same time he or she applies for charity care or a discount payment program, that neither application precludes eligibility for the other program. (3) Existing law requires a hospital or an emergency physician to have a written policy defining standards and practices for the collection of debt, and a written agreement from any agency that collects debt that it will adhere to the standards and practices. This bill would require the affiliate, subsidiary, or external collection agency that is collecting hospital or emergency physician receivables to comply with the definition and application of a reasonable payment plan, as defined.

SB 1315
Monning

Medi-Cal: providers

Existing law provides for the Medi-Cal program, which is administered by the State Department of Health Care Services, under which qualified low-income individuals receive health care services. The Medi-Cal program is, in part, governed and funded by federal Medicaid Program provisions. Existing law permits the department to make unannounced visits to an applicant or to a provider for the purpose of determining whether enrollment, continued enrollment, or certification as a provider is warranted, or as necessary for the administration of the Medi-Cal program. Existing law further requires that a provider be subject to temporary suspension from the Medi-Cal program, which includes temporary deactivation of the provider's number, for failure to remediate significant discrepancies in information that he or she provided to the department or for failure to remediate significant discrepancies that are discovered as a result of an announced or unannounced visit to the provider, as specified. Existing law requires the provider to be notified, in writing, of the temporary suspension and deactivation of provider numbers. This bill would require that notice of temporary suspension to contain a list of

discrepancies to be remediated and the timeframe in which the provider needs to remediate those discrepancies, which must be at least 60 days from the date the notice of temporary suspension is issued. The bill would require the department to lift a temporary suspension and notify a provider that the temporary suspension has been lifted and that he or she is eligible to receive reimbursement for Medi-Cal services provided after the date the temporary suspension was lifted if the provider has demonstrated that the identified discrepancies have been remediated within the applicable timeframe. The bill would require the department to send a notice to a provider who fails to remediate the identified discrepancies in the applicable timeframe stating that he or she will be removed from enrollment as a provider in the Medi-Cal program by operation of law based on failure to remediate the identified discrepancies.

SB 1340 *Health care coverage: provider contracts*

Hernandez 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. Existing law prohibits a contract by or on behalf of a plan or insurer and a licensed hospital, as defined, or any other licensed health care facility owned by a licensed hospital to provide inpatient hospital services or ambulatory care services to subscribers and enrollees of the plan or policyholders and insureds of the insurer from containing a provision that restricts the ability of the plan or insurer to furnish information to subscribers or enrollees of the plan or policyholders or insureds of the insurer concerning the cost range of procedures at the hospital or facility or the quality of services performed by the hospital or facility. Existing law makes a contractual provision inconsistent with this requirement void and unenforceable. Existing law requires a plan or insurer to provide a hospital or facility at least 20 days to review the methodology and data used before cost or quality information is provided to subscribers or enrollees of the plan or to policyholders or insureds of the insurer, as specified. Existing law also establishes requirements applicable to information displayed on an Internet Web site pursuant to these provisions by, or on behalf of, a plan or insurer. This bill would instead prohibit a contract between a plan or insurer and a provider or supplier, as defined, from containing a provision that restricts the ability of the plan or insurer to furnish information to consumers or purchasers, as defined, concerning the cost range of a procedure or full course of treatment or the quality of services performed by the provider or supplier. The bill would require a plan or insurer to provide a provider or supplier with 30 days to review the methodology and data used and would make related, conforming changes.

SB 1352 *Alameda Health System*

Hancock Existing law authorizes the board of supervisors of Alameda County to establish an independent hospital authority strictly and exclusively dedicated to the management, administration, and control of the group of public hospitals, clinics, and programs that comprise the Alameda County Medical Center. This bill would instead authorize the board to establish an independent hospital authority for the Alameda Health System, which was formerly known as the Alameda County Medical Center. The bill would make conforming changes with regard to legislative findings and declarations and would include additional legislative findings and declarations relating to the Alameda Health System. The bill would also make other conforming changes in existing law.

SB 1446 *Health care coverage: small employer market*

DeSaulnier Existing federal law, the federal Patient Protection and Affordable Care Act (PPACA), enacts various health care coverage market reforms that take effect with respect to plan years on or after January 1, 2014. Among other things, PPACA requires each health insurance issuer that offers health insurance coverage in the individual or group market in a state to accept every employer and individual in the state that applies for that coverage and to renew that coverage at the option of the plan sponsor or the individual. PPACA prohibits a group health plan and a

health insurance issuer offering group or individual health insurance coverage from imposing any preexisting condition exclusion with respect to that plan or coverage. PPACA allows the premium rate charged by a health insurance issuer offering small group or individual coverage to vary only by rating area, age, tobacco use, and whether the coverage is for an individual or family and prohibits discrimination against individuals based on health status. PPACA requires a health insurance issuer that offers coverage in the small group or individual market to ensure that the coverage includes the essential health benefits package, as defined. However, guidance issued under PPACA grants transitional relief to health insurance coverage in the individual or small group market for policies in effect on October 1, 2013, that are renewed for a policy year starting between January 1, 2014, and October 1, 2016, and exempts that coverage from certain PPACA reforms, as specified. 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. Existing law also provides for the regulation of health insurers by the Department of Insurance. Existing law implements the PPACA reforms described above under the Knox-Keene Act and the laws governing health insurance. This bill would allow a small employer health care service plan contract or a small employer health insurance policy that was in effect on December 31, 2013, that is still in effect as of the effective date of this act, and that does not qualify as a grandfathered health plan under PPACA, to be renewed until January 1, 2015, and to continue to be in force until December 31, 2015. The bill would exempt those health care service plan contracts and health insurance policies from various provisions of state law that implement the PPACA reforms described above and would require that the contracts and policies be amended to comply with those provisions by January 1, 2016, in order to remain in force on and after that date. The bill would require that these provisions be implemented only to the extent permitted by PPACA. This bill would declare that it is to take effect immediately as an urgency statute.

SB 1465 *Health*

Committee
on Health

(1) Existing law prohibits any private or public organization, political subdivision of the state, or other government agency within the state from providing or arranging for skilled nursing services to patients in the home without first obtaining a home health agency license, as defined, from the State Department of Public Health. Existing law establishes the requirements for licensure as a home health agency. Existing law requires the department to license a home health agency that, among other things, is accredited by the Joint Commission on Accreditation of Healthcare Organizations or the Community Health Accreditation Program and the accrediting organization forwards to the department certain information. For purposes of licensure, the bill would instead require a home health agency to be accredited by an entity approved by the federal Centers for Medicare and Medicaid Services as a national accreditation organization. (2) Existing law authorizes each county to establish an Emergency Medical Services Fund for reimbursement of costs related to emergency medical services. Existing law requires each county establishing a fund to, on January 1, 1989, and each April 15 thereafter, report to the Legislature on the implementation and status of the Emergency Medical Services Fund, as specified. This bill would instead require each county to submit its reports to the Emergency Medical Services Authority. The bill would require the authority to compile and forward a summary of each county's report to the appropriate policy and fiscal committees of the Legislature. (3) Existing law, until June 30, 2015, requests the University of California to establish the California Health Benefit Review Program to assess legislation proposing to mandate a benefit or service or to repeal a mandated benefit or service, and to prepare a written analysis with relevant data on specified areas, including public health impacts, medical impacts, and financial impacts. This bill would extend the repeal date of the above provisions to December 31, 2015. (4) Existing law requires, until January 1, 2018, and subject to the appropriation of funds in the Budget Act of 2014, the Director of Statewide Health Planning and Development to select and contract on behalf of the state with accredited primary care or family medicine residency programs for the purpose of providing grants to support newly created residency positions, and requires the California Healthcare Workforce Policy Commission to

review and make recommendations to the director concerning the provision of those grants. Existing law requires the commission, in making these recommendations, to give priority to residency programs that demonstrate, among other things, that the new primary care physician residency positions have been, or will be, approved by the Accreditation Council for Graduate Medical Education prior to the first distribution of grant funds. This bill would include primary care physician residency positions that have been, or will be, approved by the American Osteopathic Association in the above-described prioritization provision. (5) Existing law creates the California Health Benefit Exchange for the purpose of facilitating the enrollment of qualified individuals and small employers in qualified health plans. Existing law requires the Exchange to enter into contracts with and certify as a qualified health plan bridge plan products that meet specified requirements. Existing law provides for the regulation of health insurers by the Department of Insurance and defines a bridge plan product to include an individual health benefit plan offered by a health insurer. Existing law requires, until 5 years after federal approval of bridge plan products, a health insurer selling a bridge plan product to provide specified enrollment periods and to maintain a medical loss ratio of 85% for the product. Existing law specifies that the remaining provisions of the chapter of law to which these requirements regarding bridge plan products were added became inoperative on January 1, 2014. This bill would relocate those requirements regarding bridge plan products to a different chapter of law and make other technical, nonsubstantive changes. (6) Existing law, the Stop Tobacco Access to Kids Enforcement (STAKE) Act, prohibits a minor from purchasing, receiving, or possessing tobacco products or paraphernalia. Existing law prohibits a retailer from knowingly or under circumstances in which it has knowledge, or should otherwise have grounds for knowledge, selling, giving, or in any way furnishing a minor with tobacco products or paraphernalia. Existing law exempts a minor from prosecution for that purchase, receipt, or possession while the minor is participating in a random, onsite sting inspection conducted by the State Department of Public Health as part of its enforcement responsibilities. This bill would also exempt a minor from prosecution under that act while the minor is participating in an activity conducted by the State Department of Public Health, a local health department, or a law enforcement agency for the purpose of determining or evaluating youth tobacco purchase rates. (7) Existing law provides for the Medi-Cal program, which is administered by the State Department of Health Care Services, under which qualified low-income individuals receive health care services. The Medi-Cal program is, in part, governed and funded by federal Medicaid Program provisions. Existing law requires an applicant or provider, as defined, to submit a complete application package for enrollment, continuing enrollment, or enrollment at a new location or a change in location. Existing law generally requires the department to give written notice as to the status of an application to an applicant or provider within 180 days after receiving an application package, or from the date of notifying an applicant or provider that he or she does not qualify as a preferred provider, notifying the applicant or provider if specified circumstances apply, or, on the 181st day, to grant provisional provider status to the applicant or provider. Existing law requires the department to send a notice as to the status of an application to an applicant or provider within 60 days after receiving an application package that was noticed as incomplete, was resubmitted with all requested information and documentation, and was received by the department within 60 days of the date on the notice, notifying the applicant or provider if specified circumstances apply. This bill would, except as specified, authorize an applicant or provider to request to withdraw an application package submitted pursuant to these provisions, and would require the department to notify the applicant or provider, in both above-described notices, if the application package is withdrawn by request of the applicant or provider and the department's review is canceled. (8) Under existing law, one of the methods by which Medi-Cal services are provided is pursuant to various models of managed care. In this regard, existing law authorizes the City and County of San Francisco to establish a health authority to be the local initiative component of the managed care model in that city and county. Existing law requires that the governing board of the health authority consist of 18 voting members, 2 of which are required to be nominated by the beneficiary committee established by the health authority to advise the authority on issues of concern to the recipients of services. Existing law

requires that at least one of the 2 persons nominated by the beneficiary committee be a Medi-Cal beneficiary. This bill would instead require the health authority to establish a member advisory committee to advise the authority on issues of concern to the recipients of services and would delete the requirement that one of the 2 persons nominated by the committee be a Medi-Cal beneficiary. The bill would instead require the 2 persons nominated by the committee to be enrolled in a health care program operated by the health authority, as specified, or be the parent or legal guardian of an enrollee. (9) Existing law authorizes the Director of Health Care Services to administer laws pertaining to the administration of health care services and medical assistance throughout the state by, among other things, adopting regulations pursuant to the provisions of the Administrative Procedure Act to enable the department to carry out the purposes and intent of the Medi-Cal Act. This bill would correct obsolete cross-references to the Administrative Procedure Act in these provisions, and would make other technical, nonsubstantive changes. (10) Existing law, subject to federal approval, imposes a hospital quality assurance fee, as specified, on certain general acute care hospitals, to be deposited into the Hospital Quality Assurance Revenue Fund. Existing law, subject to federal approval, requires that moneys in the Hospital Quality Assurance Revenue Fund be continuously appropriated during the first program period of January 1, 2014, to December 31, 2016, inclusive, and available only for certain purposes, including paying for health care coverage for children, as specified, and making supplemental payments for certain services to private hospitals and increased capitation payments to Medi-Cal managed care plans. Existing law also requires the payment of direct grants to designated and nondesignated public hospitals in support of health care expenditures funded by the quality assurance fee for the first program period. For subsequent program periods, existing law authorizes the payment of direct grants for designated and nondesignated public hospitals and requires that the moneys in the Hospital Quality Assurance Revenue Fund be used for the above-described purposes upon appropriation by the Legislature in the annual Budget Act. This bill would define the term "fund" to mean the Hospital Quality Assurance Revenue Fund for the purposes of these provisions and would make other technical, conforming changes to these provisions. (11) Existing law provides for state hospitals for the care, treatment, and education of mentally disordered persons, which are under the jurisdiction of the State Department of State Hospitals. This bill would make technical, nonsubstantive changes to various provisions of law to, in part, delete obsolete references to the State Department of Mental Health. The bill would also make other technical, nonsubstantive changes. (12) This bill would declare that it is to take effect immediately as an urgency statute.

Behavioral Health Care Services

AB 1271 *School safety plans: pupil mental health care*

Bonta Existing law provides that school districts and county offices of education are responsible for the overall development of a comprehensive school safety plan for each of their constituent schools. Existing law requires the school site council of a school to write and develop the comprehensive school safety plan relevant to the needs and resources of the particular school. Existing law requires schools to forward copies of their comprehensive school safety plans to the school district or county office of education for approval. Existing law encourages comprehensive school safety plans, as they are reviewed and updated, to include clear guidelines for the roles and responsibilities of certain parties with school-related health and safety responsibilities and authorizes the inclusion in these plans of primary strategies for specified purposes. This bill would encourage those guidelines to include protocols to address the mental health care of pupils who have witnessed a violent act at any time, as specified.

AB 1340 *Enhanced treatment programs*

Achadjian Existing law establishes state hospitals for the care, treatment, and education of mentally disordered persons. These hospitals are under the jurisdiction of the State Department of State Hospitals, which is authorized by existing law to adopt regulations regarding the conduct and management of these facilities. Existing law requires each state hospital to develop an incident reporting procedure that can be used to, at a minimum, develop reports of patient assaults on employees and assist the hospital in identifying risks of patient assaults on employees. Existing law provides for the licensure and regulation of health facilities, including acute psychiatric hospitals, by the State Department of Public Health. A violation of these provisions is a crime. This bill would, commencing July 1, 2015, and subject to available funding, authorize the State Department of State Hospitals to establish and maintain pilot enhanced treatment programs (ETPs), as defined, for the treatment of patients who are at high risk of most dangerous behavior, as defined, and when safe treatment is not possible in a standard treatment environment. The bill would authorize the State Department of Public Health to approve, on or after July 1, 2015, an ETP, which meets specified requirements and regulations, as a supplemental service for an acute psychiatric hospital that submits a completed application and is operated by the State Department of State Hospitals. The bill would authorize a state hospital psychiatrist or psychologist to refer a patient to an ETP for temporary placement and risk assessment upon a determination that the patient may be at high risk for most dangerous behavior. The bill would require the forensic needs assessment panel (FNAP) to conduct a placement evaluation to determine whether the patient clinically requires ETP placement and ETP treatment can meet the identified needs of the patient. The bill would also require a forensic needs assessment team (FNAT) psychologist to perform an in-depth violence risk assessment and make a treatment plan upon the patient's admission to an ETP. The bill would require the FNAP to conduct a treatment placement meeting with specified individuals prior to the expiration of 90 days from the date of placement in the ETP to determine whether the patient may return to a standard treatment environment or the patient clinically requires continued ETP treatment. If the FNAP determines that the patient clinically requires continued ETP treatment, the bill would require the FNAP to certify the patient for further ETP treatment for one year, subject to FNAP reviews at least every 90 days, as specified. The bill would require the FNAP to conduct another treatment placement meeting prior to the expiration of the one-year certification of ETP placement to determine whether the patient may return to a standard treatment environment or be certified for further ETP treatment for another year. The bill would also require, if the FNAP determines that the patient requires continued ETP placement, that the patient's case be referred to a forensic psychiatrist or psychologist outside of the State Department of State Hospitals for independent review, that a hearing be conducted, and notice given, as specified. The bill would require the State Department of State Hospitals to monitor

the ETPs, evaluate outcomes, and report its findings and recommendations to the Legislature.

- AB 1790 *Foster children: mental health services*
Dickinson 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 circumstances of the family. Under existing law, the department, county adoption agency, 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 a foster child whose adoption has become final and who is receiving or is eligible to receive Adoption Assistance Program assistance, including Medi-Cal, and whose foster care court supervision has been terminated, shall be provided medically necessary specialty mental health services by the local mental health plan in the county of residence of his or her adoptive parents, as specified. This bill would require the State Department of Social Services to convene a stakeholder group to identify barriers to the provision of mental health services by mental health professionals with specialized clinical training in adoption or permanency issues to children receiving those medically necessary specialty mental health services. The bill would require the stakeholder group to make specific recommendations by January 31, 2016, for voluntary measures to address those barriers, but would provide that those recommendations are not binding on any state or local government agency or private entity. The bill would require the stakeholder group to coordinate with, and endeavor not to duplicate, existing local, state, or national initiatives.
- AB 1847 *Mental health disorders: language*
Chesbro (1) Existing law refers to mentally disordered persons, or mentally defective persons in provisions relating to, among other things, education, social services, and civil law. Existing law also refers to the insane in provisions relating to, among other things, family law and social services. This bill would revise these provisions to instead refer to persons with a mental health disorder or persons who lack legal capacity to make decisions, respectively. The bill would make related technical changes. (2) Under the California Public Records Act, except for exempt records, every state or local agency, upon request, is required to make records available to any person upon payment of fees to cover costs. Existing law specifies records that are exempt from the Public Records Act based on above provisions. The bill would make conforming changes to the Public Records Act based on the above provisions. (3) The Irrigation District Law provides for the formation of irrigation districts with prescribed powers, including the power to levy an annual assessment upon the land in the district and to obtain a collector's deed against the property if the assessment is not paid. Existing law requires an action proceeding, defense, answer, or cross-complaint based on the invalidity or irregularity of the collector's deed to begin within one year after the recordation of the deed, unless otherwise specified, including when the owner of the land was, at the time of sale, a minor or insane person in which case the statute of limitations begins to run when the disability is removed. This bill would make a technical change to clarify that the statute of limitations is tolled if the owner is a minor or lacks mental capacity.
- AB 2213 *Behavioral health care licenses*
Eggman (1) Under existing law, the Board of Behavioral Sciences licenses and regulates marriage and family therapists and licensed professional clinical counselors. Existing law requires an applicant for either license to complete specified numbers of hours of supervised experience, and requires an applicant to register with the board as a marriage and family therapist intern or a licensed professional clinical counselor intern, respectively, in order to be credited for postdegree hours of supervised experience gained toward licensure. The board may issue a marriage and family therapist license to a person who holds a valid license in good standing

issued by an out-of-state board of marriage counselor examiners, board of marriage and family therapists, or corresponding authority, who satisfies specified conditions applicable to a person applying on or after January 1, 2016. These conditions include that the applicant's education is substantially equivalent to that required of in-state applicants. Under existing law, education is deemed substantially equivalent if specified coursework requirements and practicum requirements are satisfied. Under existing law an applicant is required to satisfy these requirements through graduate level coursework, and remediate any deficiencies in these requirements prior to registering with the board as an intern. This bill would allow an out-of-state applicant to remediate specified coursework requirements through continuing education, and to remediate specified coursework while registered as an intern. The bill would specify hour or unit requirements for certain coursework requirements. The bill would allow an applicant to remediate the practicum requirements if the applicant holds a license as described above. (2) Existing law requires a marriage and family therapist applicant who begins his or her degree on or after August 1, 2012, to complete 60 semester units or 90 quarter units of instruction. This bill would allow those applicants to remediate up to 12 semester units or 18 quarter units while the applicant is registered as an intern. (3) Existing law requires an out-of-state marriage and family therapist applicant who began his or her degree prior to August 1, 2012, to complete 60 semester or 90 quarter units of instruction. This bill would allow those applicants to satisfy the degree requirement by completing 48 semester or 72 quarter units of instruction. (4) Under existing law the board may issue professional clinical counselor license to a person who holds a valid license as a professional clinical counselor, or other counseling license that allows the applicant to independently provide clinical mental health services out of state who satisfies specified conditions applicable to a person applying on or after January 1, 2016. Those conditions include that the applicant's education is substantially equivalent to that required of in-state applicants. Under existing law, education is deemed substantially equivalent if specified coursework requirements are satisfied. An applicant is required to satisfy these requirements through graduate level coursework, and remediate any deficiencies in these requirements prior to registering with the board as an intern. This bill would allow an out-of-state applicant to remediate specified coursework requirements through continuing education, and to remediate specified coursework while registered as an intern. The bill would specify hour or unit requirements for certain coursework requirements. The bill would allow an applicant to remediate the practicum requirements if the applicant holds a license as described above. (5) Existing law requires a professional clinical counselor applicant who began his or her degree on or after August 1, 2012, to complete 60 semester or 90 quarter units of instruction. This bill would allow those applicants to remediate up to 12 semester units or 18 quarter units while the applicant is registered as an intern. (6) Existing law requires an out-of-state professional clinical counselor applicant who began his or her degree prior to August 1, 2012, to complete 60 semester or 90 quarter units of instruction. This bill would require those out-of-state applicants to satisfy the degree requirement by completing 48 semester or 72 quarter units of instruction.

AB 2374
Mansoor

Substance abuse: recovery and treatment services

(1) Existing law grants the Department of Health Care Services the sole authority in state government to license adult alcoholism or drug abuse recovery or treatment facilities. The department is authorized to issue a license to specified types of facilities if certain criteria are met. Existing regulations require licensees to report specified events and incidents to the department, including, among others, the death of a resident at a licensed facility. This bill would require the department to design its death investigation policy to ensure that the death of a resident of a licensed facility is addressed and investigated by the department in a timely manner. The bill would specify the content of telephonic and written reports of resident deaths occurring in a licensed facility that are required to be reported to the department. This bill would require that a telephonic report be submitted to the department within one working day, and a written report within 7 calendar days, of the event or incident. (2) Existing law grants the department the sole authority in state government to determine the qualifications, including the appropriate skills, education, training, and experience of personnel working within alcoholism

or drug abuse recovery and treatment programs licensed, certified, or funded under state law. The department, by regulation, requires that a person who will provide counseling services to those programs to register with, and be certified by, a nationally accredited certifying organization approved by the department. This bill would prohibit the department from approving a certifying organization for those purposes if the organization does not, prior to registering or certifying an individual, contact other department-approved certifying organizations to determine whether the individual has ever had his or her registration or certification revoked. The bill would require a certifying organization to deny a counselor's request for registration if the counselor's registration or certification has been previously revoked, and to send the counselor a written notice of denial. This bill would authorize the department to implement, interpret, or make specific the provisions described above by all-county letters, plan letters, plan or provider bulletins, or similar instructions, until the time the department adopts regulations. The bill would require the department to adopt those regulations by December 31, 2017.

AB 2679 *County mental health services: baseline reports*

Logue Existing law, the Bronzan-McCorquodale Act, sets out a system of community mental health care services provided by counties and administered by the State Department of Health Care Services. The act requires the Director of Health Care Services to establish a Performance Outcome Committee, as specified, and requires the committee to develop measures of performance for evaluating client outcomes and cost-effectiveness of mental health services provided by counties, as specified. The act requires counties to annually report data on these performance measures to local mental health advisory boards and to the director. The act requires the director to annually make this county performance data available to the Legislature, as specified. This bill would additionally require the director to annually post the county performance data described above on the department's Internet Web site. The act also establishes the California Mental Health Planning Council, the purpose of which is to fulfill certain mental health planning requirements mandated by federal law. The act also requires the council, among other things, to review program performance in delivering mental health services based on specified data and reports, and to report findings and recommendations on programs' performance annually to the Legislature, the department, and the local boards. This bill would require the council to post these findings and recommendations annually on the council's Internet Web site.

SB 578 *Behavioral sciences: records retention*

Wyland Existing law provides for the licensure or registration and the regulation of marriage and family therapists, licensed educational psychologists, licensed clinical social workers, and licensed professional clinical counselors by the Board of Behavioral Sciences, and makes a violation of those laws a misdemeanor. This bill would require, for a client or patient whose therapy is terminated on or after January 1, 2015, a marriage and family therapist, licensed educational psychologist, licensed clinical social worker, or licensed professional clinical counselor to retain the client's or patient's health service records for a minimum of 7 years from the date therapy is terminated. The bill would, in this regard, require a minor client's or minor patient's health service records to be retained for a minimum of 7 years from the date the client or patient reaches 18 years of age. The bill would authorize records to be retained in either a written or an electronic format.

SB 973 *Narcotic treatment programs*

Hernandez Existing law requires the State Department of Health Care Services to administer prevention, treatment, and recovery services for alcohol and drug abuse. Existing law requires the department to license the establishment of narcotic treatment programs in this state to use narcotic replacement therapy in the treatment of addicted persons whose addiction was acquired or supported by the use of a narcotic drug or drugs, not in compliance with a physician and

surgeon's legal prescription. Existing law authorizes a program to admit a patient to narcotic maintenance or narcotic detoxification treatment 7 days after completion of a prior withdrawal treatment episode. This bill, instead, would authorize a program to admit a patient to narcotic maintenance or narcotic detoxification treatment at the discretion of the medical director and would require the program to assign a unique identifier to, and maintain an individual record of, each patient of the program. Existing law specifies the intent of the Legislature that self-administered dosage of the narcotic replacement only be provided when the patient is clearly adhering to the requirements of the program and where daily attendance at a clinic would be incompatible with gainful employment, education, and responsible homemaking. This bill, in addition, would authorize take-home doses to be provided to patients who are clearly adhering to the requirements of the program if daily attendance at a clinic would be incompatible with retirement or medical disability or if the program is closed on Sundays or holidays and providing a take-home dose is not contrary to federal laws and regulations. The bill would require a narcotic treatment program medical director to determine whether or not to dilute take-home doses.

SB 1045 *Medi-Cal Drug Treatment Program*

Beall 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 also provides for the Medi-Cal Drug Treatment Program (Drug Medi-Cal), under which each county enters into contracts with the State Department of Health Care Services to provide various drug treatment services to Medi-Cal recipients, or the department directly arranges to provide these services if a county elects not to do so. For purposes of Drug Medi-Cal, existing law requires that the maximum allowable rate for group outpatient drug free services be set on a per person basis and requires that a group consist of a minimum of 4, and a maximum of 10, individuals, at least one of which must be a Medi-Cal eligible beneficiary. This bill would instead require a group to consist of a minimum of 2 and a maximum of 12 individuals, at least one of which is a Medi-Cal eligible beneficiary. The bill would also require, if one of the individuals in a 2-member group is ineligible for Medi-Cal, that the individual who is ineligible for Medi-Cal be receiving outpatient drug free services for a substance abuse disorder diagnosed by a physician.

SB 1339 *Medi-Cal: Drug Medi-Cal Treatment Program providers*

Cannella Existing law provides for the Drug Medi-Cal (DMC) Treatment Program, under which counties enter into contracts with the State Department of Health Care Services 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. Existing law requires the State Department of Health Care Services to screen Medi-Cal providers and designate each provider or applicant as "limited," "moderate," or "high" categorical risk. Existing law requires a provider or applicant designated as a "high" categorical risk, and a person with a 5% or greater direct or indirect ownership interest in the provider, to submit to the Department of Justice fingerprint images and related information for the purpose of obtaining information as to the existence of past criminal conduct, as specified. Existing law requires the Department of Justice to charge a fee, to be paid by the applicant or provider, sufficient to cover the cost of processing the criminal background check request. This bill would provide that if the department designates a nonprofit Drug Medi-Cal provider or applicant as a "high" categorical risk, the criminal background check and the requirement to submit fingerprint images and related information would apply to the officers and executive director of the nonprofit provider or applicant.

Environmental Health Services

AB 380 *Spill response for railroads*

Dickinson Existing law requires the Office of Emergency Services to implement regulations establishing minimum standards for business plans and area plans relating to the handling and release or threatened release of hazardous materials. Existing law requires the establishment of a statewide environmental reporting system for these plans. This bill would require a rail carrier, as defined, to report specified information regarding the transportation of hazardous materials, beginning no later than January 31, 2015, to the office on a quarterly basis. The bill would require a rail carrier to prospectively estimate and submit to the office notification of the weekly movements of trains through a county, as specified. The bill would require a rail carrier to update that notification once every 6 months. The bill also would require a rail carrier to update and notify the office within 30 days of the rail carrier determining that there will be a material change in the estimated volume of Bakken oil, as defined, plus or minus 25% per week relative to the most recent estimate previously submitted to the office. The bill would require each rail carrier to maintain a response management communications center, as specified. The bill would require the office to disseminate information necessary for developing emergency response plans from the reports it receives pursuant to this act to each unified program agency, as defined, when the office determines a unified program agency area of responsibility may be impacted by a hazardous material or oil cargo spill. The bill would require each rail carrier to provide the office with a summary of the rail carrier's hazardous materials emergency response plan, as specified. The bill would require the office to provide a copy of each summary report of a rail carrier's hazardous materials emergency response plan to each unified program agency when the office determines a unified program agency area of responsibility may be impacted by a rail carrier spill of hazardous material or oil cargo, as specified. The bill would prohibit a recipient of the reports and hazardous materials emergency response plan from divulging or making known that information to unauthorized recipients, as specified.

AB 896 *Wildlife management areas: mosquito abatement*

Eggman Existing law provides for the formation of mosquito abatement and vector control districts, and prescribes the powers, functions, and duties of those districts, as specified. The existing Fish and Game Code authorizes the Department of Fish and Wildlife to take specified actions to protect, restore, rehabilitate, and improve fish and wildlife habitat. Statutory provisions that were repealed on January 1, 2010, required a mosquito abatement and vector control district whose boundaries include one or more wildlife management areas to periodically, or at least semiannually, notify the department of those areas that exceed locally established mosquito population thresholds and associated mosquito control costs. This bill would require a mosquito abatement and vector control district that includes one or more wildlife management areas, as defined, or in which vectors and vectorborne diseases from a wildlife management area may enter the district, to periodically, or at least semiannually, notify the department of those areas that are of concern due to the potential for high mosquito populations that may incur associated mosquito control costs. By requiring local agencies to provide the notification, the bill would impose a state-mandated local program. The bill would require the department to consult with local mosquito abatement and vector control districts to identify those areas within wildlife management areas having the highest need for additional mosquito reduction through the implementation of best management practices, as defined.

AB 1414 *Pasteurized in-shell eggs: labeling*

Committee on Agriculture (1) Existing law requires egg handlers to register with the Secretary of Food and Agriculture and generally sets forth standards for shell eggs. Existing law imposes specified requirements relating to packing and labeling shell eggs and makes a violation of those provisions a crime. This bill would exclude pasteurized in-shell eggs, as defined, from the labeling provisions that are generally applicable to shell eggs, and would instead impose other labeling requirements on

egg handlers of pasteurized in-shell eggs, as specified. By creating new crimes, the bill would impose a state-mandated local program. (2) Existing law, the Sherman Food, Drug, and Cosmetic Law (the Sherman Act), requires the State Department of Health Care Services to regulate the manufacture, sale, labeling, and advertising activities related to food, drugs, devices, and cosmetics in conformity with the federal Food, Drug, and Cosmetic Act. The Sherman Act also imposes various labeling requirements for food and other products, and specifies that any food is misbranded if its labeling is false or misleading, as prescribed. A violation of these provisions is a crime. This bill would define the term "pasteurized in-shell eggs" for purposes of the Sherman Act, and would specify that any food is misbranded if its labeling does not conform with specified requirements for pasteurized in-shell egg labeling, as prescribed. By creating a new crime, the bill would impose a state-mandated local program. (3) This bill would declare that it is to take effect immediately as an urgency statute.

AB 1642
Chesbro

Pest control: Pierce's disease

Existing law establishes the Pierce's Disease Control Program in the Department of Food and Agriculture, and the Pierce's Disease Management Account in the Food and Agriculture Fund. Existing law allows money in this account to be expended as specified to combat Pierce's disease and its vectors, including the glassy-winged sharpshooter, and for purposes relating to other designated pests and diseases, as provided. Existing law makes these provisions inoperative on March 1, 2016, and repeals them on January 1, 2017. This bill would extend to March 1, 2021, the date on which the above provisions become inoperative, and would repeal those provisions on January 1, 2022. Existing law creates in the department the Pierce's Disease and Glassy-winged Sharpshooter Board, which consists of specified members, and prescribes the functions and duties of the board with respect to implementation of the Pierce's disease program. Existing law provides for an annual assessment to be paid by grape processors, as defined, into the Food and Agriculture Fund for the purposes of, among other things, research and other activities related to the Pierce's disease program. Existing law repeals these provisions on March 1, 2016. This bill would extend the repeal date of these provisions to March 1, 2021, and would make related conforming changes. Because assessments collected pursuant to these provisions are deposited into the Food and Agriculture Fund, a continuously appropriated fund, by extending the date until which the assessments are collected, the bill would make an appropriation.

AB 1965
Yamada

Outdoor dining facilities: pet dogs

The California Retail Food Code provides for the regulation of health and sanitation standards for retail food facilities, as defined, by the State Department of Public Health. Under existing law, local health agencies are primarily responsible for enforcing this code. A violation of these provisions is punishable as a misdemeanor. The code prohibits live animals from being allowed in a food facility, except under specified conditions if the contamination of food, clean equipment, utensils, linens, and unwrapped single-use articles cannot result. This bill would authorize a food facility to allow a person to bring a pet dog in outdoor dining areas if specified conditions are satisfied. The bill would authorize a city, county, or city and county to prohibit that conduct by ordinance.

AB 2130
Pan

Retail food safety

Under existing law, the California Retail Food Code, the State Department of Public Health establishes uniform health and sanitation standards for retail food facilities and local health agencies are required to enforce these provisions. A person who violates any provision of the code is guilty of a misdemeanor. Existing law requires food employees to wash their hands in accordance with specified provisions and prohibits food employees from contacting exposed, ready-to-eat food with their bare hands, except under certain conditions, including when washing fruits and vegetables and when not serving a highly susceptible population, as specified. This bill would instead require that food employees minimize bare hand and arm

contact with nonprepackaged food that is in a ready-to-eat form. The bill would require food employees to use utensils, as specified, to assemble ready-to-eat food or to place ready-to-eat food on tableware or in other containers. The bill would authorize food employees to assemble or place on tableware or in other containers ready-to-eat food in an approved food preparation area without using utensils if hands are cleaned in accordance with specified provisions. The bill would require that food that has been served to the consumer and then wrapped or prepackaged at the direction of the consumer be handled only with utensils. The bill would require these utensils to be properly sanitized before reuse. This bill would declare that it is to take effect immediately as an urgency statute.

AB 2539 *Certified farmers' market*

Ting

Existing law, the California Retail Food Code, establishes uniform health and sanitation standards for retail food facilities and various types of food. Among other things, the code requires temporary food facilities that handle nonprepackaged food to protect the food from contamination by taking 3 specified actions, including enclosure of the food facility with 16 mesh per square inch screens and limiting the display and handling of nonprepackaged food. The code also establishes specified food safety and sanitation requirements for certified farmers' markets governing food preparation, storage, and sampling, among other things. Existing law provides that local health agencies are primarily responsible for enforcing the code, but requires the State Department of Public Health to provide technical assistance, training, standardization, program evaluation, and other services to the local health agencies as necessary to ensure the uniform interpretation and application of the code, and to adopt regulations to implement and administer the code. A person who violates any provision of the code is guilty of a misdemeanor, except as otherwise provided. This bill would revise certain requirements imposed on temporary food facilities and certified farmers' markets. Among other things, the bill would require temporary food facilities that handle nonprepackaged food to protect the food from contamination by taking any, rather than all, of the 3 actions specified pursuant to existing law and make another change. The bill would also revise the food safety and sanitation requirements imposed upon certified farmers' markets. The bill would provide that trimming whole produce for sale is not food preparation for purposes of a provision generally prohibiting food preparation at certified farmers' markets. Among other things the bill would require that each food sample be distributed in a manner in which each sample is distributed without the possibility of a consumer touching the remaining samples. The bill would require that all harvested, cut, wrapped, or otherwise processed meat, poultry, and fish products offered for sale be transported, stored, displayed, and maintained at a temperature of 41 F or colder, and would require that all meat, poultry, and fish products be stored in a manner that reduces the risk of cross-contamination. The bill would also prohibit smoking within 25 feet of the common commerce area, as described, of a certified farmers' market.

SB 270 *Solid waste: single-use carryout bags*

Padilla

(1) Existing law, until 2020, requires an operator of a store, as defined, to establish an at-store recycling program that provides to customers the opportunity to return clean plastic carryout bags to that store. This bill, as of July 1, 2015, would prohibit stores that have a specified amount of sales in dollars or retail floor space from providing a single-use carryout bag to a customer, with specified exceptions. The bill would also prohibit those stores from selling or distributing a recycled paper bag at the point of sale unless the store makes that bag available for purchase for not less than \$0.10. The bill would also allow those stores, on or after July 1, 2015, to distribute compostable bags at the point of sale only in jurisdictions that meet specified requirements and at a cost of not less than \$0.10. The bill would require these stores to meet other specified requirements on and after July 1, 2015, regarding providing reusable grocery bags to customers, including distributing those bags only at a cost of not less than \$0.10. The bill would require all moneys collected pursuant to these provisions to be retained by the store and be used only for specified purposes. The bill, on and after July 1, 2016, would additionally

impose these prohibitions and requirements on convenience food stores, foodmarts, and entities engaged in the sale of a limited line of goods, or goods intended to be consumed off premises, and that hold a specified license with regard to alcoholic beverages. The bill would allow a retail establishment to voluntarily comply with these requirements, if the retail establishment provides the department with irrevocable written notice. The bill would require the department to post on its Internet Web site, organized by county, the name and physical location of each retail establishment that has elected to comply with these requirements. The bill would require the operator of a store that has a specified amount of sales in dollars or retail floor space and a retail establishment that voluntarily complies with the requirements of this bill to comply with the existing at-store recycling program requirements. The bill would require, on and after July 1, 2015, a reusable grocery bag sold by certain stores to a customer at the point of sale to be made by a certified reusable grocery bag producer and to meet specified requirements with regard to the bag's durability, material, labeling, heavy metal content, and, with regard to reusable grocery bags made from plastic film on and after January 1, 2016, recycled material content. The bill would impose these requirements as of July 1, 2016, on the stores that are otherwise subject to the bill's requirements. The bill would prohibit a producer of reusable grocery bags made from plastic film from selling or distributing those bags on and after July 1, 2015, unless the producer is certified by a 3rd-party certification entity, as specified. The bill would require a reusable grocery bag producer to provide proof of certification to the department. The bill would require the department to provide a system to receive proofs of certification online. The department would be required to publish on its Internet Web site a list of reusable grocery bag producers that have submitted the required certification and their reusable grocery bags. The bill would require the department to establish an administrative certification fee schedule, which would require a reusable grocery bag producer providing proof to the department of certification or recertification to pay a fee. The bill would require that all moneys submitted to the department pursuant to these fee provisions be deposited into the Reusable Grocery Bag Fund, which would be established by the bill, and continuously appropriated for purposes of implementing these proof of certification and Internet Web site provisions, thereby making an appropriation. The bill would also require a reusable grocery bag producer to submit applicable certified test results to the department. The bill would authorize a person to object to a certification of a reusable grocery bag producer by filing an action for review of that certification in the superior court of a county that has jurisdiction over the reusable grocery bag producer. The bill would require the court to determine if the reusable grocery bag producer is in compliance with the provisions of the bill and, based on the court's determination, would require the court to direct the department to either remove or retain the reusable grocery bag producer on its published Internet Web site list. The bill would allow a city, county, or city and county, or the state to impose civil penalties on a person or entity that knows or reasonably should have known it is in violation of the bill's requirements. The bill would require these civil penalties to be paid to the office of the city attorney, city prosecutor, district attorney, or Attorney General, whichever office brought the action, and would allow the penalties collected by the Attorney General to be expended by the Attorney General, upon appropriation by the Legislature, to enforce the bill's provisions. The bill would declare that it occupies the whole field of the regulation of reusable grocery bags, single-use carryout bags, and recycled paper bags provided by a store and would prohibit a local public agency from enforcing or implementing an ordinance, resolution, regulation, or rule, or any amendment thereto, adopted on or after September 1, 2014, relating to those bags, against a store, except as provided. (2) The California Integrated Waste Management Act of 1989 creates the Recycling Market Development Revolving Loan Subaccount in the Integrated Waste Management Account and continuously appropriates the funds deposited in the subaccount to the department for making loans for the purposes of the Recycling Market Development Revolving Loan Program. Existing law makes the provisions regarding the loan program, the creation of the subaccount, and expenditures from the subaccount inoperative on July 1, 2021, and repeals them as of January 1, 2022. This bill would appropriate \$2,000,000 from the Recycling Market Development Revolving Loan Subaccount in the Integrated Waste Management Account to the department for the purposes of providing loans for the creation and

retention of jobs and economic activity in California for the manufacture and recycling of plastic reusable grocery bags that use recycled content. The bill would require a recipient of a loan to agree, as a condition of receiving the loan, to take specified actions. (3) The bill would require the department, no later than March 1, 2018, to provide a status report to the Legislature on the implementation of the bill's provisions.

SB 445
Hill

Underground storage tanks: hazardous substances: petroleum: groundwater and surface water contamination

(1) Existing law provides for the regulation of underground storage tanks by the State Water Resources Control Board. Existing law requires underground storage tanks that are used to store hazardous substances and that are installed after January 1, 1984, to meet certain requirements, including that the primary containment be product tight and that the tank's secondary containment meet specified standards. However, in lieu of these generally applied requirements, existing law authorizes underground storage tanks for motor vehicle fuels installed before January 1, 1997, to be designed and constructed in accordance with alternative requirements. Existing law imposes various monitoring, inspection, replacement, and upgrading requirements on underground storage tanks installed on or before January 1, 1984, and used for the storage of hazardous substances. This bill would require the owners or operators of these 2 types of underground storage tanks to permanently close them by December 31, 2025, and would authorize the board to adopt regulations to require the owner or operator to permanently close such an underground storage tank before December 31, 2025, if the underground storage tank poses a high threat to water quality or public health. (2) Under existing law, the Barry Keene Underground Storage Tank Cleanup Trust Fund Act of 1989 (the act), portions of which are repealed on January 1, 2016, every owner of an underground storage tank is required to pay a storage fee for each gallon of petroleum placed in the tank. The fees are required to be deposited in the Underground Storage Tank Cleanup Fund and the State Water Resources Control Board is authorized to expend the moneys in the fund, upon appropriation by the Legislature, for various purposes, including the payment of claims to aid owners and operators of petroleum underground storage tanks who take corrective action to clean up unauthorized releases from those tanks, up to \$1,500,000 per occurrence for corrective actions undertaken by the board, a California regional water quality board, or a local agency, the cleanup and oversight of unauthorized releases at abandoned tank sites, and grants to small businesses to retrofit certain hazardous substance underground storage tanks. Existing law also specifies that certain associated rights, obligations, and authorities that apply prior to the January 1, 2016, repeal date do not terminate until the moneys in the fund are exhausted. Existing law establishes, until January 1, 2016, the School District Account in the Underground Storage Tank Cleanup Fund for the payment of claims filed by a school district that takes corrective action to clean up an unauthorized release from a petroleum underground storage tank. This bill would extend the operation of those portions of the act and the School District Account until January 1, 2026. By extending the operation of the act, the bill would impose a state-mandated local program by continuing the operation of certain crimes regarding the furnishing of information under penalty of perjury. The bill would require the board, until January 1, 2026, to establish the Expedited Claim Pilot Project to investigate and implement methods to improve claim processing procedures to reduce the overall cost for site cleanup and time to reach closure. The bill would, until January 1, 2026, establish the Expedited Claim Account in the Underground Storage Tank Cleanup Fund and would, upon appropriation by the Legislature, require the moneys in the account be expended for the implementation of the pilot program. The bill would, for the 2015-16 fiscal year, transfer \$100,000,000 from the Underground Storage Tank Cleanup Fund to the Expedited Claim Account. The bill would require the board, in collaboration with specified entities, to conduct a study to determine the cost-effectiveness and feasibility of issuing bonds to satisfy obligations against the Underground Storage Tank Cleanup Fund and to post a report on the study, by March 1, 2018, on the board's Internet Web site. The bill would, as of the first day of the first calendar quarter commencing more than 90 days after the effective date of the bill, require payment of an additional \$0.006 per gallon of petroleum stored in an underground

storage tank until January 1, 2026. The bill would require \$0.003 of that \$0.006 to be expended only for transfer to the School District Account, for transfer to the Petroleum Underground Storage Tank Financing Account, as specified below, or for transfer to the Site Cleanup Subaccount, which the bill would establish in the State Treasury. The board would be authorized to expend the funds from that subaccount, upon appropriation by the Legislature, to pay for reasonable and necessary expenditures that the board, a regional board, or a local agency incurs to identify the source of surface or groundwater contamination, or to remediate, or to provide grants to remediate, the harm or threat of harm to human health, safety, and the environment caused by existing or threatened surface or groundwater contamination, as specified. The bill would require the board to specify the information to be included in a grant application and would authorize the board to adopt procedures to implement the grant program. The bill would decrease the amount that the board may pay from the Underground Storage Tank Cleanup Fund for corrective action costs to \$1,000,000 per occurrence. (3) Existing law establishes the Underground Storage Tank Petroleum Contamination Orphan Site Cleanup Fund in the State Treasury, and authorizes the board to expend the moneys in the fund, upon appropriation by the Legislature, for the costs of response actions to remediate the harm caused by a petroleum contamination from an underground storage tank that meets specified requirements, including that the site meets the conditions of a brownfield, as defined. This bill would delete the requirement for the expenditure of funds from this fund that the site meet the conditions for a brownfield and would make other conforming changes. The bill would limit the amount of the grants the board may issue from that fund for an occurrence to \$1,500,000 for applications filed before December 31, 2014, and \$1,000,000 for applications filed after that date. (4) Existing law authorizes the board to pay claims from the Underground Storage Tank Cleanup Fund of up to \$1,500,000 per occurrence, as defined, to aid owners and operators of petroleum underground storage tanks who take corrective action to clean up unauthorized releases from those tanks. The board is also required to pay a claim of up to \$3,000 for regulatory technical assistance. Existing law requires the board to pay a claim for the costs of corrective action to a person who owns property on which is located a release from a petroleum underground storage tank that has been the subject of a corrective action, and for which additional corrective action is required because of additionally discovered contamination from the previous release, if the person who carried out the earlier and completed corrective action was eligible for, and applied for, reimbursement pursuant to specified provisions, only to the extent that the amount of reimbursement for the earlier corrective action did not exceed the amount of \$1,500,000. Existing law prohibits the board from reimbursing a claim for corrective action costs that is received by the board more than 365 days after the date of issuance of a closure letter or after the issuance or activation of a letter of commitment, except as specified. This bill would decrease the maximum amount the board is authorized to pay for those corrective action claims filed on or after January 1, 2015, to \$1,000,000 and would increase the limit for regulatory technical assistance to \$5,000, plus the amount for submission of documents using an approved electronic data system. The bill would require the board to pay a claim for the costs of corrective action to a person who owns property on which is located a release from a petroleum underground storage tank that has been removed if the site has been the subject of a corrective action, additional corrective action is required because of additionally discovered contamination from the previous release, the person who owns the property meets specified requirements and is required to perform corrective action pursuant to those provisions because of additionally discovered contamination, and the person who carried out the earlier and completed corrective action did not apply for reimbursement, as prescribed. The bill would authorize the board to reimburse a claim for corrective action costs that is received by the board more than 2 years after the date the cost was incurred or more than 2 years after the date of issuance or activation of a letter of commitment, in certain circumstances, as specified. (5) Existing law specifies that the costs incurred and payable from the fund for corrective action and other expenses are to be recovered by the Attorney General, upon the request of the board, from the owner or operator of the underground storage tank or from any other responsible party. This bill would instead authorize the board to recover those costs. (6) Existing law requires the board to post on its Internet Web site the results of any

program audit or fiscal audit within 90 days after its completion. The bill would require the board, by December 31, 2019, and at least once every 5 years thereafter, to commission an independent program audit and fiscal audit of the fund. The bill would require the audit to include a review of projected expenses and revenue for the 5 years subsequent to the date of the audit and proposals for the appropriate amount of the petroleum storage fee for that 5-year period. The bill would require the board, by June 1, 2016, to conduct an analysis on whether the priority ranking criteria for the payment of claims to small businesses should be revised and to post the results on the board's Internet Web site within 90 days after completing the analysis. (7) The act requires an owner or operator of an underground storage tank to furnish, under penalty of perjury, any information on fees, financial responsibility, unauthorized releases, or corrective action as a local agency, regional board, or the state board may require. The bill would subject to a civil penalty a person who fails or refuses to furnish that information or furnishes false information. The bill would authorize the executive director of the board to permanently disqualify a person convicted of making a false statement to the board, or found civilly liable for specified conduct relating to any claim, from receiving any moneys from the fund, if the executive director makes one of a specified set of findings with regard to claimants, contractors, or consultants. The bill would also impose a civil penalty upon a person that makes a misrepresentation in a claim submitted to the fund. The bill would require the Attorney General, upon the request of the board, to bring an action in superior court to impose these civil penalties and would authorize the executive director of the board to impose these civil penalties administratively. The bill would also provide that a person who knowingly makes or causes to be made a false statement, material misrepresentation, or false certification in support of a claim is punishable by a criminal fine or imprisonment, or by both that fine and imprisonment. By creating a new crime, the bill would impose a state-mandated local program. The bill would authorize the board to review the imposition of civil penalties by the executive director in a specified manner. The bill would require that these fines and civil penalties be deposited into the fund. The bill would authorize the board to expend the moneys in the fund, upon appropriation, to pay for the expenditures of the board associated with investigation and enforcement under the act. The bill would also make conforming changes with regard to this enforcement. The bill would also make conforming changes with regard to the amounts deposited in the fund, the purposes for which the money in the fund would be expended, and the continued existence, after the repeal of portions of the act on January 1, 2026, of certain authority in the act to take specified legal actions. The bill would prohibit the board from accepting claim applications for reimbursement for corrective action costs or compensation of 3rd parties that are submitted to the fund after January 1, 2025, unless the board makes a specified finding, and would prohibit the board from accepting requests for reimbursement for those purposes after July 1, 2025. (8) Existing law requires owners and operators of underground storage tanks systems containing hazardous substances to maintain evidence of financial responsibility. Existing law also requires petroleum underground storage tanks to establish and maintain specified evidence of financial responsibility for taking corrective action and compensating 3rd parties for bodily injury and property damage arising from operating the tank, except that certain owners or operators eligible for payment of a claim from the fund are deemed in compliance with those financial responsibility requirements. This bill would allow all claimants to use the fund to establish and maintain evidence of financial responsibility for purposes of the requirements imposed upon petroleum underground storage tanks but would prohibit, on and after January 1, 2025, an owner or operator of a tank for which a permit is in effect from using the fund as a mechanism to demonstrate compliance with certain financial responsibility requirements and specified federal statutory requirements. (9) Existing law, until January 1, 2022, requires the board to conduct a loan program to assist small businesses to upgrade, replace, or remove tanks used for the purpose of storing petroleum to meet applicable local, state, or federal standards and to conduct a grant program to assist small businesses to comply with certain requirements imposed on those tanks with regard to specified testing and containment systems and enhanced leak detection. Existing law provides that the maximum amount that the board may grant an applicant is \$50,000. Existing law transfers specified funds from the Underground Storage Tank Cleanup

Fund to the Petroleum Underground Storage Tank Financing Account and appropriates those funds for the purpose of making those grants and loans. This bill would expand the purposes for which the board may issue those grants and loans to include the upgrade, removal, or replacement of those tanks to meet specified requirements with regard to the permanent closure of underground storage tanks and would increase the maximum amount that the board may grant an applicant to \$70,000, thereby making an appropriation. The bill would also authorize the board to make a grant of up to \$140,000 for the removal and replacement of tanks located at a fueling station that meets specified requirements. The bill would authorize the board to waive certain permitting and other requirements for a grant applicant that is ineligible for a loan pursuant to the program and will remove a tank without replacing it. (10) This bill would declare that it is to take effect immediately as an urgency statute.

SB 712

Hazardous waste facility: permitting: interim status

Lara

Existing law requires the facilities handling hazardous waste to obtain a permit from the Department of Toxic Substances Control. Existing law authorizes a hazardous waste facility in existence on a specified date or on the effective date of any statute or regulation that subjects the facility to the hazardous waste permitting requirements to continue to operate under a grant of interim status pending the review and decision of the department on the permit application. This bill would require the department, on or before December 31, 2015, to issue a final permit decision on an application for a hazardous waste facilities permit that is submitted by a facility operating under a grant of interim status on or before January 1, 1986, by either issuing a final permit or a final denial of the application. The bill would, except as specified, terminate the grant of interim status for such a facility on December 31, 2015, or on the date on which the department issues a final permit decision on the application, whichever is earlier. For other facilities granted interim status, the bill would terminate that status, at times determined based on specified factors. Existing law authorizes the department to temporarily suspend a permit, registration, or certificate before a hearing if the department determines that the action is necessary to prevent or mitigate an imminent and substantial danger to the public health and the environment. This bill would authorize the temporary suspension of a facility operating under an expired permit that has been extended because of a pending renewal application or under an interim status if the department determines that the action is necessary to prevent or mitigate a risk to the public health and the environment.

SB 1117

Pesticide Contamination Prevention Act

Monning

Existing law requires the registration of pesticides in this state for agricultural use, and requires a person who has registered a pesticide to submit specified information for each active ingredient in each pesticide registered. Existing law requires the Department of Pesticide Regulation to establish specific numerical values for factors relating to pesticide use and groundwater, including, among others, water solubility and field dissipation, and to post certain information on its Internet Web site for each pesticide registered. Existing law requires the Director of Pesticide Regulation to establish, by regulation, a Groundwater Protection List that includes pesticides that have the potential to pollute groundwater, and, under certain circumstances, to regulate their use. This bill would revise the information required to be included in the Groundwater Protection List to include each active ingredient, other specified ingredient, or degradation product of a pesticide that, when applied, has the potential to pollute groundwater, and would require the director, in consultation with a specified subcommittee of the director's pesticide registration and evaluation committee, to develop a peer reviewed method to determine that potential, as specified. The bill would require the director to regulate each active ingredient, other specified ingredient, or degradation product of a pesticide on the Groundwater Protection List that is detected and determined to be a result of lawful agricultural use, and would revise the information that the department is required to post on its Internet Web site. The bill would delete provisions requiring dealers of pesticides to make quarterly reports to the director on certain sales of pesticides to persons who are not required to file a report, as

specified. The bill would make conforming and other related changes to provisions relating to the detection and regulation of active ingredients, other specified ingredients, and degradation products of pesticides. Existing law specifies that the director may authorize the continued registration, sale, and use of a pesticide found to have migrated, including if an active ingredient is found in the groundwaters in the state, to avoid severe economic hardship on the state's agricultural industry. Existing law requires the department to conduct ongoing soil and groundwater monitoring of those pesticides for which the director has authorized continued registration, sale, and use. This bill would require the department, for a pesticide whose continued use is allowed, to continuously review new science and data that could impact the validity of a finding that the pesticide has not polluted and does not threaten to pollute the groundwater of the state. The bill would require the department, as prescribed, to either mitigate the threat presented by the pollution or subject the pesticide again to specified review. The bill would revise the definitions applicable to the provisions above relating to pesticide contamination prevention.

SB 1167 *Vector control*

Hueso (1) Existing law requires a person who possesses a place that is infested with rodents to immediately proceed and continue in good faith to exterminate and destroy the rodents. Existing law authorizes the State Department of Public Health, a county board of supervisors, or a governing board of a city to take specified actions, including purchasing poison, traps, and other materials, for the purpose of exterminating and destroying rodents. This bill would additionally require that person to abate specified conditions that are causing the infestation. The bill would also authorize the department, the county board of supervisors, and the governing body of a city to abate specified conditions that are causing the infestation. (2) Existing law requires the building department of every city or county to enforce within its jurisdiction all the provisions published in the State Building Standards Code and other housing standards. Existing law provides various methods of remediating building code and safety violations, including repair, rehabilitation, vacation, or demolition of the building. This bill would require, whenever the enforcement agency determines that there is an infestation, as specified, that the enforcement agency's abatement order include abatement of any other specified conditions that the agency determines to have caused the infestation.

SB 1332 *Pesticides: carbon monoxide pest control devices*

Wolk Existing law regulates pesticide use and generally provides that, except for specified provisions that are within the jurisdiction of the Secretary of Food and Agriculture, the enforcement of these provisions is the duty of the Director of Pesticide Regulation. Existing law, until January 1, 2018, authorizes the use of carbon monoxide for the control of burrowing rodent pests under specified conditions, including that the carbon monoxide delivery device be permanently affixed with a warning label, as provided. Existing law provides that a violation of the provisions relating to pesticides, or any regulation adopted pursuant to those provisions, is a misdemeanor, and further provides, in lieu of misdemeanor prosecution by the director, for civil prosecution by the director, or for the director or a county agricultural commissioner to levy a civil penalty against a person violating those provisions. This bill would require the director to regulate the use of carbon monoxide pest control devices, as defined, and to adopt and enforce regulations to provide for the proper, safe, and efficient use of these devices, as specified. A violation of those provisions would be a misdemeanor, and would also be subject to the provisions authorizing the action to be prosecuted civilly by the director, or for a county agricultural commissioner to levy a civil penalty, in lieu of prosecution as a misdemeanor.

SB 1395 *Public beaches: inspection for contaminants*

Block Existing law requires the State Department of Public Health to adopt regulations for the minimum public health standards of public beaches, including requiring the testing of waters adjacent to all public beaches for specified microbial contaminants. Existing law authorizes the

department to require testing of the waters adjacent to all public beaches for additional microbial indicators if the department establishes that those indicators are as protective of the public health. This bill would authorize the department to allow a local health officer to use specified polymerase chain reaction testing methods published by the United States Environmental Protection Agency or approved as an alternative test procedure pursuant to federal law to determine the level of enterococci bacteria as a single test based on a single indicator at one or more beach locations within that jurisdiction if the local health officer demonstrates through side-by-side testing over a beach season that the use of the test method provides a reliable indication of overall microbiological contamination conditions. The bill would require the department, in making the determination of whether to authorize the use of those testing methods by a local health officer, to take into account whether the alternative indicators and related test method can provide results more quickly. The bill would specify that its provisions do not require the use of those testing methods.

SB 1458

Committee on
Environmental
Quality

Hazardous substances

(1) Existing law establishes various standards for management and control of hazardous waste, and authorizes the Department of Toxic Substances Control to exempt, by regulations adopted until January 1, 2008, a hazardous waste management activity from certain statutory requirements related to hazardous waste management if specified conditions for exemption are met. A violation of the hazardous waste control laws is a crime. This bill would repeal the provisions that authorized, until January 1, 2008, the department to exempt hazardous waste management activities from those standards but would provide that those exceptions adopted prior to that date shall remain valid, unless repealed. (2) Chapter 39 of the Statutes of 2012, effective June 27, 2012, authorizes a person to apply to the department for a written variance from a land use restriction imposed by the department on a hazardous waste property if certain requirements are met, including providing a statement containing specified information supporting the grant of a variance, and repealed a provision that prohibited certain uses of land that is hazardous waste property without a specific variance approved in writing by the department for the land use and land in question. This bill would enact a prohibition similar to the one repealed against taking certain specified actions on land that is subject to a recorded land use restriction, unless a person obtains a specific approval in writing from the department for the land use on the land in question. The bill would make conforming changes with regard to this requirement. Since a violation of the bill's prohibition would be crime, the bill would impose a state-mandated local program by creating a new crime. (3) Existing law provides for the regulation of underground storage tanks by the State Water Resources Control Board, and requires the board, until January 1, 2022, to conduct a loan and grant program to assist small businesses in upgrading, replacing, or removing tanks meeting applicable local, state, or federal standards (UST upgrade program). Existing law creates the Underground Storage Tank Cleanup Fund in the State Treasury, and authorizes the board to expend moneys in the fund, upon appropriation by the Legislature, for purposes of the program. Existing law requires that specified funds, including moneys from civil penalties collected by the board or the regional board for violations of specified program requirements, be deposited in the fund. This bill would additionally require that moneys recovered as compensation for expenditures associated with specified investigations or enforcement actions and moneys recovered to correct a previously overpaid expenditure be deposited in the fund. The bill would authorize the board to use moneys in the fund, upon repeal of those provisions governing the loan and grant program on January 1, 2022, to pay for specified expenditures related to the repayment of loans, and actions necessary to carry out rights, obligations, or authorities under the program. The bill would revise various requirements for determining an applicant's eligibility for a claim for correction action costs or 3rd-party compensation costs. (4) Existing law requires the State Water Resources Control Board, for the purpose of preparing health risk assessments, to enter into contracts or agreements with the State Department of Public Health, or with other state or local agencies, subject to the approval of the State Department of Public Health. This bill would instead require the state board, for the purpose of preparing those health risk assessments, to enter into contracts or

agreements with the Office of Environmental Health Hazard Assessment.

Community Health Services

AB 1174 *Dental professionals*

Bocanegra (1) Under existing law, the Dental Practice Act, the Dental Board of California licenses and regulates dentists. Existing law creates, within the jurisdiction of the board, a Dental Assisting Council that is responsible for the regulation of dental assistants, registered dental assistants, and registered dental assistants in extended functions and a Dental Hygiene Committee of California, that is responsible for the regulation of registered dental hygienists, registered dental hygienists in alternative practice, and registered dental hygienists in extended functions. Existing law governs the scope of practice for those professionals, and authorizes a dentist to require or permit one of those professionals, referred to as a dental auxiliary, to perform specified duties, including exposing emergency radiographs upon the direction of the dentist, prior to the dentist examining the patient. This bill would add to those specified duties exposing radiographs, as specified, make a dentist responsible to provide a patient or the patient's representative written notice, including specified contact information and disclosing that the care was provided at the direction of that authorizing dentist, and would prohibit a dentist from concurrently supervising more than a total of 5 dental auxiliaries, as specified. The bill would authorize specified registered dental assistants in extended functions, registered dental hygienists, and registered dental hygienists in alternative practice to determine which radiographs to perform and to place protective restorations, as specified. The bill would require the board to adopt related regulations, and would also require the committee to review proposed regulations and submit any recommended changes to the board for review to establish a consensus. (2) Existing law requires the committee to establish by resolution the amount of the fees that relate to the licensing of a registered dental hygienist, registered dental hygienist in alternative practice, and registered dental hygienist in extended functions. Existing law limits the fee for each review of courses required for licensure that are not accredited to \$300. Under existing law, those fees are further limited to the reasonable regulatory cost incurred by the committee. This bill would instead limit the fee for each review or approval of course requirements for licensure or procedures that require additional training to \$750. (3) Existing law provides for the Medi-Cal program, which is administered by the State Department of Health Care Services, under which qualified low-income individuals receive health care services, including certain dental services, as specified. Existing law provides that, to the extent that federal financial participation is available, face-to-face contact between a health care provider and a patient is not required under the Medi-Cal program for "teleophthalmology and teledermatology by store and forward," as defined to mean the asynchronous transmission of medical information to be reviewed at a later time by a licensed physician or optometrist, as specified, at a distant site. This bill would additionally provide that face-to-face contact between a health care provider and a patient is not required under the Medi-Cal program for teledentistry by store and forward, as defined. (4) Existing law authorizes the Office of Statewide Health Planning and Development to approve Health Workforce Pilot Projects (HWPP) No. 172, as defined. The office has approved operation HWPP No. 172, relating to dental workforce, through December 15, 2014. This bill would extend the operation of HWPP through January 1, 2016. The bill would also delete redundant provisions, and would make conforming changes.

AB 1733 *Public records: fee waiver*

Quirk-Silva (1) Existing law establishes the State Department of Public Health and sets forth its powers and duties, including, but not limited to, the duties as State Registrar relating to the uniform administration of provisions relating to vital records and health statistics. Existing law requires the State Registrar, local registrar, or county recorder to, upon request and payment of the required fee, supply to an applicant a certified copy of the record of a birth, fetal death, death, marriage, or marriage dissolution registered with the official. Existing law authorizes the issuance of certain records without payment of the fee. This bill would, on or after July 1, 2015, require each local registrar or county recorder to issue, without a fee, a certified record of live

birth to any person who can verify his or her status as a homeless person or a homeless child or youth, as defined. The bill would require a homeless services provider, as described, that has knowledge of a person's housing status to verify the person's status as a homeless person or homeless child or youth for purposes of this provision. The bill would require the State Department of Public Health to develop an affidavit attesting to an applicant's status as a homeless person or homeless child or youth, and would provide that the affidavit is sufficient verification for purposes of obtaining the certified record of live birth, as specified. By imposing additional duties on county employees, the bill would impose a state-mandated local program. (2) Existing law authorizes the Department of Motor Vehicles to issue an identification card to any person attesting to the true full name, correct age, and other identifying data as certified by the applicant for the identification card, and authorizes the assessment of related fees. This bill would, on and after January 1, 2016, require the department to issue, without a fee, an original or replacement identification card to a person who can verify his or her status as a homeless person or homeless child or youth, as defined. The bill would authorize a homeless services provider, as described, that has knowledge of a person's housing status to verify the person's status as a homeless person or homeless child or youth for purposes of this provision.

AB 1787 *Airports: commercial operations: lactation accommodation*

Lowenthal Existing law requires every employer to provide a reasonable amount of break time to accommodate an employee who desires to express breast milk for the employee's infant child. Existing federal law requires employers to provide the employee with the use of a room, other than a bathroom, for the employee to express breast milk, as specified. Existing law authorizes local agencies, as defined, to acquire property for airport purposes and engage in various activities related to airport development and operation. This bill would, except as specified, require, on or before January 1, 2016, the airport manager of an airport that conducts commercial operations and that has more than 1,000,000 enplanements a year to provide a room or other location at each airport terminal behind the airport security screening area for members of the public to express breast milk in private that meets specified conditions. The bill would require other airports to comply with these requirements upon new terminal construction or in other circumstances.

AB 1819 *Family day care home: smoking prohibition*

Hall Existing law, the California Child Day Care Facilities Act, governs the licensing and operation of family day care homes and requires the State Department of Social Services to administer these provisions. Among other things, the act prohibits the smoking of tobacco in a private residence that is licensed as a family day care home during the hours of operation as a family day care home. A person who willfully or repeatedly violates a provision of the act is guilty of a misdemeanor. This bill would prohibit the smoking of tobacco in a private residence that is licensed as a family day care home without regard to whether the act occurs during the hours of operation of the home. By expanding the scope of a crime, the bill would impose a state-mandated local program. The bill would also make a conforming change.

AB 1928 *Alcoholic beverages: coupons: beer*

Bocanegra The Alcoholic Beverage Control Act prohibits any licensee from giving any premium, gift, or free goods in connection with the sale or distribution of any alcoholic beverage, except as specifically authorized. The act provides that a violation of any of its provisions for which another penalty or punishment is not specifically provided is a misdemeanor. This bill would prohibit a beer manufacturer or a beer wholesaler from offering, funding, producing, sponsoring, promoting, furnishing, or redeeming any type of coupon. The bill would also prohibit a licensee authorized to sell alcoholic beverages at retail from accepting, redeeming, possessing, or utilizing any type of coupon that is funded, produced, sponsored, promoted, or furnished by a beer manufacturer or beer wholesaler. The bill would define beer manufacturer and coupon for these purposes and would except from the definition of coupon certain rebates, coupons, and

discounts. By expanding the definition of a crime by imposing additional duties on a licensee under the act, the bill would impose a state-mandated local program.

AB 2004
Chesbro

Alcoholic beverage sales: beer manufacturers

(1) Existing law, the Alcoholic Beverage Control Act, authorizes a licensed beer manufacturer, at the licensed premises of production, to sell to consumers for consumption off the premises beer that is produced and bottled by, or produced and packaged for, that manufacturer and, among other things, to sell beer and wine, regardless of source, to consumers for consumption at a bona fide public eating place on the manufacturer's licensed premises or contiguous to it, as specified. The act provides that a violation of its provisions is a misdemeanor unless otherwise specified. Existing law provides that moneys collected as fees pursuant to the act are to be deposited in the Alcohol Beverage Control Fund. These moneys are generally allocated to the Department of Alcoholic Beverage Control upon appropriation by the Legislature. This bill would authorize a beer manufacturer to have upon the premises, as specified, all beers and wines, regardless of source, for sale or service to guests during private events or private functions not open to the general public. The bill would require the beer manufacturer to purchase alcoholic beverages sold at the premises that are not produced and bottled by, or produced and packaged for, the beer manufacturer from a licensed wholesaler, as specified. Because a violation of a provision of a license is a misdemeanor and this bill would increase activities permitted pursuant to the license, subject to specified requirements, this bill would expand the definition of a crime and would impose a state-mandated local program. (2) Existing law authorizes a licensed winegrower to apply to the Department of Alcoholic Beverage Control for a certified farmers' market sales permit, which allows the licensee, a member of the licensee's family, or an employee of the licensee to sell wine produced and bottled by the winegrower at certified farmers' market locations, under specified conditions. This bill would authorize a licensed beer manufacturer to apply to the Department of Alcoholic Beverage Control for a certified farmers' market beer sales permit, which would allow the licensee, a member of the licensee's family who is 21 years of age or older, or an employee of the licensee to sell packaged beer that has been manufactured by the beer manufacturer at certified farmers' market locations, under specified conditions. Among other things, the bill would prohibit a licensee from selling more than 5,000 gallons of beer annually pursuant to all certified farmers' market beer sales permits held by the beer manufacturer and would require the licensee to pay a fee of \$50 for the permit. Because the violation of a provision of a license is punishable as a misdemeanor and the bill would create a new category of license, the bill would expand the definition of a crime, thereby imposing a state-mandated local program.

AB 2073
Bigelow

Alcoholic beverage control: public schoolhouses

Existing law generally prohibits the sale or consumption of alcoholic beverages at a public schoolhouse or any grounds thereof. Existing law provides for various exceptions to this prohibition, including an exception where the alcoholic beverage is possessed, consumed, or used during a special event held at the facilities of a public community college, as provided. This bill would provide that the prohibition against the sale or consumption of alcoholic beverages on the grounds of a public schoolhouse does not apply if the alcoholic beverages are acquired, possessed, used, sold, or consumed pursuant to a license or permit obtained for special events held at facilities, as described, owned and operated by an educational agency, a county office of education, superintendent of schools, school district, or community college district at a time when pupils are not on the grounds.

AB 2182 Beth Gaines	<i>Alcoholic beverage control: winegrowers: wine sales event permits</i> The Alcoholic Beverage Control Act authorizes the issuance of a wine sales event permit to any licensee under a winegrower's license, which authorizes the sale of bottled wine produced by the winegrowers at specified events, and is valid for a maximum of 5 consecutive days during the event period. This bill would provide that a wine sales event permit is valid for the entire duration of the event.
AB 2203 Chesbro	<i>Alcoholic beverages: beer labeling</i> The Alcoholic Beverage Control Act provides for specified labeling requirements for containers of alcoholic beverages sold within this state, and prohibits the obliteration, mutilation, or marking out of a manufacturer's name on returnable beer containers or cartons made of wood or fiber board, as specified. A violation of the act is a misdemeanor. This bill would additionally prohibit the obliteration, mutilation, or marking out of a manufacturer's name on metal kegs, as specified. By expanding the scope of an existing crime, the bill would impose a state-mandated local program.
AB 2413 John A. Pérez	<i>The Office of Farm to Fork</i> Existing law establishes the Department of Food and Agriculture, which is tasked with, among other things, promoting and protecting the agricultural industry of the state, and seeking to enhance, protect, and perpetuate the ability of the private sector to produce food and fiber in a way that benefits the general welfare and economy of the state. Existing law also establishes the California Healthy Food Financing Initiative for the purpose of promoting healthy food access in the state. This bill would create the Office of Farm to Fork within the department, and would require the office, to the extent that resources are available, to work with various entities, including, among others, the agricultural industry and other organizations involved in promoting food access, to increase the amount of agricultural products available to underserved communities and schools in the state. The bill would require the office to, among other things, identify urban and rural communities that lack access to healthy food, and to coordinate with local, state, and federal agencies to promote and increase awareness of programs that promote greater food access. The bill would create the Farm to Fork Account in the Department of Food and Agriculture Fund that would consist of money made available from federal, state, industry, and other sources, and would continuously appropriate the money deposited in the account without regard to fiscal years to carry out the purposes of the Office of Farm to Fork. By creating a continuously appropriated fund, the bill would make an appropriation. The bill, until January 1, 2020, would also require the department, in any year in which funds are received into or expended from the Farm to Fork Account, to submit to the Legislature an overview of the account's income and expenditures.
AB 2488 Levine	<i>Alcoholic beverages: certified farmers' market sales permit</i> The Alcoholic Beverage Control Act permits the Department of Alcoholic Beverage Control to issue special temporary licenses and permits to various entities for limited purposes. The act permits the department to issue a certified farmers' market sales permit that authorizes a licensee under a winegrower's license, a member of the licensee's family, or an employee of the licensee to sell wine produced and bottled by the winegrower at certified farmers' market locations, under specified conditions. The act provides that a violation of its provisions is a misdemeanor, unless otherwise specified. This bill would specify that, pursuant to the certified farmers' market sales permit, the licensee may only sell wine that is produced entirely from grapes or other agricultural products grown by the winegrower and that is bottled by the winegrower. This bill would require the certified farmers' market sales permit to authorize the licensee, a member of the licensee's family, or an employee of the licensee to conduct an instructional tasting event on the subject of wine at a certified farmers' market, subject to certain conditions.

AB 2690 *Driving under the influence*

Mullin Existing law makes it a crime to operate a vehicle while under the influence of alcohol or drugs, and sets forth the penalties for a violation of these provisions. Existing law provides that a person who is guilty of driving under the influence or driving under the influence causing injury, is subject to enhanced penalties if the current offense occurred within 10 years of a prior conviction that was punished as a felony for driving under the influence, driving under the influence causing injury, or vehicular manslaughter with gross negligence. This bill would instead authorize those enhanced penalties for a current conviction for driving under the influence or driving under the influence causing injury that occurs within 10 years of a separate conviction that was punished as a felony for driving under the influence, driving under the influence causing injury, or vehicular manslaughter with gross negligence.

SB 1245 *The Dental Hygiene Committee of California*

Lieu Existing law establishes the Dental Hygiene Committee of California, within the jurisdiction of the Dental Board of California, and provides for the appointment of the committee members. Existing law requires the committee to administer the laws regulating dental hygienists. Under existing law those provisions remain in effect only until January 1, 2015. This bill would extend the operation of those provisions until January 1, 2019.

SB 1266 *Pupil health: epinephrine auto-injectors*

Huff (1) Existing law authorizes a school district or county office of education to provide emergency epinephrine auto-injectors to trained personnel, and authorizes trained personnel to use epinephrine auto-injectors to provide emergency medical aid to persons suffering from an anaphylactic reaction. Existing law authorizes each public and private elementary and secondary school in the state to designate one or more school personnel on a voluntary basis to receive initial and annual refresher training regarding the storage and emergency use of an epinephrine auto-injector, as specified. Existing law authorizes a school nurse, or a person who has received the training described above if the school does not have a school nurse, to, among other things, obtain a prescription for epinephrine auto-injectors. This bill would instead require school districts, county offices of education, and charter schools to provide emergency epinephrine auto-injectors to school nurses and trained personnel who have volunteered, as specified, and would authorize school nurses and trained personnel to use epinephrine auto-injectors to provide emergency medical aid to persons suffering, or reasonably believed to be suffering, from an anaphylactic reaction. The bill would require school districts, county offices of education, and charter schools to distribute a notice requesting volunteers at least once a year. The bill would require a qualified supervisor of health or administrator at a school district, county office of education, or charter school to obtain the prescription for epinephrine auto-injectors from an authorizing physician and surgeon, as defined, and would authorize the prescription to be filled by local or mail order pharmacies or epinephrine auto-injector manufacturers. The bill would require epinephrine auto-injectors to be stocked and restocked by the qualified supervisor of health or administrator in accordance with specified provisions. By imposing additional duties on local educational agencies, the bill would impose a state-mandated local program. (2) Existing law requires the Superintendent of Public Instruction to establish minimum standards of training for the administration of epinephrine auto-injectors, as specified, and requires a school district or county office of education to create a plan relating to its use. This bill would delete the requirement for creating a plan, would revise the training requirements, and would require the Superintendent to review the minimum standards of training at least every 5 years. The bill would require a school district, county office of education, or charter school to ensure that each employee who volunteers is provided defense and indemnification by the school district, county office of education, or charter school for any and all civil liability, as specified. The bill would authorize a state agency, the State Department of Education, or a public school to accept gifts, grants, and donations from any source for the support of the public school carrying out these provisions. By requiring local educational agencies to perform additional duties related

to epinephrine auto-injectors, the bill would impose a state-mandated local program. (3) Existing law authorizes a pharmacy to furnish epinephrine auto-injectors to a school district or county office of education if certain requirements are met. This bill would also authorize a pharmacy to furnish epinephrine auto-injectors to charter schools pursuant to those provisions.

SB 1416
Block

Dentistry: fees

Existing law, the Dental Practice Act, provides for the licensure and regulation of the practice of dentistry by the Dental Board of California. The act, among other things, requires the board to examine all applicants for a license to practice dentistry and to collect and apply all fees, as specified. The act requires the charges and fees for licensed dentists to be established by the board as is necessary for the purpose of carrying out the responsibilities required by these provisions, subject to specified limitations. Existing law prohibits the fee for an initial license and for the renewal of the license from exceeding \$450. This bill would instead set the fee for an initial license and for the renewal of the license at \$525. The bill would make related findings and declarations.

Division of Communicable Diseases

- AB 966 *Prisoner Protections for Family and Community Health Act*
Bonta Under existing law, the Secretary of the Department of Corrections and Rehabilitation is responsible for the administration of the state prisons. Existing law makes it a crime to engage in sodomy while incarcerated in a state prison and existing regulation prohibits inmates from participating in illegal sexual acts. This bill would require the department to develop a 5-year plan to extend the availability of condoms in all California prisons.
- AB 1667 *Tuberculosis*
Williams Existing law prohibits a person being initially employed by a school district in a certificated or classified position, or who is employed or volunteering at a private or parochial school or nursery school, unless the person has submitted to a tuberculosis examination within the past 60 days, and requires the person to undergo an examination by a physician and surgeon or a physician assistant, as specified, to determine that he or she is free of active tuberculosis at least once every 4 years thereafter. Existing law requires the governing board of a school district to reimburse the employee for the cost of the examination. This bill would instead require a person to submit to a tuberculosis risk assessment, and, if risk factors are identified, would then require the person to submit to a tuberculosis examination to determine that the person is free of infectious tuberculosis. The bill would allow a person who is subject to these requirements to submit to an examination instead of submitting to a tuberculosis risk assessment, as specified. The bill would also make those provisions applicable to persons under contract in any school or volunteering in a public school, except as specified. With respect to school district personnel, the bill would also authorize nurse practitioners to administer the examination. The bill would require the State Department of Public Health, in consultation with the California Tuberculosis Controllers Association, to develop a risk assessment questionnaire, to be administered by a health care provider, to conduct the tuberculosis risk assessments. This risk assessment questionnaire would be exempt from the rulemaking provisions of the Administrative Procedure Act.
- AB 1743 *Hypodermic needles and syringes*
Ting Existing law, until January 1, 2015, authorizes a pharmacist or physician to furnish 30 or fewer hypodermic needles and syringes for human use to a person 18 years of age or older solely for his or her personal use. This bill would delete that January 1, 2015, date of repeal and would, until January 1, 2021, authorize a pharmacist or physician to provide an unlimited number of hypodermic needles and syringes to a person 18 years of age or older solely for his or her personal use. Under existing law it is unlawful to possess an opium pipe or any device, contrivance, instrument, or paraphanelia used for unlawfully injecting or smoking specified controlled substances. Existing law, until January 1, 2015, exempts from this prohibition the possession of 30 or fewer hypodermic needles and syringes if acquired from an authorized source, and from January 1, 2015, through December 31, 2018, inclusive, exempts from this prohibition possession solely for personal use of 10 or fewer hypodermic needles or syringes if acquired from an authorized source. This bill would, instead, and until January 1, 2021, exempt the possession of any amount of hypodermic needles and syringes that are acquired from an authorized source.
- AB 1898 *Public health records: reporting: HIV/AIDS*
Brown Existing law, with specified exceptions, prohibits the disclosure of public health records containing personally identifiable information relating to human immunodeficiency virus (HIV) or acquired immunodeficiency syndrome (AIDS) that were developed or acquired by a state or local public health agency. Existing law authorizes disclosure of these public health records if otherwise provided by law for public health purposes, pursuant to a written authorization by the person who is the subject of the record, or when the confidential information is necessary to

carry out the duties of the public health agency or researcher in the investigation, control, or surveillance of disease. Existing law requires these authorized disclosures to include only the information necessary for the purpose of that disclosure and to be made upon the agreement that the information will be kept confidential and will not be further disclosed without written authorization. Existing law provides exceptions to the above-described requirements on the disclosure of information regarding public health records relating to HIV or AIDS, and authorizes specified disclosures of that information for the purpose of enhancing the completeness of HIV/AIDS, tuberculosis, and sexually transmitted disease coinfection reporting to the federal Centers for Disease Control and Prevention (CDC), including authorizing local public agency tuberculosis control staff to disclose the information to certain state public health agency staff who may further disclose the information to the CDC, as specified. This bill would require any disclosure authorized under these provisions to include only the information necessary for the purpose of that disclosure and to be made upon the agreement that the information will be kept confidential. This bill would prohibit specified disclosures from being made without written authorization. The bill would include hepatitis B, hepatitis C, and meningococcal infection for HIV/AIDS coinfection reporting to the CDC. The bill would additionally authorize, for purposes of the investigation, control, or surveillance of HIV and its coinfection with hepatitis B, hepatitis C, and meningococcal infection, local public health agency communicable disease staff to further disclose the information to state public health agency staff, who may further disclose the information to the CDC, as specified. Existing law authorizes local public health agency sexually transmitted disease control and tuberculosis control staff to disclose the HIV/AIDS-related information to state or local public health agency sexually transmitted disease control and tuberculosis control staff, the HIV-positive person, or his or her health care provider, for the purpose of facilitating appropriate medical care and treatment of persons coinfecting with HIV, tuberculosis, syphilis, gonorrhea, or chlamydia. This bill would additionally authorize any local public health agency sexually transmitted disease control, communicable disease control, and tuberculosis staff to further disclose that information to state or local public health agency sexually transmitted disease control, communicable disease control, and tuberculosis staff for the purpose of facilitating appropriate medical care and treatment of persons coinfecting with HIV, hepatitis B, hepatitis C, or meningococcal infection, as specified.

AB 2069 *Immunizations: influenza*

Maienschein Under existing law, the State Department of Public Health administers various programs for the protection of public health. Existing law requires the department to submit a biennial report to the Legislature on the immunization status of young children in the state and the improvements made in ongoing methods of immunization outreach and education in communities where immunization levels are disproportionately low. This bill would require the department to post specified educational information regarding influenza disease and the availability of influenza vaccinations on the department's Internet Web site, and also would authorize the department to use additional available resources to educate the public regarding influenza, including, among other things, public service announcements. The bill would also make legislative findings and declarations relating to the influenza virus.

AB 2425 *Laboratories: review committee*

Quirk Existing law requires laboratories engaging in the performance of forensic alcohol analysis tests by or for law enforcement agencies on blood, urine, tissue, or breath for the purposes of determining the concentration of ethyl alcohol in persons involved in traffic accidents or in traffic violations to comply with various existing State Department of Public Health regulations regarding the inspection of laboratories, collection and handling of samples, methods of analysis, and laboratory records, until the time those regulations are revised, as specified. Existing regulations require each forensic alcohol laboratory to establish the concentration of each lot of secondary alcohol standards it uses, whether prepared or acquired, by an oxidimetric

method that employs a primary standard. Existing regulations require analytical results to be reported to the 2nd decimal place. Existing law requires the State Department of Public Health to establish a review committee, which is required to meet at least once in each 5-year period after its initial meeting, or within 60 days of receipt of a request by the department or a member of the review committee, to evaluate and determine revisions to relevant department regulations. Existing law requires the department to adopt regulations to incorporate the review committee's revisions. This bill would prohibit laboratories that are accredited in forensic alcohol analysis by the American Society of Crime Laboratory Directors/Laboratory Accreditation Board from being required to establish the concentration of each lot of secondary alcohol standards it uses, whether prepared or acquired, by an oxidimetric method that employs a primary standard, and would specify that those laboratories are not limited to reporting analytical results to the 2nd decimal place. The bill would instead require the review committee to meet at least once in each 3-year period after its initial meeting and would require the review committee, in determining revisions, to take into consideration the advancement and development of scientific processes, including the reporting of results with an estimated uncertainty measurement.

Emergency Medical Services

- AB 2217 *Pupil and personnel health: automated external defibrillators*
Melendez Existing law authorizes a school district or school to provide a comprehensive program in first aid or cardiopulmonary resuscitation training, or both, to pupils and employees, and requires the program to be developed using specified guidelines. This bill would authorize a public school to solicit and receive nonstate funds to acquire and maintain an automated external defibrillator (AED). The bill would provide that the employees of the school district are not liable for civil damages resulting from certain uses, attempted uses, or nonuses of an AED, except as provided. The bill would provide that a public school or school district that complies with certain requirements related to an AED is not liable for any civil damages resulting from any act or omission in the rendering of the emergency care or treatment, except as provided.
- AB 2399 *Organ and tissue donor registry: driver's license information*
John A. Pérez The Uniform Anatomical Gift Act authorizes specified state organ procurement organizations to establish a not-for-profit entity designated the California Organ and Tissue Donor Registrar, and requires that entity to establish and maintain the Donate Life California Organ and Tissue Donor Registry. The act requires the registrar to submit an annual written report to the State Public Health Officer and the Legislature with specified information, including the general characteristics of donors as may be determined by information provided on donor registry forms. Existing law authorizes a business to swipe a driver's license or identification card issued by the Department of Motor Vehicles in any electronic device for prescribed verification and informational purposes. Existing law prohibits a business that swipes a driver's license or identification card in an electronic device from maintaining or using that information for any other purpose. A violation of those provisions is a misdemeanor. This bill would authorize an organ procurement organization, as defined, to swipe a driver's license or identification card to transmit information to the registry described above for the purpose of allowing an individual to identify himself or herself as a registered organ donor, subject to a specified procedure. The bill would require that information gathered or transmitted pursuant to this authorization comply with the Department of Motor Vehicles Information Security Agreement. The bill would revise the reference to general characteristics of donors, described above, to instead refer to the nonidentifiable information, as specified, of donors and would require the registrar's annual report to include the nonidentifiable information of donors as may be determined by information transmitted to the registry, as specified.
- SB 1127 *Emergency Services: individuals with developmental disabilities and cognitive impairments*
Torres Existing law authorizes a law enforcement agency, if a person is reported missing to the law enforcement agency, and that agency determines that certain requirements are met, including, among others, that the missing person is 65 years of age or older, to request the California Highway Patrol to activate a Silver Alert, the notification system designed to issue and coordinate these alerts. Existing law requires the California Highway Patrol to activate a Silver Alert if it concurs with the law enforcement agency that those requirements are met, and to take certain actions, upon activation of a Silver Alert, to assist the agency investigating the disappearance. Existing law repeals these provisions on January 1, 2016. This bill would include a missing person who is developmentally disabled or cognitively impaired among the persons who may be the subject of a Silver Alert. This bill would also delete the repeal date, thereby extending the operation of these provisions indefinitely.
- SB 1211 *Emergency services: Next Generation 911*
Padilla Existing law requires the Office of Emergency Services to determine annually, on or before October 1, a surcharge rate that it estimates will produce sufficient revenue to fund the current fiscal year's 911 costs, as specified. This bill would require the office to develop a plan and

timeline of target dates for testing, implementing, and operating a Next Generation 911 emergency communication system, including text to 911 service, throughout California. The bill would require the office, in determining the surcharge rate, to additionally include costs it expects to incur, consistent with the plan and timeline, to plan, test, implement, and operate Next Generation 911 technology and services, including text to 911 service. The bill would require the office, at least one month before determining the surcharge rate, to prepare a summary of the calculation of the proposed surcharge and make it available to the Legislature and the 911 Advisory Board, and on the office's Internet Web site. This bill would incorporate additional changes in Section 41030 of the Revenue and Taxation Code, proposed by AB 1717, to be operative only if AB 1717 and this bill are both chaptered and become effective on or before January 1, 2015, and this bill is chaptered last.

SB 1417 *Emergency Management Assistance Compact*

Jackson Existing law ratifies, approves, and sets forth the provisions of the Emergency Management Assistance Compact, an interstate agreement that provides for mutual assistance between states responding to emergencies and disasters. The compact becomes inoperative on March 1, 2015, and as of January 1, 2016, is repealed. This bill instead would make the compact inoperative on March 1, 2018, and repeal it on January 1, 2019.

Family Health Services

AB 388
Chesbro

Juveniles

(1) The California Community Care Facilities Act provides for the licensure and regulation of community care facilities, including foster family homes and group homes, by the State Department of Social Services. Existing law requires the department director, at least annually, to publish and make available to interested persons a list covering all licensed community care facilities, except as specified, and the services for which each facility has been licensed or issued a special permit. This bill would require that the list for a group home, transitional housing placement provider, community treatment facility, or runaway and homeless youth shelter include specified information, including the number of licensing complaints and the number, types, and outcomes of law enforcement contacts made by the facility staff or children. This bill would require a group home, transitional housing placement provider, community treatment facility, or runaway and homeless youth shelter to report to the department's Community Care Licensing Division upon the occurrence of any incident concerning a child in the facility involving contact with law enforcement. The bill would require the department to inspect a facility at least once a year if the department determines that a facility has reported a greater than average number of law enforcement contacts involving an alleged violation of specified crimes by a child residing in the facility. (2) Existing law requires the county probation department and the child welfare services department to, pursuant to a jointly developed written protocol, initially determine which status will serve the best interest of a minor and the protection of society when the minor appears to come within the description of a dependent of the court and a ward of the court pursuant to specified provisions. Existing law requires the juvenile court to determine which status is appropriate for the minor after the recommendations of both departments are presented to the court. This bill would authorize, if the alleged conduct that appears to bring the dependent minor within the description of a ward of the court occurs in, or under the supervision of, a foster home, group home, or other licensed facility that provides residential care for minors, the county probation department and the child welfare services department to consider, in making their determination and recommendation to the court, whether the alleged conduct was within the scope of behaviors to be managed or treated by the facility, as specified. The bill would also authorize, among other things, a requirement for immediate notification of the child welfare service department and the minor's dependency attorney upon referral of a dependent minor to probation, to be included in the protocols developed by the county probation department and the child welfare services department. (3) Existing law requires the court to determine whether a minor in custody pursuant to specified provisions shall be released from, or detained in, custody, considering, among other things, whether it is a matter of immediate and urgent necessity for the protection of the minor or reasonably necessary for the protection of the person or property of another that he or she be detained and whether continuance in the home is contrary to the minor's welfare. This bill would require that the court's decision to detain, if a minor is a dependent of the court, not be based on the minor's status as a dependent of the court or the child welfare services department's inability to provide a placement for the minor. The bill would require, in certain circumstances, the court to order the child welfare services department to place the minor in another licensed or approved placement. By imposing additional duties on local officials, the bill would create a state-mandated local program. (4) Existing law requires the department, in consultation with specified entities to develop performance standards and outcome measures for determining the effectiveness of the care and supervision provided by group homes under the Aid to Families with Dependent Children-Foster Care program. This bill would require, by January 1, 2016, the department, in consultation with specified entities and persons, to develop additional performance standards and outcome measures that require group homes to implement programs and services to minimize law enforcement contacts and delinquency petition filings arising in group homes, as specified.

AB 1089 Ian Calderon	<p><i>Foster care</i></p> <p>The Lanterman Developmental Disabilities Services Act authorizes the State Department of Developmental Services to contract with regional centers to provide services and support to individuals with developmental disabilities and their families. The services and supports to be provided to a regional center consumer are contained in an individual program plan or individualized family service plan developed in accordance with prescribed requirements. Existing law also provides that if a consumer is or has been determined to be eligible for services by a regional center, he or she shall also be considered eligible by any other regional center if he or she has moved to another location within the state. In addition, existing law provides that whenever a consumer transfers from one regional center catchment area to another, the level and types of services and supports specified in the consumer's individual program plan shall be authorized and secured, as specified. This bill would specify the transfer procedures that would apply when a consumer of regional center services who has an order for foster care, is awaiting foster care placement, or is placed in out-of-home care transfers between regional centers. Among other things, the bill would require the county social worker or county probation officer to immediately send a notice of relocation, as defined, to the sending regional center of the consumer who meets the criteria set forth above, and would require the sending regional center to immediately send a notice of transfer, as defined, and records needed for the planning process to the receiving regional center, as specified. The bill would establish specific timelines and procedures for making these transfers.</p>
AB 1523 Atkins	<p><i>Residential care facilities for the elderly: liability insurance</i></p> <p>Existing law provides for the licensure and regulation of residential care facilities for the elderly by the State Department of Social Services, including requiring, as a condition of licensure, bonds issued by a surety company for a licensee that handles the moneys of a person in the facility. Violation of these provisions is a misdemeanor. This bill, on and after July 1, 2015, would require all residential care facilities for the elderly to maintain liability insurance in an amount of at least \$1,000,000 per occurrence and \$3,000,000 in the annual aggregate to cover injury to residents or guests caused by the negligent acts or omissions to act of, or neglect by, the licensee or its employees. By creating a new crime, this bill would impose a state-mandated local program.</p>
AB 1559 Pan	<p><i>Newborn screening program</i></p> <p>Existing law requires the State Department of Public Health to establish a program for the development, provision, and evaluation of genetic disease testing. Existing law establishes the continuously appropriated Genetic Disease Testing Fund (GDTF), consisting of fees paid for newborn screening tests and states the intent of the Legislature that all costs of the genetic disease testing program be fully supported by fees paid for newborn screening tests, which are deposited in the GDTF. Existing law also authorizes moneys in the GDTF to be used for the expansion of the Genetic Disease Branch Screening Information System to include cystic fibrosis, biotinidase, and severe combined immunodeficiency (SCID) and exempts the expansion of contracts for this purpose from certain provisions of the Public Contract Code, the Government Code, and the State Administrative Manual, as specified. This bill would require the department to expand statewide screening of newborns to include screening for adrenoleukodystrophy (ALD) as soon as ALD is adopted by the federal Recommended Uniform Screening Panel (RUSP). By expanding the purposes for which moneys from the fund may be expended, this bill would make an appropriation.</p>

- AB 1570
Chesbro *Residential care facilities for the elderly*
Existing law provides for the licensure and regulation of residential care facilities for the elderly by the State Department of Social Services. Violation of these provisions is a misdemeanor. Existing law requires, as a requirement for licensure, that the applicant demonstrate that he or she has successfully completed a certification program approved by the department that includes, at a minimum, 40 hours of classroom instruction, and provides that successful completion of the certification program shall be demonstrated by passing a written test and submitting a \$100 fee to the department for the issuance of a certificate of completion. Existing law also requires the department to adopt regulations to require staff members of residential care facilities for the elderly who assist residents with personal activities of daily living to receive appropriate training, which includes 10 hours within the first 4 weeks of employment and 4 hours annually thereafter. Existing law requires all residential care facilities for the elderly that advertise or promote special care, special programming, or a special environment for persons with dementia to meet additional training requirements for all direct staff. This bill would, effective January 1, 2016, instead, require the certification program for an applicant for licensure to consist of 80 hours of coursework and a state-administered examination of no less than 100 questions. The bill would require the examination to reflect the uniform core of knowledge required and would require the department, no later than July 1, 2016, and every other year thereafter, to review and revise the examination in order to ensure the rigor and quality of the examination. The bill would require staff members of residential care facilities for the elderly who assist residents with personal activities of daily living to receive 20 hours of training before working independently with residents, an additional 20 hours within the first 4 weeks of employment, and an additional 20 hours annually, as prescribed. The bill would also apply the training requirements specific to dementia care to all residential care facilities for the elderly.
- AB 1572
Eggman *Residential care facilities for the elderly: resident and family councils*
Existing law provides for the licensure and regulation of residential care facilities for the elderly by the State Department of Social Services and makes a violation of those provisions punishable as a misdemeanor, except as specified. Existing law requires every licensed residential care facility for the elderly, at the request of a majority of its residents, to assist the residents in establishing and maintaining a resident-oriented facility council. Existing law requires the council to be composed of residents of the facility and authorizes the inclusion of family members of residents of the facility on the council. Existing law authorizes the council to, among other things, make recommendations to facility administrators to improve the quality of daily living in the facility and negotiate to protect residents' rights with facility administrators. Existing law authorizes the assessment of specified civil fines for violations of this provision. This bill would instead require every licensed residential care facility for the elderly, at the request of 2 or more residents, to assist the residents in establishing and maintaining a single resident council, as specified. The bill would authorize family members, resident representatives, advocates, long-term care ombudsman program representatives, facility staff, or others to participate in resident council meetings and activities at the invitation of the council. The bill would authorize a resident council to, among other things, make recommendations to facility administrators to improve the quality of daily living and care in the facility and to promote and protect residents' rights. The bill would require facilities to respond in writing within 14 calendar days regarding any action or inaction taken in response to written concerns or recommendations submitted by the resident council. The bill would impose certain requirements on facilities relating to the promotion of resident councils, as specified. The bill would require a facility with a resident council and a licensed capacity of 16 or more residents to appoint a designated staff liaison who shall be responsible for providing assistance to the resident council, as specified. The bill would prohibit facilities from willfully interfering with the formation, maintenance, or promotion of a resident council, as specified. The bill would require this provision to be posted in a prominent place, as specified. The bill would provide that a violation of these provisions is not a crime, but would impose a daily \$250 civil penalty for a violation of these provisions, as specified. Existing law prohibits a facility from prohibiting the formation of

a family council, which is defined to mean a meeting of family members, friends, responsible parties, or agents of 2 or more residents to confer in private without facility staff. This bill would authorize facility personnel or visitors to attend a family council meeting only at the council's invitation and would require a facility to respond in writing within 14 calendar days regarding any action or inaction taken in response to written concerns or recommendations submitted by the family council. The bill would require a facility to provide specified notice regarding the existence of, or right to, form a family council. The bill would require a facility with a family council and a licensed capacity of 16 or more residents to appoint a designated staff liaison who shall be responsible for providing assistance to the family council, as specified. The bill would prohibit a facility from willfully interfering with the formation, maintenance, or promotion of a family council, or its participation in the regulatory inspection process, as specified. The bill would provide that a violation of these provisions is not a crime, but would impose a daily \$250 civil penalty for a violation of these provisions, as specified.

AB 1579

Stone

CalWORKs: pregnant women

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 provides that when a family does not include a needy child qualified for aid under CalWORKs, aid shall be paid to a pregnant mother for the month in which the birth is anticipated and for the 3-month period immediately prior to the month in which the birth is anticipated. This bill would, beginning July 1, 2015, instead provide that when a family does not include a needy child qualified for aid under CalWORKs, aid shall be paid to a pregnant woman for the month in which the birth is anticipated and for the 6-month period immediately prior to the month in which the birth is anticipated. The bill would also authorize these provisions to be implemented by means of all-county letters or similar instructions until regulations are adopted. 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.

AB 1595

Chesbro

State Council on Developmental Disabilities

Existing federal law, the Developmental Disabilities Assistance and Bill of Rights Act of 2000, provides federal funds to assist the state in planning, coordinating, monitoring, and evaluating services for persons with developmental disabilities and in establishing a system to protect and advocate the legal and civil rights of persons with developmental disabilities. Existing law establishes the State Council on Developmental Disabilities to, among other things, serve as the state planning council responsible for developing the California Developmental Disabilities State Plan and monitoring and evaluating the implementation of the plan. Existing law requires the council to conduct activities related to meeting the objectives of the state plan. Existing law requires these activities to include, among other things, supporting and conducting technical assistance activities to assist public and private entities to contribute to the objectives of the state plan, and authorizes the activities to include, among other things, supporting and conducting activities to assist neighborhoods and communities to respond positively to individuals with disabilities and their families. This bill would revise the activities the council is authorized to conduct to include, among other things, encouraging and assisting in the establishment or strengthening of self-advocacy organizations led by individuals with developmental disabilities and appoint an authorized representative for persons with developmental disabilities, as specified. The bill would make additional changes relating to the activities of the council. Existing law requires the Governor to appoint 31 voting members to the council, including 13 members from the area boards and 7 members at large. Existing law requires the Governor, prior

to appointing specified council members, to request and consider recommendations from organizations representing, or providing services to, or both, persons with developmental disabilities. Existing law also limits the term of those members to 3 years. This bill would instead require those 20 members of the council to be nonagency members who reflect the socioeconomic, geographic, disability, racial, ethnic, and language diversity of the state, and who shall be individuals with a developmental disability, or their parents, immediate relatives, guardians, or conservators residing in California, as specified. The bill would additionally require the Governor to consult with the current members, including the nonagency members, of the council prior to appointing specified members and would require those specified members to serve no more than 2 terms. Existing law also establishes the area boards on developmental disabilities to, among other things, conduct the local advocacy, capacity building, and systemic change activities required by the federal Developmental Disabilities Assistance and Bill of Rights Act of 2000, and to assist the council on implementing provisions of the act. Existing law requires area boards to locally assist the state council with the implementation of specified federal provisions and provides for the composition of area boards. This bill would revise and recast the area boards as regional offices or as regional advisory committees and would make the establishment of the regional offices and the regional advisory committees discretionary. The bill would require any regional offices and regional advisory committees established to be constituted and operated according to policies and procedures set by the state council. The bill would require the regional advisory committees to, upon the request of the state council, among other things, advise the state council and its regional office on local issues and to identify and provide input regarding local systemic needs within its community. The bill would make conforming changes. Existing law requires the state council chairperson to appoint an executive director and to appoint an executive director for each area board, as specified. Existing law requires the state council to have responsibility for the selection, hiring, and supervision of all state council personnel. This bill would instead require the state council to appoint an executive director and would instead require the state council, through its executive director, to have responsibility for the selection, hiring, and supervision of all state council personnel. Existing law establishes the State Department of Developmental Services and sets forth its powers and duties, including, but not limited to, the administration of state developmental centers and the administration and oversight of community programs providing services to consumers with developmental disabilities and their families. Existing law authorizes the department to contract with the council for the purpose of utilizing area boards to provide clients' rights advocacy services to individuals with developmental disabilities who reside in state developmental centers and state hospitals. This bill would instead authorize the department to contract with the council to provide clients' rights advocacy services to individuals with developmental disabilities who reside in developmental centers. The bill would make other conforming changes.

AB 1628 *Visitation rights: grandparent rights*

Fox Existing law provides that a grandparent may petition the court for visitation rights. The court may grant visitation if the court finds that the grandparent and grandchild have a preexisting relationship that has engendered a bond such that granting the grandparent visitation is in the best interest of the child and the court balances the interest of the child in having visitation with the grandparent against the parents' right to exercise their parental authority, subject to specified exceptions. Existing law prohibits a grandparent from filing a petition for visitation while the natural or adoptive parents are married, unless one or more of several circumstances are present, including that the child is not residing with either parent. This bill would additionally permit a grandparent to file a petition for visitation while the natural or adoptive parents are married if one of the parents is incarcerated or involuntarily institutionalized.

AB 1658 *Foster care: consumer credit reports*

Jones- Existing federal law, the Child and Family Services Improvement and Innovation Act of 2011, Sawyer requires that each child in foster care under the responsibility of the state who has attained 16 years of age receive without cost a copy of any consumer report pertaining to the child each year

until the child is discharged from care, and assistance in interpreting and resolving any inaccuracies in the report. Existing law provides for child welfare services, which are public social services directed toward, among other purposes, protecting and promoting the welfare of all children, including those in foster care placement. Existing law declares the policy of the Legislature that all children in foster care be free from abuse. Existing law requires a county welfare department, county probation department, or the State Department of Social Services to request a consumer credit disclosure on behalf of a child in a foster care placement in the county when the child reaches his or her 16th birthday, and each year thereafter while the child is under the jurisdiction of the juvenile court, as specified. This bill would instead require a county welfare department, county probation department, or the State Department of Social Services to inquire of each of the 3 major credit reporting agencies as to whether a child described above has any consumer credit history, as specified. The bill would require the State Department of Social Services, if it makes the inquiry, to notify the county welfare department or the county probation department in the county having jurisdiction over the child of the results of that inquiry. The bill would also provide that if an inquiry performed pursuant to these provisions indicates that a child has a consumer credit history with any major credit reporting agency, the responsible county welfare department or county probation department is required to request a consumer credit report from that agency. The bill would also require the State Department of Social Services to provide specified information related to the implementation of these provisions to the Assembly Committee on Budget, the Senate Budget and Fiscal Review Committee, and the appropriate legislative policy committees by no later than February 1, 2016.

AB 1687
Conway

Persons with Developmental Disabilities Bill of Rights

Existing law, the Lanterman Developmental Disabilities Services Act, requires the State Department of Developmental Services to contract with regional centers to provide fixed points of contact in the community for persons with developmental disabilities and their families, and to ensure that a person with developmental disabilities has access to the services and supports best suited to the person throughout his or her lifetime. Existing law states the intent of the Legislature that persons with developmental disabilities have certain rights, including a right to prompt medical care and treatment and a right to be free from harm, including abuse or neglect. Existing law grants specified rights to a person with developmental disabilities who has been admitted or committed to a state hospital, community care facility, or health facility, including the right to have access to individual storage space for private use and a right to see visitors each day. Existing law requires a developmental center to immediately report resident deaths and certain serious injuries, including a sexual assault, to the local law enforcement agency having jurisdiction over the city or county in which the developmental center is located. This bill would recast those rights as the Persons with Developmental Disabilities Bill of Rights. The bill would include, as a right to persons with developmental disabilities, the right to a prompt investigation of any alleged abuse against them.

AB 1761
Hall

Dependent children: placement

Existing law authorizes a peace officer to take a child into temporary custody under certain circumstances, including if he or she has reasonable cause for believing that the child is the victim of abuse or neglect. Under existing law, if the child is not released to his or her parent or guardian, the juvenile court is required to hold certain hearings to determine whether the child should be adjudged a dependent of the juvenile court, including a detention hearing, jurisdictional hearing, and disposition hearing. Under existing law, if an able and willing relative or nonrelative extended family member, as defined, is available and requests temporary placement of the child pending the detention hearing, the county welfare department is required to initiate an assessment of the relative's or nonrelative extended family member's suitability, as specified. This bill would expand this provision to apply to an able and willing relative or nonrelative extended family member who requests temporary placement of the child after the detention hearing and pending the dispositional hearing. By requiring the county welfare

department to conduct these additional assessments, this bill would impose a state-mandated local program. Existing law requires that preferential consideration be given to a request by a relative of a child who has been adjudged a dependent of the juvenile court for placement of the child with the relative, as specified. Existing law requires the county social worker, in determining whether placement with a relative is appropriate, to consider certain factors, including the placement of siblings and half-siblings in the same home, if that placement is found to be in the best interest of each of the children. Existing law also requires that, in any case in which more than one appropriate relative requests preferential consideration, each relative be considered under those factors. This bill would require the county social worker, in determining whether placement with a relative is appropriate, to consider the placement of siblings and half-siblings in the same home, unless that placement would be contrary to the safety and well-being of any of the siblings. The bill would also state that these provisions do not limit the county social worker's ability to place a child in the home of an appropriate relative or a nonrelative extended family member pending the consideration of other relatives who have requested preferential consideration.

AB 1775 *Child Abuse and Neglect Reporting Act: sexual abuse*

Melendez Existing law, the Child Abuse and Neglect Reporting Act, defines sexual abuse as sexual assault or sexual exploitation for purposes of mandating certain persons to report suspected cases of child abuse or neglect. Under the act, sexual exploitation refers to, among other things, a person who depicts a child in, or who knowingly develops, duplicates, prints, or exchanges, a film, photograph, videotape, negative, or slide in which a child is engaged in an act of obscene sexual conduct, except as specified. Failure to report known or suspected instances of child abuse, including sexual abuse, under the act is a misdemeanor. This bill would provide that sexual exploitation also includes a person who knowingly downloads, streams, or accesses through any electronic or digital media, a film, photograph, videotape, video recording, negative, or slide in which a child is engaged in an act of obscene sexual conduct.

AB 1843 *Child custody evaluations: confidentiality*

Jones Existing law authorizes a court, in any contested child custody or visitation rights proceeding, to appoint a child custody evaluator to conduct a child custody evaluation, as specified, if the court determines it is in the best interests of the child. Existing law requires the child custody evaluator, if directed by the court, to file a written confidential report on his or her evaluation at least 10 days before any hearing regarding the custody of the child with the clerk of the court, as specified. Existing law requires this report to be served on the parties or their attorneys, and any other counsel appointed for the child. Existing law otherwise prohibits the disclosure of the report, except in certain probate guardianship proceedings, as specified. Existing law requires the information from a report containing psychological evaluations of a child or recommendations regarding custody or visitation submitted to the court in any proceeding involving child custody or visitation rights to be contained in a document that is to be placed in the confidential portion of the court file. Existing law applies this requirement to, among other things, the written confidential report described above, child custody or visitation recommendations made to the court pursuant to mediation proceedings, and a written statement of issues and contentions put forth by a child's appointed counsel. Existing law prohibits these reports and recommendations from being disclosed, except to specified persons, including, among others, a party to the proceeding or his or her attorney, a federal or state law enforcement officer, a court employee acting within the scope of his or her duties, a child's appointed counsel, or any other person upon order of the court for good cause. This bill would additionally authorize the disclosure of this confidential information to the licensing entity of a child custody evaluator and would prescribe the manner in which the licensing entity is authorized to use the confidential information disclosed to it, as specified. This bill would make a clarifying change to authorize the disclosure of a child custody evaluator's written confidential report pursuant to the provisions described above. The bill would delete an obsolete provision relating to the written

statement of issues and contentions put forth by a child's appointed counsel. (2) Existing law requires a board, as defined, within the Department of Consumer Affairs, upon receipt of any complaint respecting a licensee, to notify the complainant of the initial and final action taken on his or her complaint, as specified. Existing law requires the board, when it deems appropriate, to notify the person against whom the complaint is made of the nature of the complaint and authorizes the board to request appropriate relief for the complainant and to meet and confer with the complainant and the licensee in order to mediate the complaint. This bill would, notwithstanding any other law, require the board, upon receipt of a child custody evaluation report, as specified, to notify the noncomplaining party in the underlying child custody dispute, who is a subject of that report, of the pending investigation.

AB 1899 *Residential care facilities for the elderly*

Brown Existing law, the California Residential Care Facilities for the Elderly Act, provides for the licensure and regulation of residential care facilities for the elderly by the State Department of Social Services. Existing law sets forth the qualifications of a licensee and requires a license to be forfeited by operation of law when the licensee abandons the facility. Existing law also authorizes the department to deny an application for, or to suspend or revoke a license upon specified grounds, including conduct inimical to the health, morals, welfare, or safety of an individual in or receiving services from a facility. Existing law authorizes a person whose license has been revoked to petition the department for reinstatement of the license after one year has elapsed since the revocation. Under existing law, if an application for a license indicates that the applicant was previously issued a license to operate a residential care facility for the elderly or specified other licenses, and that license was revoked within the last 2 years, the department is required to cease reviewing the application until 2 years has elapsed since the revocation. This bill would additionally exclude a licensee, who abandons the residential care facility for the elderly and the residents in care resulting in an immediate and substantial threat to the health and safety of the abandoned residents, from licensure in facilities licensed by the department without the right to petition for reinstatement. Existing law requires a licensee of a licensed residential care facility for the elderly, prior to transferring a resident of the facility to another facility or to an independent living arrangement as a result of a license forfeiture due to abandonment of the facility, among other things, or due to a change of use of the facility pursuant to the department's regulations, to take all reasonable steps to transfer affected residents safely, to minimize possible transfer trauma, and to take specified actions. A licensee who fails to comply with these requirements is subject to certain penalties, including, but not limited to, civil penalties in the amount of \$100 per violation per day for each day that the licensee is in violation, until the violation has been corrected. This bill, on and after January 1, 2015, would additionally exclude a licensee, who fails to comply with the above provisions and abandons the residential care facility for the elderly and the residents in care resulting in an immediate and substantial threat to the health and safety of the abandoned residents, from licensure in facilities licensed by the department without the right to petition for reinstatement.

AB 1944 *Child care: administration: preferred placement of children of 11 or 12 years of age*

Garcia Existing law requires children who are 11 or 12 years of age, who are receiving subsidized child care services, and for whom a before or after school program is not available, to continue to receive subsidized child care services. Existing law establishes when a before or after school program shall be considered "not available" as when the parent certifies in writing, on a form provided by the State Department of Education, the reasons why the program would not meet the child care needs of the family. This bill would delete the provision relating to the certification by a parent of an unavailable before or after school program. Existing law requires specified savings to be annually reported to the department by a contractor providing child care services and requires the department to annually report the amount of statewide savings to the Legislature. This bill would delete this reporting provision.

AB 1978 Jones- Sawyer	<p><i>Child welfare services</i></p> <p>Under existing law, the State Department of Social Services oversees the administration of county public social services, including child welfare services. Existing law authorizes the department to conduct or have conducted audits and reviews in order to meet its obligations for child welfare programs and to ensure the protection of children and families. This bill would require the department, in consultation with counties and labor organizations, to establish a process, no later than January 1, 2016, to receive voluntary disclosures from social workers, if a social worker has reasonable cause to believe that a policy, procedure, or practice related to the provision of child welfare services by a county child welfare agency, as defined, endangers the health or well-being of a child or children, as specified. The bill would prohibit the department from disclosing to any person or entity the identity of a social worker making a disclosure pursuant to these provisions, unless the social worker has consented to the disclosure or there is an immediate risk to the health and safety of a child. The bill would require the department, no later than January 1, 2018, to report to the Legislature, and post on its Internet Web site, the total number of relevant disclosures received and a summary description of the issues raised in those disclosures and of the actions taken by the department in response to those disclosures. Existing law authorizes the department and the county welfare department or agency to comment on a child fatality once certain documents from the child's case file have been released by the custodian of records, within the scope of the release. This bill would additionally authorize a county child welfare social worker to comment for purposes of these provisions, as specified. Existing constitutional provisions require that a statute that limits the right of access to the meetings of public bodies or the writings of public officials and agencies be adopted with findings demonstrating the interest protected by the limitation and the need for protecting that interest. This bill would make legislative findings to that effect.</p>
AB 2044 Rodriguez	<p><i>Residential care facilities for the elderly</i></p> <p>Existing law provides for the licensure and regulation of residential care facilities for the elderly by the State Department of Social Services. A violation of these provisions is a misdemeanor. Existing law requires the administrator designated by the licensee to be present at the facility during normal working hours and requires a facility manager, as defined, to be responsible for the operation of the facility when the administrator is temporarily absent from the facility. This bill would require that at least one administrator, facility manager, or designated substitute who is at least 21 years of age and has adequate qualifications, as specified, be on the premises of the facility 24 hours per day. The bill would also require the facility to employ, and the administrator to schedule, a sufficient number of staff members, as prescribed. Existing law requires the department to adopt regulations to require staff members who assist residents with personal activities of daily living to receive appropriate training, which consists of 10 hours of training within the first 4 weeks and 4 hours annually thereafter. Existing law requires that the training include specified topics. This bill would require that this training also include building and fire safety and the appropriate response to emergencies.</p>
AB 2171 Wieckowski	<p><i>Residential care facilities for the elderly</i></p> <p>Existing law, the Residential Care Facilities for the Elderly Act, provides for the licensure and regulation of residential care facilities for the elderly by the State Department of Social Services. A violation of these provisions is a misdemeanor. This bill would establish specified rights for residents of privately operated residential care facilities for the elderly, including, among other things, to be accorded dignity in their personal relationships with staff, to be granted a reasonable level of personal privacy of accommodations, medical treatment, personal care and assistance, and to confidential treatment of their records and personal information, as specified. The bill would require, at admission, a facility staff person to personally advise a resident and the resident's representative, as described, of these and other specified rights and to provide them with a written copy of these rights.</p>

AB 2228 Cooley	<p><i>Crisis nurseries</i></p> <p>Existing law provides for the licensure and regulation by the State Department of Social Services of crisis nurseries, as defined. Violation of these provisions is a misdemeanor. Existing law authorizes crisis nurseries to provide nonmedical 24-hour residential care and supervision for children under 6 years of age who are voluntarily placed by a parent or legal guardian due to a family crisis or stressful situation for no more than 30 days. Existing law provides that a maximum licensed capacity for a crisis nursery program is 14 children. Existing law authorizes a crisis nursery to provide child day care services for children under 6 years of age at the same site as a crisis nursery, but provides that a child is prohibited from receiving more than 30 calendar days of child day care services at the crisis nursery in a 6-month period unless the department issues an exception. Existing law requires the department to allow the use of fully trained and qualified volunteers as caregivers in a crisis nursery subject to specified conditions. This bill would revise these provisions to require crisis nurseries to be licensed by the department to operate crisis residential overnight programs, as defined, and to authorize crisis nurseries to provide crisis day services, as defined. The bill would establish the maximum licensed capacity for a crisis residential overnight program at 14 children and provide that the maximum licensed capacity for crisis day services shall be based on 35 square feet of indoor activity space per child, as prescribed. This bill would require that a licensee under those provisions designate at least one lead caregiver, as described, to be present at the crisis nursery at all times when children are present, would require the licensee to develop, maintain, and implement a written staff training plan, as specified, and would require all caregivers to be certified in pediatric first aid and cardiopulmonary resuscitation. The bill would modify the requirements relating to the use of volunteers to be counted in the staff-to-child ratios in a crisis nursery, as specified, and would prescribe requirements relating to when a child has a health condition that requires medication.</p>
AB 2379 Weber	<p><i>Abuse of elders and dependent adults: multidisciplinary teams</i></p> <p>Under existing law, counties are authorized to establish multidisciplinary personnel teams composed of persons trained in the prevention, identification, management, or treatment of abuse of elderly or dependent adults, that may include, but need not be limited to, specified persons, including social workers with experience or training in prevention of abuse of elderly or dependent adults. This bill would add child welfare services personnel to the list of persons who may be included in those multidisciplinary personnel teams.</p>
AB 2454 Quirk-Silva	<p><i>Foster youth: nonminor dependents</i></p> <p>Existing law provides aid and services to children placed in out-of-home care through various public assistance programs, including Aid to Families with Dependent Children-Foster Care (AFDC-FC), Kinship Guardianship Assistance Payment Program (Kin-GAP), and the Adoption Assistance Program. Existing law provides that a minor who has been abused or neglected, or who has violated a law or ordinance, as specified, is within the jurisdiction of the juvenile court as a dependent child or a ward, respectively. Existing law also establishes the court's transition jurisdiction over certain minors and nonminors, as specified. Existing law authorizes a nonminor who has not attained 21 years of age to petition the juvenile court for a hearing to determine whether to assume dependency jurisdiction over the nonminor if he or she received public assistance after attaining 18 years of age, as specified, and the nonminor's former guardian or guardians or adoptive parent or parents died after he or she attained 18 years of age, but before he or she attains 21 years of age. Prior to the hearing, existing law requires the court to order the county child welfare or probation department to prepare a report for the court that addresses the nonminor's educational or vocational plans, as specified, and recommendations for his or her placement. Existing law requires the placement and care of a former dependent or ward to be under the responsibility of specified local agencies, including either the county welfare services department or probation department, and requires the agency made responsible for the nonminor's placement and care to prepare a new transitional independent living case plan, as</p>

specified. This bill would additionally authorize a nonminor who has not attained 21 years of age to petition the court, as described above, if the nonminor received public assistance after attaining 18 years of age, as specified, and his or her former guardian or guardians or adoptive parent or parents no longer provide ongoing support to, and no longer receive payment on behalf of, the nonminor, and the court determines that it is in the nonminor's best interest for the court to assume dependency jurisdiction.

AB 2621 *Child day care facilities: licensing information*

Garcia

Under the California Child Day Care Facilities Act, the State Department of Social Services licenses and regulates child day care facilities. Existing law requires the department, when it conducts a site visit of a licensed child day care facility, to publicly post at the facility a notice that indicates whether the facility was cited for violating any state standards or regulations. Existing law also requires each licensed child day care facility to make accessible to the public a copy of any licensing report or other public licensing document that documents a facility visit, a substantiated complaint investigation, a conference with a local licensing agency management representative and the licensee in which issues of noncompliance are discussed, or a copy of an accusation indicating the department's intent to revoke the facility's license. This bill would require the department to post licensing information on its Internet Web site for child day care facilities, including, among other things, the number of citations, substantiated and inconclusive complaint inspections, and noncomplaint inspections during the preceding 5-year period. The bill would require the department to update this information on at least a monthly basis.

AB 2668 *Foster care: nonminor dependent program*

Quirk-Silva

Existing law provides aid and services to children placed in out-of-home care through various social service programs, including Aid to Families with Dependent Children-Foster Care (AFDC-FC) and the Kinship Guardianship Assistance Payment Program (Kin-GAP). Existing law provides that, when a child is living with a parent who receives AFDC-FC or Kin-GAP benefits, the rate paid to the provider on behalf of the parent include an amount for care and supervision of the child, as specified. Existing law provides for specified payments in instances in which a child is living with a teen parent in a whole family foster home, as defined, and requires the same rate to be paid for a child living with a nonminor dependent parent who is eligible to receive AFDC-FC or Kin-GAP benefits, as specified. Existing law provides that a nonminor dependent may receive all of his or her AFDC-FC or Kin-GAP payments directly, provided that he or she is living independently in a supervised placement. Existing law requires, in instances in which a child is living with a teen parent in a whole family foster home, that a written shared responsibility plan be developed between the parent, his or her caregiver, and a representative of the county or other agency providing direct supervision to the caregiver. Existing law requires that, once this plan has been completed and provided to the appropriate agencies, the payment made to the caregiver be increased by an additional \$200 per month to reflect the increased care and supervision of the child. This bill, on or after July 1, 2015, would similarly authorize the development of a parenting support plan between a nonminor dependent parent who resides in a supervised independent living placement, an identified responsible adult who has agreed to act as a parenting mentor, and a representative of the county child welfare agency or probation department. The bill would require a nonminor dependent who develops a parenting support plan pursuant to these provisions to provide a copy of the plan to the county child welfare agency or probation department and to inform these entities of any subsequent changes to the plan. The bill would require that after the completion and approval of the plan and a determination by the county agency that the identified responsible adult meets specified criteria, the payment to the nonminor dependent parent be increased by an additional \$200 per month. The bill would require the State Department of Social Services to convene a working group to develop and issue an all-county letter that specifies the minimum criteria a person must meet in order to serve as an identified responsible adult to a nonminor dependent parent, as specified. The bill would require a person who wishes to become an identified responsible adult to meet the minimum criteria described above, be at least 21 years of age, and undergo a

criminal records check and a Child Abuse Central Index check, as specified.

SB 577 Pavley	<p><i>Autism and other developmental disabilities: employment</i></p> <p>The Lanterman Developmental Disabilities Services Act authorizes the State Department of Developmental Services to contract with regional centers to provide services and support to individuals with developmental disabilities, including autism. Existing law governs the habilitation services provided for adult consumers of regional centers, including work activity programs, as described, and establishes an hourly rate for supported employment services provided to consumers receiving individualized services. This bill would require the department, contingent upon receiving federal financial participation, to conduct a 4-year demonstration project to determine whether community-based vocational development services will increase employment outcomes for consumers and reduce purchase of service costs for working age adults, as specified. The bill would require the development and semiannual review of a plan, as specified, if community-based vocational development services, as defined, are determined to be a necessary step to achieve a supported employment outcome. The bill would establish an hourly rate for community-based vocational development services, for purposes of the demonstration project, of \$40 per hour for a maximum of 75 hours per calendar quarter for all services identified and provided in the plan. The bill would provide that a consumer's hours of participation in community-based vocational development services may be provided in lieu of hours of participation in other community-based day program services, for up to 2 years, except as specified. The bill would require the department to publish a notice on the department's Internet Web site when the demonstration project has been implemented, and to make determinations and notify the Legislature concerning the project's effectiveness, as specified, at the project's conclusion. The bill would repeal these provisions as of January 1, 2025. The bill would also set forth related legislative findings and declarations and a statement of legislative intent.</p>
SB 878 Committee on Budget & Fiscal Review	<p><i>In-home supportive services: onsite provider orientation</i></p> <p>Existing law establishes the In-Home Supportive Services (IHSS) program, administered by the State Department of Social Services and counties, under which qualified aged, blind, and disabled persons are provided with services in order to permit them to remain in their own homes and avoid institutionalization. Existing law, with some exceptions, permits IHSS program services to be provided through the employment of individual providers, a contract between the county and an entity to provide services, the creation by the county of a public authority, or a contract between the county and a nonprofit consortium. Existing law requires all prospective IHSS providers to, as a condition of IHSS program participation, complete, sign, and submit a provider enrollment form and complete a provider orientation, which is required to include specified topics, including the requirements to be an eligible IHSS provider and a description of the IHSS program. This bill would additionally require the provider orientation to include applicable federal and state requirements regarding minimum wage and overtime pay, including paid travel time and wait time, and other specified requirements. The bill would, beginning no later than April 1, 2015, require that the orientation be an onsite orientation, and that all prospective providers attend in person only after completing the application for the IHSS provider enrollment process. The bill would additionally require that any oral presentation and written materials presented at the orientation be translated into all IHSS threshold languages in the county, and would require that representatives of the recognized employee organization in the county be permitted to make a presentation of up to 30 minutes at the orientation. This bill would appropriate \$1,000 from the General Fund to the State Department of Social Services for purposes of implementing the bill. This bill would declare that it is to take effect immediately as a bill providing for appropriations related to the Budget Bill.</p>

SB 895
Corbett

Residential care facilities for the elderly

(1) Existing law, the California Residential Care Facilities for the Elderly Act, provides for the licensure and regulation of residential care facilities for the elderly by the State Department of Social Services. Violation of these provisions is a misdemeanor. Existing law requires that every licensed residential care facility for the elderly be subject to unannounced visits by the department and requires the department to visit these facilities as often as necessary to ensure the quality of care provided, but no less often than once every 5 years. Existing law requires the department to notify the residential care facility for the elderly in writing of all deficiencies and to set a reasonable length of time for compliance by the facility. Existing law requires inspection reports, consultation reports, lists of deficiencies, and plans of correction to be open to public inspection. This bill would require residential care facilities for the elderly to remedy the deficiencies within 10 days of the notification, except as specified. By expanding the scope of a crime, this bill would impose a state-mandated local program. The bill would require the department to post on its Internet Web site information on how to obtain an inspection report, and would state the intent of the Legislature that the department make inspection reports available on its Internet Web site by January 1, 2020. The bill would also require the department to design, or cause to be designed, a poster that contains information on the appropriate reporting agency in case of a complaint or emergency. The bill would require a residential care facility for the elderly to post this poster in the main entryway of its facility. By expanding the scope of a crime, this bill would impose a state-mandated local program. (2) Existing law states the intent of the Legislature that increased staffing and funding resources for the State Department of Social Services Community Care Licensing Division (CCLD) appropriated in the Budget Act of 2014 be used to enhance the CCLD's structure and improve its operations. Existing law also states the intent of the Legislature to increase the frequency of facility inspections resulting in annual inspections for some or all facility types, including residential care facilities for the elderly. Existing law requires the State Department of Social Services, during the 2015-16 legislative budget subcommittee hearings, to update the Legislature on the status of the structural and quality enhancement improvements. This bill would require the department to also report the projected costs of conducting annual inspections of residential care facilities for the elderly beginning January 1, 2018. (3) Existing law requires the department to notify affected placement agencies and the Office of the State Long-Term Care Ombudsman whenever the department substantiates that a violation has occurred that poses a serious threat to the health and safety of any resident when the violation results in the assessment of any penalty or causes an accusation to be filed for the revocation of a license. This bill would additionally require the department to provide the Office of the State Long-Term Care Ombudsman with a precautionary notification if the department begins to prepare to issue a temporary suspension or revocation of any license.

SB 911
Block

Residential care facilities for the elderly

(1) Existing law, the California Residential Care Facilities for the Elderly Act, provides for the licensure and regulation of residential care facilities for the elderly by the State Department of Social Services. A person who violates the act is guilty of a misdemeanor and subject to civil penalty and suspension or revocation of his or her license. Existing law requires an administrator of a residential care facility for the elderly to successfully complete a department-approved certification program prior to employment that requires, among other things, a minimum of 40 hours of classroom instruction on a uniform core of knowledge, which includes resident admission, retention, and assessment procedures, and passage of a written test administered by the department. This bill would change the minimum hours of classroom instruction to 80 hours, including 60 hours of in-person instruction, and would add additional topics to the uniform core of knowledge, including the adverse effects of psychotropic drugs for use in controlling the behavior of persons with dementia. The bill would also require the department to take specific actions with regard to the test, including ensuring that it consists of at least 100 questions. This bill would prohibit a licensee, or officer or employee of the licensee, from discriminating or

retaliating against any person receiving the services of the licensee's residential care facility for the elderly, or against any employee of the licensee's facility, on the basis, or for the reason that, the person, employee, or any other person dialed or called 911. This bill would require a residential care facility for the elderly that accepts or retains residents with prohibited health conditions, as defined by the department, to assist residents with accessing home health or hospice services by appropriately skilled professionals, acting within their scope of practice, to ensure that residents receive medical care as prescribed by the resident's physician and contained in the resident's service plan. The bill would define an "appropriately skilled professional" as an individual who has training and is licensed to perform the necessary medical procedures prescribed by a physician, which includes, but is not limited to, a registered nurse, licensed vocational nurse, physical therapist, occupational therapist, or respiratory therapist. The bill would provide that an appropriately skilled professional is not required if a resident is providing self-care, as defined by the department, and there is documentation in the resident's service plan that the resident is capable of providing self-care. (2) Existing law requires the Director of Social Services to ensure that licensees, administrators, and staffs of residential care facilities for the elderly have appropriate training to provide the care and services for which a license or certificate is issued. Existing law requires the department to develop a uniform core of knowledge for the continuing education of administrators of residential care facilities for the elderly. This bill would also require the department to develop a uniform core of knowledge jointly with the California Department of Aging for the initial certification of administrators, and add additional topics to the uniform core of knowledge, including, but not limited to, applicable laws and regulations and residents' rights. (3) Existing law requires that employees who assist residents with the self-administration of medications at a licensed residential care facility for the elderly, which provides care for 16 or more persons, complete 16 hours of initial training, consisting of 8 hours of hands-on shadowing training and 8 hours of other training or instruction, to be completed within the first 2 weeks of employment. If that facility provides care for 15 or fewer persons, existing law requires employees to complete 6 hours of initial training, consisting of 2 hours of hands-on shadowing training and 4 hours of other training or instruction, to be completed within the first 2 weeks of employment. This bill would require employees at a licensed residential care facility for the elderly that provides care for 16 or more persons, to complete 24 hours of initial training, consisting of 16 hours of hands-on shadowing training and 8 hours of other training or instruction, to be completed within the first 4 weeks of employment. For facilities providing care for 15 or fewer persons, the bill would increase those training requirements to 10 hours of initial training, consisting of 6 hours of hands-on shadowing training, and 4 hours of other training, to be completed within the first 2 weeks of employment. This bill would require all residential care facilities for the elderly to provide training to direct care staff on postural supports, restricted conditions or health services, and hospice care that includes 4 hours of training on the care, supervision, and special needs of those residents, prior to providing direct care to residents. The bill also would require 4 hours of training thereafter of in-service training per year on the subject of serving those residents.

SB 1093
Liu

Developmental services: regional centers: culturally and linguistically competent services

(1) The Lanterman Developmental Disabilities Services Act requires the State Department of Developmental Services to contract with regional centers to provide services and supports to individuals with developmental disabilities. The services and supports to be provided to a regional center consumer, which include services and supports that are directed toward the achievement and maintenance of an independent, productive, and normal life for the consumer such as daily living skills training, are contained in an individual program plan or individualized family service plan developed in accordance with prescribed requirements. This bill would require regional centers to provide independent living skills services to an adult consumer, consistent with a consumer's individual program plan, that provide the consumer with functional skills training that enables him or her to acquire or maintain skills to live independently in his or

her own home, or to achieve greater independence while living in the home of a parent, family member, or other person. (2) Existing law requires that contracts entered into with regional centers include annual performance objectives, including annual performance objectives that are specific, measurable, and designed to, among other things, develop services and supports identified as necessary to meet identified needs. Existing law also requires that each contract with a regional center specify steps to be taken to ensure contract compliance, and, if a regional center is placed on probation pursuant to these steps, requires the department to provide the appropriate area board with a copy of the correction plan, timeline, and any other action taken by the department. This bill would require that annual performance objectives be designed to, among other things, develop services and supports identified as necessary to meet identified needs, which includes culturally and linguistically appropriate services and supports. The bill would require that, if a regional center is placed on probation, the department also provide a copy of the correction plan, timeline, and any other action taken by the department to a specified clients' rights advocacy contractor. (3) Existing law requires the department and regional centers to annually collaborate to compile specified data relating to purchase of service authorization, utilization, and expenditure by each regional center and requires that data to include the number and percentage of individuals, categorized by age, race or ethnicity, and disability, who have been determined to be eligible for regional center services, but who are not receiving purchase of service funds. Existing law requires each regional center and the department to annually post this information on their respective Internet Web sites, as prescribed, and requires each regional center to hold annual stakeholder meetings regarding the data. This bill would additionally require the data to include, and be categorized by, residence type and subcategorized by age, race or ethnicity, and primary language. The bill would also require the department and each regional center to maintain all preceding years' data on its Internet Web site. The bill would require that regional centers hold the annual stakeholder meetings regarding the data separately from any meetings of its board of directors, schedule the meetings at times and locations designed to result in a high turnout by the public and underserved communities, and, in holding the meetings, consider the language needs of the community. The bill would require the regional centers to provide participants of these meetings with the data and associated information and to conduct a discussion of the data and associated information in a manner that is culturally and linguistically appropriate for that community, as specified. This bill would also require each regional center to annually report to the department specified information regarding its implementation of those provisions. The bill would require the reports to be posted on the department's and each regional center's Internet Web site by August 31 of each year.

SB 1099
Steinberg

Dependent children: wards of the juvenile court: sibling visitation

(1) Under existing law, a child may come within the jurisdiction of the juvenile court and become a dependent child of the court in certain cases, including when the child is abused, a parent or guardian fails to adequately supervise or protect the child, as specified, or a parent or guardian fails to provide the child with adequate food, clothing, shelter, or medical treatment. Existing law generally subjects any person under 18 years of age who commits a crime to the jurisdiction of the juvenile court, which may adjudge that person to be a ward of the court. Existing law requires the responsible local agency to make a diligent effort in all out-of-home placements of dependent children to place siblings together in the same placement, and to develop and maintain sibling relationships. This bill would extend that requirement to all out-of-home placements of wards in foster care. By imposing additional duties on local agencies, the bill would create a state-mandated local program. (2) Existing law permits any person to petition the juvenile court to assert a sibling relationship with a dependent child or a child who is the subject of a petition for adjudication as a dependent child and make certain requests, including a request for visitation with the dependent child. This bill would also authorize a dependent child or a nonminor dependent to request visitation with a sibling who is in the physical custody of a common legal or biological parent. The bill would authorize a court to grant those requests for visitation, unless it is determined by the court that visitation is contrary to the safety and well-being of any of the siblings. This bill would authorize any person, including a ward, a transition

dependent, or a nonminor dependent of the juvenile court, to petition the court to assert a relationship as a sibling and make certain requests, including a request for visitation, with a sibling who is, or is the subject of an adjudication as, a ward of the juvenile court, as specified. The bill would authorize a ward, transition dependent, or nonminor dependent to assert a relationship as a sibling and request visitation with a nondependent sibling who is in the physical custody of a common legal or biological parent. The bill would authorize a court to grant those requests for visitation, unless it is determined by the court that visitation is contrary to the safety and well-being of any of the siblings. (3) Existing law requires, in order to maintain ties between the parent or guardian and any siblings and a child placed in foster care, an order placing a child in foster care and ordering reunification services to provide for visitation between the parent or guardian and the child and for visitation between any siblings and the child. This bill would additionally require an order placing a child in foster care and ordering reunification services to provide for review of the reasons for any suspension of sibling visitation at each periodic review hearing and for a requirement that, in order for the suspension to continue, a court make a renewed finding that sibling interaction is contrary to the safety or well-being of either child. (4) Existing law requires that the status of a dependent child in foster care be reviewed periodically, but no less frequently than once every 6 months. Existing law requires a court to determine specified information at that hearing, including whether the child has any siblings under the court's jurisdiction, and, if any siblings exist and are not placed with the child, the frequency and nature of the visits between siblings. Existing law requires a social worker or child advocate appointed by the court, when preparing certain social studies or evaluations, to include specified information, including whether the child has any siblings under the court's jurisdiction, and, if any siblings exist and are not placed with the child, the frequency and nature of the visits between siblings. This bill would additionally require, if any siblings exist and are not placed with the child, the court to determine, and require a social worker or child advocate appointed by the court to include in those social studies or evaluations, whether any visits between the siblings are supervised or unsupervised, and if visits are supervised, a discussion of the reasons why the visits are supervised, and what needs to be accomplished in order for the visits to be unsupervised, a description of the location and length of any visits, and any plan to increase visitation between siblings. By requiring county social workers to include additional information in certain social studies or evaluations, the bill would impose a state-mandated local program. (5) Existing law requires, after a minor is adjudged to be a ward of the court, the court to hear evidence on the question of the proper disposition to be made of the minor. Existing law requires the probation officer to prepare a case plan if placement in foster care is recommended by the probation officer, or if the minor is already in foster care placement or pending placement. Existing law requires the probation officer to include, among other things, scheduled visits between the minor and his or her family and an explanation if no visits are made. This bill would additionally require the probation officer to include specified information relating to the child's siblings. By imposing additional duties on probation officers, the bill would create a state-mandated local program. (6) This bill would incorporate additional changes to Sections 358.1 and 366.1 of the Welfare and Institutions Code, proposed by SB 977, that would become operative only if this bill and SB 977 are chaptered and become effective on or before January 1, 2015, and this bill is chaptered last. The bill would incorporate additional changes to Section 16002 of the Welfare and Institutions Code, proposed by SB 1460, that would become operative only if this bill and SB 1460 are chaptered and become effective on or before January 1, 2015, and this bill is chaptered last. The bill would also incorporate additional changes to Section 361.2 of the Welfare and Institutions Code, proposed by SB 977 and SB 1460, that would become operative only if this bill and either or both of those bills are chaptered and become effective on or before January 1, 2015, and this bill is chaptered last.

SB 1136 *Foster care providers: criminal records*

Huff Existing law requires the State Department of Social Services to license and regulate community care facilities, including foster family homes, certified family homes of licensed foster family agencies, and group homes. Existing law requires that persons providing care or services at these

homes or facilities obtain either a criminal record clearance or an exemption from disqualification from the department, as prescribed. Existing law authorizes a child welfare agency to secure from an appropriate governmental criminal justice agency the state summary criminal history information for specified purposes, including an assessment of the appropriateness of placing a child subject to the jurisdiction of the juvenile court with a relative or nonrelative extended family member. Existing law also requires the Department of Justice to provide information contained in the Child Abuse Central Index to the State Department of Social Services, or to any county licensing agency that has contracted with the state for the performance of licensing duties. This bill would authorize the State Department of Social Services and county child welfare agencies to share information with respect to applicants, licensees, certificates, or individuals who have been the subject of any administrative action resulting in the denial, suspension, probation, or revocation of a license, permit, or certificate, or in the exclusion of a person from a facility who is subject to a background check. The bill would require the State Department of Social Services to provide, upon the request of a county child welfare agency, a list of each person who has received a criminal records exemption related to a licensed or certified foster home, so that the county may assess the appropriateness of placing a child in the foster home with which the individual is associated. The bill would also authorize the department to share with the county child welfare agency summary information, as defined, related to a criminal record clearance or exemption granted by the department, except as otherwise limited by state or federal law. The bill would prohibit the department from disclosing the names of individuals who are not the subject of the exemption request or disclosing more information than is necessary, as determined by the department and in accordance with state and federal law, to assess the appropriateness of placing a child in a licensed or certified foster home. The bill would require the department to issue an all-county letter on or before March 1, 2015, that specifies the process by which a county may request summary information, how the information will be issued by the department, and how the information may be used by a county.

SB 1153 *Residential care facilities for the elderly*

Leno Existing law provides for the licensure and regulation of residential care facilities for the elderly by the State Department of Social Services. Violation of these provisions is a misdemeanor. Existing law authorizes the department to deny an application for a license or suspend or revoke a license issued by the department under specified circumstances. This bill would authorize the department to order a suspension of new admissions prohibiting a residential care facility for the elderly from admitting new residents if the facility has failed to pay a fine assessed by the department or if the department finds that the facility has violated applicable laws or regulations and the violation presents a direct or immediate risk to the health, safety, or personal rights of a resident or residents of the facility and is not corrected immediately. The bill would authorize a licensee to appeal the suspension and would require the department to adopt regulations that specify the appeal procedure.

SB 1382 *Residential care facilities for the elderly*

Block Existing law provides for the licensure and regulation of residential care facilities for the elderly by the State Department of Social Services. A violation of these provisions is a misdemeanor. Existing law sets forth the annual licensure fees to operate a residential care facility for the elderly and various other fees charged by the department. Existing law requires the department to deposit the fees collected into the Technical Assistance Fund to be used by the department, upon appropriation by the Legislature, to ensure the health and safety of individuals provided care and supervision by licensees and to support activities of the licensing program. This bill would increase the annual licensure fees and would make related findings and declarations.

SB 1445 *Developmental services: regional centers: individual program plans: telehealth*

Evans Under existing law, the Lanterman Developmental Disabilities Services Act, the State

Department of Developmental Services contracts with regional centers to provide services and supports to individuals with developmental disabilities. The services and supports to be provided to a regional center consumer are contained in an individual program plan, developed in accordance with prescribed requirements, and may include, but are not limited to, diagnosis, treatment, personal care, information and referral services, counseling, and specialized medical and dental care. This bill would include telehealth services and supports among the services and supports authorized to be included in an individual program plan.

SB 1460 *Child welfare*

Committee
on Human
Services

(1) Existing law requires the State Department of Social Services to, authorize a county welfare department to undertake comprehensive recruitment programs to ensure an adequate number of foster homes are available. Existing law regulates adoption services by the department, county adoption agencies, licensed adoption agencies, and other adoption service providers, and requires the department to adopt regulations pertaining to those services. This bill would require that recruitment to include diligent efforts to recruit individuals who reflect the ethnic, racial, and cultural diversity of foster children and adoptive children, but would not affect the application of the federal Indian Child Welfare Act. (2) Existing law requires a social worker to conduct, within 30 days of a child being removed from the custody of his or her parents or guardians, an investigation in order to identify and locate all grandparents, adult siblings, and other adult relatives of the child. This bill would authorize county child welfare and probation departments to request and receive from the California Parent Locator Service and Central Registry and the federal Parent Locator Service information to identify and locate those family members. (3) Existing law requires the local child welfare agency to make a diligent effort in all out-of-home placements of dependent children, including those with relatives, to place siblings together in the same placement, and requires the social worker to explain why the siblings are not placed together and what efforts he or she is making to place the siblings together or why making those efforts would be contrary to the safety and well-being of any of the siblings. This bill would also require a probation officer to provide that explanation. (4) Existing law authorizes the State Department of Social Services, in consultation with specified groups, to implement a unified, family friendly, and child-centered resource family approval process relating to foster care and adoption placements. This bill would make nonsubstantive, conforming changes. (5) Existing law requires a foster home to be licensed by State Department of Social Services, and authorizes up to five counties, selected by the department, to approve a resource family, as defined, for foster care placement. This bill would exempt a resource family, as defined, from those licensure requirements, and would allow additional counties to volunteer to be selected by the department to also be authorized to approve a resource family. (6) Existing law specifies the entities, that may receive criminal history information from the Department of Justice. This bill would authorize a tribal child welfare agency to receive that information. (7) Existing law provides for the transfer of custody proceedings including proceedings involving an Indian child from a county juvenile court to the jurisdiction of the child's tribe. This bill would require a county juvenile court to transfer the entire child case file, as defined, to the tribe having jurisdiction, and would require both the county juvenile court and the tribe to document the finding of facts supporting jurisdiction over the child. (8) Existing law allows a court to remove a child from the home of one or both of his or her parents and to be placed under the supervision of a social worker who may place the child in the home of a noncustodial parent, relative, or approved nonrelative extended family. This bill would additionally allow for the child to be placed in an approved home of a resource family, as defined, and would make conforming changes relating to this provision. (9) The Federal Indian Child Welfare Act, authorizes a federally recognized tribe to approve a home for the purpose of foster or adoptive placement of an Indian child. This bill would conform state law to that provision and would specify the duties of a tribal child welfare agency, as defined, in conducting related background checks. (10) Existing law requires the department to report specified information regarding provision of health care to children in foster care. This bill would require a county child welfare agency to provide the department with information necessary for the department to meet those

reporting responsibilities. (11) Existing law authorizes state departments to adopt regulations in accordance with the rulemaking provisions of the Administrative Procedure Act. This bill would authorize the State Department of Social Services, until emergency regulations are filed with the Secretary of State, to implement specified changes proposed by this bill, through all-county letters or similar instructions from the Director of Social Services. (12) This bill would incorporate additional changes to Section 17506 of the Family Code proposed by SB 1066, to be operative only if SB 1066 and this bill are both chaptered and become effective on or before January 1, 2015, and this bill is chaptered last. This bill would incorporate additional changes to Section 361.2 of the Welfare and Institutions Code proposed by SB 977 and SB 1099, to be operative only if this bill and either or both of those bills are chaptered and become effective on or before January 1, 2015, and this bill is chaptered last. This bill would incorporate additional changes to Section 727 of the Welfare and Institutions Code proposed by AB 2607, to be operative only if AB 2607 and this bill are both chaptered and become effective on or before January 1, 2015, and this bill is chaptered last. This bill would incorporate additional changes to Section 16002 of the Welfare and Institutions Code proposed by SB 1099, to be operative only if SB 1099 and this bill are both chaptered and become effective on or before January 1, 2015, and this bill is chaptered last.

Public Health Administration

AB 548 *Public postsecondary education: community college registered nursing programs*
Salas 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, under the administration of community college district governing boards, and authorizes these districts to provide instruction at the community college campuses operated by the districts. Existing law requires a community college registered nursing program that elects to use a multicriteria screening process to evaluate applicants for admission to nursing programs to include specified criteria. Existing law authorizes a program using a multicriteria screening process to use an approved diagnostic assessment tool before, during, or after the multicriteria screening process. Existing law also requires a district that uses multicriteria screening measures to report its nursing program admissions policies to the chancellor annually, in writing. Existing law repeals these provisions on January 1, 2016. This bill would extend the operation of these provisions related to community college nursing programs until January 1, 2020, and would require the Chancellor of the California Community Colleges to submit a report on or before March 1, 2015, and annually thereafter to the Legislature and the Governor that examines and includes, but is not necessarily limited to, specified information on nursing students admitted through the multicriteria screening process.

AB 1577 *Certificates of death: gender identity*
Atkins Existing law establishes the State Department of Public Health under the direction of the State Public Health Officer. Existing law sets forth its powers and duties of the State Public Health Officer, including, but not limited to, designation as the State Registrar of Vital Statistics, having supervisory powers over local registrars and responsible for the uniform and thorough enforcement of provisions relating to the registration of certain vital statistics. Existing law requires that each death be registered with the local registrar of births and deaths in the district in which the death was officially pronounced or the body was found. Existing law sets forth the persons responsible for completing the certificate of death and the required contents of the certificate, including, but not limited to, the decedent's name, sex, and birthplace. Certain violations of these requirements are a crime. This bill would, commencing July 1, 2015, require a person completing the certificate of death to record the decedent's sex to reflect the decedent's gender identity. The bill would require the decedent's gender identity to be reported by the informant, unless the person completing the certificate is presented with a specified document, in which case the person completing the certificate would be required to record the decedent's sex as that which corresponds to the decedent's gender identity as indicated in that document. The bill would provide that if none of the specified documents are presented and the person with the right, or a majority of persons who have equal rights, to control the disposition of the remains is in disagreement with the gender identity reported by the informant, the gender identity of the decedent recorded on the death certificate is to be as reported by that person or majority of persons. The bill would also provide that if none of the specified documents are presented and a majority of persons who have equal rights to control the disposition of the remains do not agree on the gender identity of the decedent as reported by the informant, any one of those persons may petition the court to determine who among those persons will determine the gender identity of the decedent, as specified. This bill would, commencing July 1, 2015, grant immunity from liability for costs or damages arising from any claims based upon a person entering a decedent's gender as required by this bill. The bill would also require a person completing the death certificate to satisfy certain data and certification requirements, as specified, using the information available to him or her prior to the deadline for completion.

AB 1951 *Vital records: birth certificates*
Gomez Existing law prescribes the duties of the State Registrar of Vital Statistics and local registrars of births and deaths with respect to the registration of a live birth. Under existing law, a certificate

of live birth is required to contain, among other things, the full name, birthplace, and date of birth of both the father and mother of a child, except as provided. Existing law provides for the Vital Statistics Advisory Committee, which, among other things, is required to review and make recommendations to the State Registrar as to proposals for addition or deletion of items on the certificate of live birth and advise the State Registrar on the content and format of the certificate. Existing law requires the State Registrar to publish within 30 days of receipt of recommendations by the committee, both a list of the recommendations adopted and a list of the recommendations not adopted, with reasons for the action. This bill would, commencing January 1, 2016, instead require the State Registrar, with regard to identification of the parents, to modify the certificate of live birth to contain 2 lines that both read "Name of Parent" and contain, next to each parent's name, 3 checkboxes with the options of mother, father, and parent to describe the parent's relationship to the child. The bill would also require that all local registrars, deputy registrars, and subregistrars use the modified certificate of live birth, update all forms to incorporate the modification, and discard all forms in use before the modification. The bill would, for a birth occurring prior to January 1, 2016, authorize a parent to amend specified parental titles on the certificate of live birth to the parent relationship designation described above. The bill would require, if the birth mother is listed on the certificate of live birth, the birth mother's name, date of birth, and place of birth to be linked to her medical and social information, and would require that the linkage be confidential, as specified.

Climate Change

- AB 52** *Native Americans: California Environmental Quality Act*
Gatto Existing law, the Native American Historic Resource Protection Act, establishes a misdemeanor for unlawfully and maliciously excavating upon, removing, destroying, injuring, or defacing a Native American historic, cultural, or sacred site, that is listed or may be eligible for listing in the California Register of Historic Resources. The California Environmental Quality Act, referred to as CEQA, requires a lead agency, as defined, to prepare, or cause to be prepared, and certify the completion of, an environmental impact report 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. CEQA requires the lead agency to provide a responsible agency with specified notice and opportunities to comment on a proposed project. CEQA requires the Office of Planning and Research to prepare and develop, and the Secretary of the Natural Resources Agency to certify and adopt, guidelines for the implementation of CEQA that include, among other things, criteria for public agencies to following in determining whether or not a proposed project may have a significant effect on the environment. This bill would specify that a project with an effect that may cause a substantial adverse change in the significance of a tribal cultural resource, as defined, is a project that may have a significant effect on the environment. The bill would require a lead agency to begin consultation with a California Native American tribe that is traditionally and culturally affiliated with the geographic area of the proposed project, if the tribe requested to the lead agency, in writing, to be informed by the lead agency of proposed projects in that geographic area and the tribe requests consultation, prior to determining whether a negative declaration, mitigated negative declaration, or environmental impact report is required for a project. The bill would specify examples of mitigation measures that may be considered to avoid or minimize impacts on tribal cultural resources. The bill would make the above provisions applicable to projects that have a notice of preparation or a notice of negative declaration filed or mitigated negative declaration on or after July 1, 2015. The bill would require the Office of Planning and Research to revise on or before July 1, 2016, the guidelines to separate the consideration of tribal cultural resources from that for paleontological resources and add consideration of tribal cultural resources. By requiring the lead agency to consider these effects relative to tribal cultural resources and to conduct consultation with California Native American tribes, this bill would impose a state-mandated local program. Existing law establishes the Native American Heritage Commission and vests the commission with specified powers and duties. This bill would additionally require the commission to provide each California Native American tribe, as defined, on or before July 1, 2016, with a list of all public agencies that may be a lead agency within the geographic area in which the tribe is traditionally and culturally affiliated, the contact information of those agencies, and information on how the tribe may request those public agencies to notify the tribe of projects within the jurisdiction of those public agencies for the purposes of requesting consultation.
- AB 1179** *Recycling: waste tires: public works projects*
Bocanegra The existing California Tire Recycling Act requires the Department of Resources Recycling and Recovery to administer a tire recycling program, and imposes a California tire fee on a new tire purchased in the state. The revenue generated from the fee is deposited in the California Tire Recycling Management Fund for expenditure, upon appropriation by the Legislature, for the purposes of programs related to waste tires. This bill would additionally authorize the department, when awarding grants pursuant to the tire recycling program, to award grants for public works projects to create parklets, greenways, or both, that use tire-derived products and

would require the department, if it awards those grants, to give priority for funding to those projects in disadvantaged communities, as defined.

AB 1447
Waldron

California Global Warming Solution Act of 2006: Greenhouse Gas Reduction Fund: traffic synchronization

The California Global Warming Solutions Act of 2006 designates the State Air Resources Board as the state agency charged with monitoring and regulating sources of emissions of greenhouse gases. The act authorizes the state board to include the use of market-based compliance mechanisms. Existing law requires all moneys, except for fines and penalties, collected by the state board from the auction or sale of allowances as part of a market-based compliance mechanism to be deposited in the Greenhouse Gas Reduction Fund and to be available upon appropriation. Existing law requires the Department of Finance, in consultation with the state board and any other relevant state agency, to develop, as specified, a 3-year investment plan for the moneys deposited in the Greenhouse Gas Reduction Fund. This bill would authorize moneys in the fund to be allocated, as specified, for an investment in a traffic signal synchronization component that is part of a sustainable infrastructure project if the component is designed and implemented to achieve cost-effective reductions in greenhouse gas emissions and includes specific emissions reduction targets and metrics to evaluate the project's effect.

AB 1471
Rendon

Water Quality, Supply, and Infrastructure Improvement Act of 2014

(1) Existing law, the Safe, Clean, and Reliable Drinking Water Supply Act of 2012, if approved by the voters, would authorize the issuance of bonds in the amount of \$11,140,000,000 pursuant to the State General Obligation Bond Law to finance a safe drinking water and water supply reliability program. Existing law provides for the submission of the bond act to the voters at the November 4, 2014, statewide general election. This bill would repeal these provisions. (2) Under existing law, various measures have been approved by the voters to provide funds for water supply and protection facilities and programs. Existing law, the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006, an initiative measure approved by the voters as Proposition 84 at the November 7, 2006, statewide general election, authorizes the issuance of bonds in the amount of \$5,388,000,000 for the purposes of financing safe drinking water, water quality and supply, flood control, natural resource protection, and park improvements. Existing law, the Disaster Preparedness and Flood Prevention Bond Act of 2006, approved by the voters as Proposition 1E at the November 7, 2006, general statewide election, authorizes the issuance of bonds in the amount of \$4,090,000,000 for the purposes of financing disaster preparedness and flood prevention projects. Existing law, the Water Security, Clean Drinking Water, Coastal and Beach Protection Act of 2002, an initiative measure approved by the voters as Proposition 50 at the November 5, 2002, statewide general election, authorizes, for the purposes of financing a safe drinking water, water quality, and water reliability program, the issuance of bonds in the amount of \$3,440,000,000. Existing law, the Costa-Machado Water Act of 2000, approved by the voters as Proposition 13 at the March 7, 2000, statewide primary election, authorizes the issuance of general obligation bonds in the amount of \$1,970,000,000 for the purposes of financing a safe drinking water, clean water, watershed protection, and flood protection program. Existing law, the Safe, Clean, Reliable Water Supply Act, approved by the voters as Proposition 204 at the November 5, 1996, statewide general election, authorizes the issuance of general obligation bonds in the amount of \$995,000,000 for the purposes of financing a safe, clean, reliable water supply program. Existing law, the Water Conservation and Water Quality Bond Law of 1986, approved by the voters as Proposition 44 at the June 3, 1986, statewide primary election, authorizes the issuance of general obligation bonds in the amount of \$150,000,000 for the purposes of financing a water conservation and water quality program. This bill would enact the Water Quality, Supply, and Infrastructure Improvement Act of 2014, which, if approved by the voters, would authorize the issuance of bonds in the amount of \$7,120,000,000 pursuant to the State General Obligation Bond Law to finance a water quality, supply, and infrastructure

improvement program. This bill, upon voter approval, would reallocate \$425,000,000 of the unissued bonds authorized for the purposes of Propositions 1E, 13, 44, 50, 84, and 204 to finance the purposes of a water quality, supply, and infrastructure improvement program. This bill would provide for the submission of these provisions to the voters at the November 4, 2014, statewide general election. (3) This bill would declare that it is to take effect immediately as an urgency statute.

AB 1721 *Vehicles: high-occupancy vehicle lanes*

Linder Existing federal law authorizes, until September 30, 2017, a state to allow specified labeled vehicles to use lanes designated for high-occupancy vehicles (HOVs). Existing law authorizes the Department of Transportation to designate certain lanes for the exclusive use of HOVs, which may also be used, until January 1, 2019, or until the date the federal authorization expires, or until the Secretary of State receives that specified notice, whichever occurs first, by certain eligible low-emission and hybrid vehicles not carrying the requisite number of passengers otherwise required for the use of an HOV lane if the vehicle displays a vehicle identifier issued by the Department of Motor Vehicles. Existing law exempts a vehicle, eligible under these provisions to use HOV lanes, from toll charges imposed on single-occupant vehicles in designated high-occupancy toll (HOT) lanes unless prohibited by federal law. This bill would instead grant a vehicle, eligible under these provisions to use HOV lanes, a toll-free or reduced-rate passage in HOT lanes.

AB 1811 *High-occupancy vehicle lanes*

Buchanan Existing law authorizes the Sunol Smart Carpool Lane Joint Powers Authority and the Alameda County Congestion Management Agency to conduct, administer, and operate a value pricing high-occupancy vehicle program, on specified highway corridors, that may authorize the entry and use of high-occupancy vehicle lanes by single-occupant vehicles for a fee. Existing law requires that the implementation of the program ensure that specified levels of service be maintained at all times in the high-occupancy vehicle lanes and that unrestricted access to the lanes by high-occupancy vehicles be available at all times. This bill would authorize the program to require a high-occupancy vehicle to have an electronic transponder or other electronic device for law enforcement purposes.

AB 2013 *Vehicles: high-occupancy lanes*

Muratsuchi Existing federal law, until September 30, 2017, authorizes a state to allow specified labeled vehicles to use lanes designated for high-occupancy vehicles (HOVs). Existing law authorizes the Department of Transportation to designate certain lanes for the exclusive use of HOVs. Under existing law, until January 1, 2019, or until federal authorization expires, or until the Secretary of State receives a specified notice, those lanes may be used by certain vehicles not carrying the requisite number of passengers otherwise required for the use of an HOV lane, if the vehicle displays a valid identifier issued by the Department of Motor Vehicles (DMV). Existing law authorizes the DMV to issue no more than 55,000 of those identifiers. This bill would increase the number of those identifiers that the DMV is authorized to issue to 70,000.

AB 2067 *Urban water management plans*

Weber Existing law, the Urban Water Management Planning Act, requires every public and private urban water supplier that directly or indirectly provides water for municipal purposes to prepare and adopt an urban water management plan and to update its plan once every 5 years on or before December 31 in years ending in 5 and zero. The act requires the plan to, among other things, include a description of each water demand management measure that is currently being implemented, and an evaluation of specified water demand management measures that are not currently being implemented or scheduled for implementation. The bill would instead require an urban retail water supplier and an urban wholesale water supplier to provide narratives describing the supplier's water demand management measures, as provided. The bill would

require, for urban retail water suppliers, the narrative to address the nature and extent of each water demand management measure implemented over the past 5 years and describe the water demand management measures that the supplier plans to implement to achieve its water use targets. The bill would require each urban water supplier to submit its 2015 plan to the Department of Water Resources by July 1, 2016. Existing law imposes various water use reduction requirements that apply to urban retail water suppliers, including a requirement that the state achieve a 20% reduction in urban per capita water use by December 31, 2020. Existing law requires an urban retail water supplier to develop urban water use targets and to report to the Department of Water Resources its progress on meeting its urban water use target as a part of its urban water management plan. Existing law requires an urban wholesale water supplier to include in its urban water management plan an assessment of its measures, programs, and policies to help achieve the required water use reductions. Existing law requires, by December 31, 2016, the department to review the 2015 urban water management plans and report to the Legislature on the progress toward achieving the 20% reduction in urban water use. The bill would extend the date by which the department is required to review the plans and report to the Legislature to July 1, 2017.

- AB 2082 *Forest practices: resource conservation standards: stocking standards*
 Dahle The Z'berg-Nejedly Forest Practice Act of 1973 prohibits a person from conducting timber operations on timberland unless a timber harvesting plan has been prepared by a registered professional forester and has been submitted to the Department of Forestry and Fire Protection and approved by the Director of Forestry and Fire Protection or the State Board of Forestry and Fire Protection. Existing law establishes minimum acceptable stocking standards and provides that an area covered by a timber harvesting plan is considered acceptably stocked if certain conditions are met within 5 years after completion of timber operations, including that the area contains an average point count of 300 per acre, as provided. Existing law requires the board to adopt stocking standards for each district, after a public hearing, that are equal to or stricter than the minimum standards. This bill would authorize the board to adopt alternative stocking standards if those alternative standards reasonably address variables in forest characteristics and achieve suitable resource conservation, as provided.
- AB 2100 *Common interest developments: yard maintenance: fines: drought*
 Campos The Davis-Stirling Common Interest Development Act provides for the creation and regulation of common interest developments and requires that a development be managed by an association. That act provides that a provision of the governing documents of a development is void and unenforceable if it prohibits, or includes conditions that have the effect of prohibiting, the use of low water-using plants as a group, or if it has the effect of prohibiting or restricting compliance with a local water-efficient landscape ordinance or water conservation measure, as specified. This bill would prohibit an association from imposing a fine or assessment against a member of a separate interest for reducing or eliminating watering of vegetation or lawns during any period for which the Governor has declared a state of emergency, or a local government has declared a local emergency, due to drought. This bill would declare that it is to take effect immediately as an urgency statute.
- AB 2137 *Energy efficiency programs: information available for small businesses*
 Quirk Existing law creates the Office of Small Business Advocate within the Governor's Office of Business and Economic Development. Existing law establishes the duties and functions of the advocate, which include advisory participation in the consideration of all legislation and administrative regulations that affect small businesses. Existing law also requires the office to post specified information on its Internet Web site, including information about emergency preparedness, responses, and recovery strategies for small businesses and information regarding programs administered through the statewide network of small business financial development corporations. This bill would require the office to include a link to the Energy Upgrade

California Internet Web site on the homepage of its Internet Web site. Under existing law, the Public Utilities Commission has regulatory authority over public utilities, including electrical corporations and gas corporations, as defined. The Public Utilities Act requires the Public Utilities Commission to review and accept, modify, or reject a procurement plan for each electrical corporation in accordance with specified elements, incentive mechanisms, and objectives. The act requires that an electrical corporation's proposed procurement plan include certain elements, including a showing that the electrical corporation will first meet its unmet needs through all available energy efficiency and demand reduction resources that are cost effective, reliable, and feasible. Existing law requires the Public Utilities Commission, in consultation with the State Energy Resources Conservation and Development Commission, to identify all potentially achievable cost-effective electricity efficiency savings and to establish efficiency targets for electrical corporations to achieve pursuant to their procurement plan. The Public Utilities Act additionally requires the Public Utilities Commission, in consultation with the State Energy Resources Conservation and Development Commission, to identify all potentially achievable cost-effective natural gas efficiency savings and to establish efficiency targets for gas corporations to achieve and requires that a gas corporation first meet its unmet resource needs through all available gas efficiency and demand reduction resources that are cost effective, reliable, and feasible. Under their existing authorities, the Public Utilities Commission and the State Energy Resources Conservation and Development Commission, in collaborating with various entities, have developed the Energy Upgrade California program to promote and finance energy efficiency and renewable energy projects for homes and businesses, reduce energy use, and help train contractors and building professionals. This bill would require the Public Utilities Commission to ensure that the Internet Web site for the Energy Upgrade California program be revised to include information related to demand-side management programs for small business customers.

AB 2414 *Parking facilities: electric vehicle charging*

Ting The California Constitution generally prohibits the making of a gift of any public money, or thing of value. Existing law authorizes the Department of General Services to acquire real property to operate and maintain motor vehicle parking facilities, as specified. Existing law authorizes the department to enter into arrangements with other public and state agencies for joint use of these parking facilities, as specified. This bill would specify that the use of electricity by state government and other government entities, state officers and employees, or other persons for the charging of an electric vehicle in a department maintained or joint use motor vehicle parking facility is not a gift of public funds that is prohibited by the California Constitution.

AB 2565 *Rental property: electric vehicle charging stations*

Muratsuchi Existing law generally regulates the hiring of real property. This bill would, for any lease executed, renewed, or extended on and after July 1, 2015, require a lessor of a dwelling to approve a written request of a lessee to install an electric vehicle charging station at a parking space allotted for the lessee in accordance with specified requirements and that complies with the lessor's approval process for modification to the property. The bill would except from its provisions specified residential property, including a residential rental property with fewer than 5 parking spaces and one subject to rent control. The bill would require the electric vehicle charging station and all modifications and improvements made to the property comply with federal, state, and local law, and all applicable zoning requirements, land use requirements, and covenants, conditions, and restrictions. The bill would also require a lessee's written request to make a modification to the property in order to install and use an electric vehicle charging station include his or her consent to enter into a written agreement including specified provisions, including compliance with the lessor's requirements for the installation, use, maintenance, and removal of the charging station and installation of the infrastructure for the charging station. The bill would also require the lessee to maintain in full force and effect a

\$1,000,000 lessee's general liability insurance policy, as specified. Existing law regulates the terms and conditions of residential and commercial tenancies. Existing law defines and regulates common interest developments and voids any condition affecting the transfer or sale of an interest in a common interest development that prohibits or unreasonably restricts the installation or use of an electric vehicle charging station in a designated parking space in the development, as specified. This bill would void any term in a lease renewed or extended on or after January 1, 2015, that conveys any possessory interest in commercial property that either prohibits or unreasonably restricts, as defined, the installation or use of an electric vehicle charging station in a parking space associated with the commercial property. The bill would prescribe requirements for lessor approval of a lessee request to install or use an electronic vehicle charging station and would require that a lessor approve a request to install a charging station if the lessee agrees in writing to do specified acts, including paying for various costs associated with the charging station and maintaining insurance naming the lessor as an insured.

AB 2636
Gatto

CalConserve Water Use Efficiency Revolving Fund

This bill would establish the CalConserve Water Use Efficiency Revolving Fund and provide that the moneys in the fund are available to the Department of Water Resources, upon appropriation by the Legislature, for the purpose of water use efficiency projects. This bill would require moneys in the fund to be used for purposes that include, but are not limited to, at or below market interest rate loans to local agencies, as defined, and would permit the department to enter into agreements with local agencies that provide water or recycled water service to provide loans. Existing law, the Costa-Machado Water Act of 2000, a bond act approved by the voters as Proposition 13 at the March 7, 2000, statewide primary election, authorizes the issuance of general obligation bonds in the amount of \$1,970,000,000 for grants, loans, and direct expenditures for the purposes of financing a safe drinking water, clean water, watershed protection, and flood protection program. This bill would transfer to the CalConserve Water Use Efficiency Revolving Fund from the bond act specified bond proceeds issued and available for agricultural water projects. This bill would require the department to use these moneys for loans and grants to local agencies to acquire and construct agricultural water conservation projects consistent with provisions of the bond act.

SB 104
Committee
on Budget
& Fiscal
Review

Drought Relief

(1) The California Constitution requires the reasonable and beneficial use of water. Under the public trust doctrine, the State Water Resources Control Board, among other state agencies, is required to take the public trust into account in the planning and allocation of water resources and to protect the public trust whenever feasible. Existing law establishes the Water Rights Fund, which consists of various fees and penalties. The moneys in the Water Rights Fund are available, upon appropriation by the Legislature, for the administration of the board's water rights program. This bill would provide that a person or entity in violation of a term or condition of a permit, license, certificate, or registration issued or an order adopted by the board or an emergency regulation described in paragraph (6), is liable in an amount not to exceed \$500 for each day in which the violation occurs. These funds would be deposited in the Water Rights Fund. (2) Existing law, the California Emergency Services Act sets forth the emergency powers of the Governor under its provisions. This bill would provide that the provisions of this bill described in (1) apply only in a critically dry year immediately preceded by 2 or more consecutive below normal, dry, or critically dry years, or during a period for which the Governor has issued a proclamation of a state of emergency based on drought conditions. (3) Under existing law, the Disaster Assistance Fund is continuously appropriated, without regard to fiscal years, for purposes of the California Disaster Assistance Act. Existing law requires the Director of the Office of Emergency Services, whenever funds are available for purpose of the act, to make allocations in the amounts that the director determines to be necessary to state agencies for making the investigations, estimates, and reports required by the act. This bill would authorize the director, when a proclamation of a state of emergency has been issued, to make allocations

of funds available for the purposes of the act in the amounts that the director determines necessary to state agencies for expenditures incurred performing extraordinary emergency measures. This bill would prohibit these allocations from being made to reimburse employee costs related to emergency work activities or any permanent repairs to the agency's own facilities. (4) Existing law declares that the diversion or use of water other than as authorized by specified provisions of law is a trespass. Existing law authorizes the imposition of civil liability for a trespass in an amount not to exceed \$500 for each day in which the trespass occurs. This bill would authorize the imposition of civil liability by the board or superior court in an amount not to exceed the sum of \$1,000 for each day in which the trespass occurs and \$2,500 for each acre-foot of water diverted or used in excess of that diverter's water rights during a critically dry year immediately preceded by 2 or more consecutive below normal, dry, or critically dry years or during a period for which the Governor has issued a proclamation of a state of emergency based on drought conditions. (5) Under existing law, a person who violates a cease and desist order may be liable in an amount not to exceed \$1,000 for each day in which the violation occurs. Revenue generated from these penalties is deposited in the Water Rights Fund. This bill, for a violation occurring in a critically dry year immediately preceded by 2 or more consecutive below normal, dry, or critically dry years or during a period for which the Governor has issued a proclamation of a state of emergency based on drought conditions, would authorize a person violating a cease and desist order to be liable in an amount not to exceed \$10,000 for each day in which the violation occurs. (6) Under existing law, emergency regulations of the board are not subject to review by the Office of Administrative Law if the board adopts findings that the emergency regulation is adopted to prevent the waste, unreasonable use, unreasonable method of use, or unreasonable method of diversion, of water to promote wastewater reclamation, or to promote water conservation, and that the emergency regulation is adopted in response to conditions which exist, or are threatened, in a critically dry year immediately preceded by 2 or more consecutive dry or critically dry years. This bill also would allow the adoption of emergency regulations by the board if the board finds the emergency regulation is adopted to require curtailment of diversions when water is not available under the diverter's priority of right. This bill instead would require the emergency regulation to be adopted in response to conditions which exist, or are threatened, in a critically dry year immediately preceded by 2 or more consecutive below normal, dry, or critically dry years or during a period for which the Governor has issued a proclamation of a state of emergency based on drought conditions. This bill would make a violation of a regulation adopted by the board under these provisions an infraction punishable by a fine of up to \$500 for each day in which the violation occurs. By creating a new crime, this bill would impose a state-mandated local program. Existing law provides that these emergency regulations are authorized to remain in effect for up to 270 days, as prescribed. This bill would permit an emergency regulation adopted under these provisions to be renewed if the board determines that the above-described conditions are still in effect. (7) Existing law authorizes the board to issue a cease and desist order against a person who is violating, or threatening to violate, certain requirements, including requirements set forth in a decision or order relating to the unauthorized use of water. This bill would authorize the board to issue a cease and desist order in response to a violation or threatened violation of an emergency regulation adopted pursuant to the provisions described in paragraph (6). (8) Existing law requires the State Department of Public Health to adopt uniform water recycling criteria for indirect potable water reuse for groundwater recharge, as defined, by December 31, 2013. This bill would require the State Department of Public Health, no later than June 30, 2014, to adopt by emergency regulations requirements for groundwater replenishment using recycled water. (9) Existing law creates the Housing Rehabilitation Loan Fund and continuously appropriates moneys in the fund for, among other purposes, making specified deferred payment housing rehabilitation loans. This bill, to the extent no other funding sources are available, would make available \$10,000,000 in the fund to the department for the purpose of providing housing rental-related subsidies to persons rendered homeless, or at risk of becoming homeless, due to unemployment, underemployment, or other economic hardship resulting from the state of emergency proclaimed by the Governor based on drought conditions. This bill would authorize

the department to administer the housing rental-related subsidies or contract with qualified local government agencies or nonprofit organizations to administer the program. (10) Existing law authorizes the Department of Housing and Community Development to contract with local public and private nonprofit agencies to provide housing services, including shelter, education, sanitation, and day care services, for migrant agricultural workers, through the development, construction, reconstruction, rehabilitation, or operation of a migrant farm labor center. This bill would require the department to make the Office of Migrant Services centers available for rent by persons or families experiencing economic hardships as a result of the drought. (11) Existing law authorizes the Employment Development Department to collect and administer an employment training tax. Existing law establishes the Employment Training Panel (ETP) in the Employment Development Department, and prescribes the functions and duties of the ETP with respect to the development, implementation, and administration of various employment training programs in the state. Existing law requires the ETP to establish the Partnership for Workforce Recovery Training for the purpose of supporting and implementing the workforce development goals set forth in the federal American Recovery and Reinvestment Act of 2009. This bill would eliminate the requirement that the ETP establish the Partnership for Workforce Recovery Training, and would instead require the ETP to develop and publish guidelines for the purpose of supporting and implementing one or more alternative fund programs to reimburse the cost of training using funds from a source other than the employment training tax. This bill would require the ETP, as needed in response to a proclamation of a state of emergency issued by the Governor under the California Emergency Services Act, to identify industries and occupations that shall be priorities for training funds for the purpose of funding special employment training projects that improve the skills and employment security of frontline workers and to waive specified wage and employment retention provisions. Existing law, with respect to funds appropriated in the annual Budget Act to the department for allocation by the ETP for the training of workers in regions suffering from high unemployment and low job creation, authorizes the ETP to waive the minimum wage requirements for participation in the program in certain circumstances. This bill would provide that the ETP may waive the minimum wage requirements with respect to funds appropriated to the department for allocation by the ETP in the annual Budget Act for training of workers in regions identified in a proclamation of a state of emergency issued by the Governor under the California Emergency Services Act. (12) Existing law, the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006, an initiative bond act, authorizes the issuance of bonds in the amount of \$5,388,000,000 for the purposes of financing a safe drinking water, water quality and supply, flood control, and resource protection program. This bill would appropriate \$472,500,000 from these bond funds for the purposes of integrated regional water management grants. (13) The bill would require, to the extent feasible and appropriate, water conservation and drought response projects funded pursuant to these provisions and the provisions of the bill described in paragraph (15) to use the services of the California Conservation Corps or certified community conservation corps. (14) This bill would declare that it is to take effect immediately as a bill providing for appropriations related to the Budget Bill.

SB 985
Pavley

Stormwater resource planning

Existing law, the Stormwater Resource Planning Act, authorizes a city, county, or special district, to develop a stormwater resource plan that meets certain standards. This bill would authorize one or more public agencies to develop a stormwater resource plan. The bill would expand the standards to include dry weather runoff. This bill would require a stormwater resource plan to be submitted to any applicable regional water management group, to identify and prioritize stormwater and dry weather runoff capture projects for implementation in a prescribed quantitative manner, and to prioritize the use of lands or easements in public ownership for stormwater and dry weather runoff projects. This bill would eliminate the requirement that a stormwater resource plan be consistent with any applicable integrated regional water management plan. This bill would require an entity developing a stormwater resource plan to identify in the plan opportunities to use existing publicly owned lands and

easements to capture, clean, store, and use stormwater and dry weather runoff either onsite or offsite. This bill would require the State Water Resources Control Board, by July 1, 2016, to establish guidance for purposes of these provisions. This bill would require the development of a stormwater resource plan and compliance with these provisions to receive grants for stormwater and dry weather runoff capture projects from a bond act approved by the voters after January 1, 2014, except as provided. This bill would define dry weather runoff and stormwater for the purposes of the act and conform the definition of stormwater in the Rainwater Capture Act of 2012.

SB 1036 *Urban water management plans*

Pavley Existing law, the Urban Water Management Planning Act, requires every public and private urban water supplier that directly or indirectly provides water for municipal purposes to prepare and adopt an urban water management plan. The act requires each urban water supplier to update its plan at least once every 5 years on or before December 31, in years ending in 5 and zero, and requires an urban water supplier to submit copies of its plan and copies of amendments or changes to the plan to certain entities, including the Department of Water Resources. This bill would authorize an urban water supplier to include within an urban water management plan certain energy-related information, including, but not limited to, an estimate of the amount of energy used to extract or divert water supplies. This bill would require the department to include in its guidance for the preparation of urban water management plans a methodology for the voluntary calculation or estimation of the energy intensity of urban water systems.

SB 1275 *Vehicle retirement and replacement: Charge Ahead California Initiative*

De León (1) Existing law creates an enhanced fleet modernization program for the retirement of high polluting vehicles to be administered by the Bureau of Automotive Repair pursuant to guidelines adopted by the State Air Resources Board. Existing law requires the program's guidelines to be updated no later than June 30, 2015. Existing law requires the updated guidelines to ensure vehicle replacement be an option for all motor vehicle owners and may be in addition to compensation for vehicles retired, as specified. This bill would require the updated guidelines to ensure there be a mobility option, as defined, and that the compensation for a mobility option be no less than \$2,500. The bill would authorize the state board to increase the amount of the mobility option as necessary to maximize the air quality benefits of the program while also ensuring participation by low-income motor vehicle owners, as specified. The bill also would require the updated guidelines to ensure the inclusion of car sharing, as specified. (2) Existing law establishes the Air Quality Improvement Program that is administered by the State Air Resources Board for the purposes of funding projects related to, among other things, reduction of criteria air pollutants and improvement of air quality. Pursuant to the Air Quality Improvement Program, the state board has established the Clean Vehicle Rebate Project to promote the production and use of zero-emission vehicles and the Hybrid and Zero-Emission Truck and Bus Voucher Incentive Project to provide vouchers to help California fleets to purchase hybrid and zero-emission trucks and buses. This bill would establish the Charge Ahead California Initiative to be administered by the state board, in consultation with the State Energy Resources Conservation and Development Commission, air pollution control and air quality management districts, and the public. The bill would state that the goals of the initiative are to, among other things, place in service at least 1,000,000 zero-emission and near-zero-emission vehicles by January 1, 2023, and to increase access for disadvantaged, low-income, and moderate-income communities and consumers to zero-emission and near-zero-emission vehicles. The bill would require the state board to include, commencing with the Air Quality Improvement Program funding plan for the 2016-17 fiscal year, a specified funding plan that includes the immediate fiscal year and a forecast of estimated funding needs for the subsequent 2 years commensurate with meeting the goals of the Charge Ahead California Initiative; to update the plan at least every 3 years through January 1, 2023; to adopt, no later than June 30, 2015, specified revisions to the criteria and other requirements for the Clean Vehicle Rebate

Project; and to establish programs that further increase access to and direct benefits for disadvantaged, low-income, and moderate-income communities and consumers from electric transportation.

SB 1414

Electricity: demand response

Wolk

The Public Utilities Act requires the Public Utilities Commission, in consultation with the Independent System Operator, to establish resource adequacy requirements for all load-serving entities, as defined, in accordance with specified objectives. The definition of a "load-serving entity" excludes a local publicly owned electric utility. The act requires each load-serving entity to maintain physical generating capacity adequate to meet its load requirements to provide reliable electric service. The act requires the Public Utilities Commission to determine the most efficient and equitable means for achieving prescribed objectives. The Warren-Alquist State Energy Resources Conservation and Development Act establishes the State Energy Resources Conservation and Development Commission and requires it to undertake a continuing assessment of trends in the consumption of electricity and other forms of energy, to analyze the social, economic, and environmental consequences of those trends and to collect from electric utilities, gas utilities, and fuel producers and wholesalers, and other sources, forecasts of future supplies and consumption of all forms of energy. That act requires the State Energy Resources Conservation and Development Commission, beginning November 1, 2003, and every 2 years thereafter, to adopt an integrated energy policy report that includes an overview of major energy trends and issues facing the state. This bill would include, as an objective for the resource adequacy requirements referenced above, establishing new or maintaining existing demand response products and tariffs that facilitate the economic dispatch and use of demand response that can either meet or reduce an electrical corporation's resource adequacy requirements, as determined by the Public Utilities Commission. The bill would additionally require each load-serving entity to maintain both electrical demand response and physical generating capacity adequate to meet its load requirements. The bill would require the Public Utilities Commission to determine the most efficient and equitable means to ensure that investments are made in new and existing demand response resources that are cost effective and help to achieve electrical grid reliability and the state's goals for reducing emissions of greenhouse gases. The bill would require the Public Utilities Commission to ensure appropriate valuation of both supply and load modifying demand response resources and to establish a mechanism to value load modifying demand response resources, including, but not limited to, the ability of demand response resources to help meet distribution needs, transmission system needs, and to help reduce a load-serving entity's resource adequacy obligation. The bill would require the Public Utilities Commission, State Energy Resources Conservation and Development Commission, and the Independent System Operator to ensure that changes in demand caused by load modifying demand response are expeditiously and comprehensively reflected in the integrated energy policy report forecast, as well as planning proceedings and associated analyses, and encourage reflection of these changes in demand in the operation of the grid. The bill would require the Public Utilities Commission, in establishing a demand response program, to take certain actions.

SB 1420

Water management: urban water management plans

Wolk

Existing law, the Urban Water Management Planning Act, requires every public and private urban water supplier that directly or indirectly provides water for municipal purposes to prepare and adopt an urban water management plan. Existing law requires an urban water management plan to quantify, past and current water use, and projected water use, identifying the uses among water use sectors, including, among others, commercial, agricultural, and industrial uses. Existing law requires an urban water supplier to submit copies of its plan and copies of amendments or changes to the plan to certain entities, including the Department of Water Resources. This bill would require an urban water management plan to quantify and report on distribution system water loss. The bill would authorize water use projections to display and account for the water savings estimated to result from adopted codes, standards, ordinances, or

transportation and land use plans, when that information is available and applicable to an urban water supplier. The bill would require the plan, or amendments to the plan, to be submitted electronically to the department and include any standardized forms, tables, or displays specified by the department.

Criminal Justice and Public Safety

- AB 319** *Local agencies: domestic violence*
Campos Existing law specifies the powers and duties common to cities, counties, and other public agencies. Existing law defines domestic violence, sexual assault, stalking, human trafficking, and abuse of an elder or dependent adult. This bill would prohibit a local agency, as defined, from requiring a landlord to terminate a tenancy or fail to renew a tenancy based upon an act against a tenant or a tenant's household member that constitutes domestic violence, sexual assault, stalking, human trafficking, and abuse of an elder or dependent adult or based upon the number of calls made by a person to the emergency telephone system relating to the tenant or a member of the tenant's household being a victim of an act constituting domestic violence, sexual assault, stalking, human trafficking, and abuse of an elder or dependent adult. The bill would also declare that the need to protect tenants referenced in this bill is a matter of statewide concern and not a municipal affair, and that, therefore, all cities, including charter cities, would be subject to the provisions of the bill.
- AB 579** *Mandatory supervision*
Melendez Existing law authorizes a court, when sentencing a person to county jail for a felony, to commit the person to county jail for either the full term in custody, as specified, or to suspend the execution of a concluding portion of the term selected at the court's discretion. Under existing law, this period of suspended execution is supervised by the county probation officer and is known as mandatory supervision. This bill would specify that mandatory supervision begins upon release from custody. This bill would declare that it is to take effect immediately as an urgency statute.
- AB 1014** *Gun violence restraining orders*
Skinner (1) Existing law regulates the sale, transfer, possession, and ownership of firearms, including prohibiting specified persons from owning or possessing firearms. Existing law, among other things, generally prohibits a person subject to a domestic violence protective order from owning or possessing a firearm while that order is in effect. This bill would authorize a court to issue a temporary emergency gun violence restraining order if a law enforcement officer asserts and a judicial officer finds that there is reasonable cause to believe that the subject of the petition poses an immediate and present danger of causing personal injury to himself, herself, or another by having in his or her custody or control, owning, purchasing, possessing, or receiving a firearm and that the order is necessary to prevent personal injury to himself, herself, or another, as specified. The bill would require a law enforcement officer to serve the order on the restrained person, if the restrained person can reasonably be located, file a copy of the order with the court, and have the order entered into the computer database system for protective and restraining orders maintained by the Department of Justice. The bill would require the presiding judge of the superior court of each county to designate at least one judge, commissioner, or referee who is required to be reasonably available to issue temporary emergency gun violence restraining orders when the court is not in session. This bill would additionally authorize a court to issue an ex parte gun violence restraining order prohibiting the subject of the petition from having in his or her custody or control, owning, purchasing, possessing, or receiving, or attempting to purchase or receive, a firearm or ammunition when it is shown that there is a substantial likelihood that the subject of the petition poses a significant danger of harm to himself, herself, or another in the near future by having in his or her custody or control, owning, purchasing, possessing, or receiving a firearm and that the order is necessary to prevent personal injury to himself, herself, or another, as specified. The bill would require the ex parte order to expire no later than 21 days after the date on the order and would require the court to hold a hearing within 21 days of issuing the ex parte gun violence restraining order to determine if a gun violence restraining order that is in effect for one year should be issued. The bill would require a law enforcement officer or a person at least 18 years of age who is not a party to the

action to personally serve the restrained person the ex parte order, if the restrained person can reasonably be located. The bill would authorize a court to issue a gun violence restraining order prohibiting the subject of the petition from having in his or her custody or control, owning, purchasing, possessing, or receiving, or attempting to purchase or receive, a firearm or ammunition for a period of one year when there is clear and convincing evidence that the subject of the petition, or a person subject to an ex parte gun violence restraining order, as applicable, poses a significant danger of personal injury to himself, herself, or another by having in his or her custody or control, owning, purchasing, possessing, or receiving a firearm and that the order is necessary to prevent personal injury to himself, herself, or another, as specified. The bill would authorize the renewal of the order for additional one-year periods and would permit the restrained person to request one hearing to terminate the order during the effective period of the initial order or each renewal period. The bill would require a court, upon issuance of a gun violence restraining order, to order the restrained person to surrender to the local law enforcement agency all firearms and ammunition in his or her custody or control, or which he or she possesses or owns. The bill would require the local law enforcement agency to retain custody of the firearm or firearms and ammunition for the duration of a gun violence restraining order. The bill would require the court to notify the Department of Justice when any gun violence restraining order has been issued, renewed, dissolved, or terminated. The bill would also require the court, when sending that notice, to specify whether the person subject to the gun violence restraining order was present in court to be informed of the contents of the order or if the person failed to appear. The bill would require proof of service of the order to be entered into the California Restraining and Protective Order System, as specified. The bill would make it a misdemeanor to file a petition for an ex parte gun violence restraining order or a gun violence restraining order issued after notice and a hearing, knowing the information in the petition to be false or with the intent to harass. The bill would also provide that a person who owns or possesses a firearm or ammunition with the knowledge that he or she is prohibited from doing so by a gun violence restraining order is guilty of a misdemeanor and shall be prohibited from having in his or her custody or control, owning, purchasing, possessing, or receiving, or attempting to purchase or receive, a firearm or ammunition for a 5-year period, commencing upon the expiration of the existing gun violence restraining order. By creating new crimes and by requiring new duties of local law enforcement, this bill would impose a state-mandated local program. (2) Existing law states the grounds upon which a search warrant may be issued, including when the property or things to be seized include a firearm or any other deadly weapon that is owned by, or in the possession of, or in the custody or control of, specified persons. This bill would allow a search warrant to be issued when the property or things to be seized are firearms or ammunition or both that are owned by, in the possession of, or in the custody or control of, a person who is the subject of a gun violence restraining order if a prohibited firearm or ammunition or both is possessed, owned, in the custody of, or controlled by a person against whom a gun violence restraining order has been issued, the person has been lawfully served with that order, and the person has failed to relinquish the firearm as required by law. The bill would also require the law enforcement officer executing a search warrant issued upon that ground to take custody of any firearm or ammunition that is in the restrained person's custody or control or possession or that is owned by the restrained person, which is discovered pursuant to a consensual or other lawful search and would provide rules for executing the search warrant when the location to be searched is jointly occupied by the restrained person and one or more other persons. (3) Existing law requires specified law enforcement officers to take temporary custody of any firearm or deadly weapon in plain sight or discovered pursuant to a lawful search when present at the scene of a domestic violence incident involving a threat to human life or physical assault. This bill would apply the requirements described above to law enforcement officers serving a gun violence restraining order. The bill would also apply those requirements when the law enforcement officer is a sworn member of the Department of Justice who is a peace officer. (4) Existing law requires the Department of Justice to request public and private mental hospitals, sanitariums, and institutions to submit to the department information necessary to identify persons who are prohibited from having a firearm because the person has been

admitted to a facility, is receiving inpatient treatment, and is a danger to himself, herself, or others. Existing law requires the department to only use the information for certain specified purposes. This bill would additionally authorize the department to use the above-described information to determine the eligibility of a person who is the subject of a petition for the issuance of a gun violence restraining order to acquire, carry, or possess firearms, destructive devices, or explosives. (5) Existing constitutional provisions require that a statute that limits the right of access to the meetings of public bodies or the writings of public officials and agencies be adopted with findings demonstrating the interest protected by the limitation and the need for protecting that interest. This bill would make legislative findings to that effect. (6) The provisions of this bill would be effective January 1, 2016.

AB 1276 *Youth offenders: security placement*

Bloom

Existing law begins the term of imprisonment upon the actual delivery of a defendant into the custody of the Secretary of the Department of Corrections and Rehabilitation and requires the place of reception to be an institution under the direction of the Secretary. Existing regulations require that an inmate be assigned to a facility with a security level that corresponds to specified placement score ranges and establishes classification committees for making these determinations. This bill would require the department to conduct a youth offender Institutional Classification Committee review at reception to provide special classification consideration for every youth offender. The bill would require the department to consider placing a youth offender at a lower security level than corresponds with his or her classification score, or placing a youth offender in a facility that permits increased access to programs, based on the Institutional Classification Committee review and other factors, including, among others, the youth offenders recent in-custody behavior. The bill would require the department to transfer a youth offender to a lower security level facility if the department determines, based on a specified review, that he or she may appropriately be placed at a lower security level facility. The bill would require a youth offender who is denied a lower security level, or who did not qualify for a placement permitting increased access to programs, and is placed in the highest security level to be eligible to have his or her placement reconsidered at his or her annual review until age 25. The bill would require the department to revise existing regulations and adopt new regulations pursuant to these provisions, as necessary. The bill would make these provisions operative July 1, 2015.

AB 1512 *Corrections: inmate transfers*

Stone

Existing law, until July 1, 2015, authorizes the board of supervisors of a county where, in the opinion of the county sheriff or the director of the county department of corrections, adequate facilities are not available for prisoners, to enter into an agreement with any other county whose county adult detention facilities are adequate for and accessible to the first county and requires the concurrence of the receiving county's sheriff or the director of the county department of corrections. Existing law also requires a county entering into a transfer agreement with another county to report annually to the Board of State and Community Corrections on the number of offenders who otherwise would be under that county's jurisdiction but who are now being housed in another county's facility and the reason for needing to house the offenders outside the county. This bill would extend the operation of those provisions until July 1, 2018, and would clarify that the agreement between counties would be to permit commitment of sentenced misdemeanants, felons sentenced to serve a term in a county jail, and any person required to serve a term of imprisonment in county adult detention facilities as a condition of probation. Existing law, operative July 1, 2015, authorizes a county where adequate facilities are not available for prisoners who would otherwise be confined in its county adult detention facilities to enter into an agreement with the board or boards of supervisors of one or more nearby counties whose county adult detention facilities are adequate for, and are readily accessible from, the first county for the commitment of misdemeanants and persons required to serve a term of imprisonment in a county adult detention facility as a condition of probation in jail in a

county that is party to the agreement. Existing law, operative July 1, 2015, requires these agreements to provide for the support of a person so committed or transferred by the county from which he or she is committed. This bill would instead make those provisions operative July 1, 2018. This bill would make a related statement of legislative intent regarding inmate transfer agreements between nonadjacent counties.

AB 1547 *Domestic Violence Advisory Council*

Gomez Existing law, until January 1, 2015, establishes the Domestic Violence Advisory Council to the Office of Emergency Services, and specifies the composition and appointment of council members. Under existing law, the office and the council collaboratively administer the Comprehensive Statewide Domestic Violence Program. This bill would delete the January 1, 2015 date of repeal, effectively allowing these provisions to remain in effect indefinitely.

AB 1585 *Human trafficking*

Alejo Existing law defines and proscribes the crimes of human trafficking, solicitation, and prostitution. Existing law authorizes a court, in its discretion and in the interests of justice, to grant various forms of relief to a petitioner who completes conditions of probation, including the dismissal of the accusation or information against that person. Existing law requires the Department of Justice to maintain state summary criminal history information, and to furnish that information to specified entities for various purposes, including for purposes of fulfilling employment, licensing, and certification requirements. Existing law also authorizes the State Department of Social Services and county or licensed adoption agencies to secure a person's full criminal record in connection with an adoption application, as specified. This bill would provide that if a defendant has been convicted of solicitation or prostitution and has completed any term of probation for that conviction, the defendant may petition the court for relief if the defendant can establish by clear and convincing evidence that the conviction was the result of his or her status as a victim of human trafficking, and would authorize a court to issue an order that (1) sets forth a finding that the defendant was a victim of human trafficking, as specified, (2) dismisses the accusation or information against the defendant, or orders other relief, and (3) notifies the department that the defendant was a victim of human trafficking when he or she committed the crime and the relief that has been ordered. The bill would also exclude records of conviction for which the relief described above has been granted from the criminal records that may be disseminated for various purposes, including the full criminal record obtained in connection with an adoption application.

AB 1591 *Firearms: prohibited persons: notifications*

Achadjian Existing law requires a court to notify the Department of Justice of specified court actions that would result in an individual being prohibited from possessing firearms and deadly weapons or result in the individual no longer being subject to that prohibition. Under existing law, notice to the department is required when, among other instances, a person has been found mentally incompetent to stand trial, a person has been found not guilty of specified crimes by reason of insanity, or a person has been placed under conservatorship and prohibited from possessing firearms or deadly weapons. Existing law requires the court to notify the department as soon as possible, but not later than 2 court days after taking the relevant action. The court is required to submit these notices in an electronic format, as prescribed by the department. This bill would reduce that notification deadline from 2 court days to one court day after taking the relevant action.

AB 1609 *Firearms*

Alejo (1) Existing law, subject to exceptions, requires a firearm transaction to be conducted by a licensed firearms dealer. Existing law establishes requirements that dealers must adhere to in conducting firearms transactions and when delivering firearms, including, among others, a 10-day waiting period, purchaser background check, and possession of a handgun safety certificate

by the purchaser. This bill would, commencing January 1, 2015, prohibit a resident of this state from importing into this state, bringing into this state, or transporting into this state, any firearm that he or she purchased or otherwise obtained on or after January 1, 2015, from outside of this state unless he or she first has that firearm delivered to a dealer in this state for delivery to that resident pursuant to the requirements described above regarding dealers. The bill would create several exemptions to this prohibition, as specified. The bill would make a violation of these provisions involving a firearm that is not a handgun a misdemeanor, and a violation involving a handgun a misdemeanor or a felony. By creating a new crime, this bill would impose a state-mandated local program. (2) Existing law allows the Department of Justice to charge a fee for the actual costs associated with the preparation, sale, processing, and filing of forms or reports required or utilized pursuant to provisions of law requiring individuals to report the acquisition of a firearm to the department. Some of the exemptions to the requirement to have an imported firearm first delivered to a dealer in the state created by this bill would require the person taking possession of the firearm and importing, bringing, and transporting it into the state to submit a report to the Department of Justice that includes information about the person taking possession of the firearm, how title was obtained, and a description of the firearm. This bill would allow the department to charge a fee for the actual costs associated with the preparation, sale, processing, and filing of these reports.

AB 1610 *Material witnesses: human trafficking*

Bonta Existing law authorizes the defendant or the people, in cases where the defendant has been charged with a serious felony, as defined, or in a case of domestic violence, to have a witness examined conditionally, as specified, if there is evidence that the life of the witness is in jeopardy. Existing law specifies the information required to be stated in the affidavit applying to examine a witness conditionally, including the nature of the offense charged. This bill would authorize the defendant or the people to apply for an order that the witness be examined conditionally when the defendant has been charged with human trafficking and there is evidence that the victim or material witness has been or is being dissuaded by the defendant or a person acting on behalf of the defendant, by intimidation or physical threat, from cooperating with the prosecutor or testifying at trial. This bill would also allow a court to examine a victim or material witness conditionally if the court finds there is a reasonable basis to believe that the witness will not attend the trial because he or she is under the direct control of the defendant or another person involved in human trafficking and, by virtue of this relationship, the defendant or other person seeks to prevent the witness or victim from testifying. The bill would conform the affidavit requirements for applying to examine a witness conditionally.

AB 1618 *Juveniles: case file inspection*

Chesbro Existing law requires the case file of a dependent child or ward of the juvenile court to be kept confidential, except as specified. Existing law authorizes only certain persons to inspect the case file, including, among others, the attorneys for the parties, judges, referees, other hearing officers, and law enforcement officers, who are participating in proceedings involving the dependent child or ward. This bill would clarify that the authorization for those specified persons to inspect the case file includes persons serving in a similar capacity for an Indian tribe, reservation, or tribal court when the case file involves a child who is a member of, or is eligible for membership in, that tribe.

AB 1623 *Family justice centers*

Atkins Existing law, until January 1, 2014, authorized the Cities of Anaheim and San Diego, and the Counties of Alameda and Sonoma to establish, as a 2-year pilot project, a multiagency, multidisciplinary family justice center to assist victims of domestic violence, officer-involved domestic violence, sexual assault, elder or dependent adult abuse, stalking, cyberstalking, cyberbullying, and human trafficking, to ensure that victims of abuse are able to access all needed services in one location and to enhance victim safety, increase offender accountability,

and improve access to services for victims of crime, as provided. That law permitted the family justice centers to be staffed by law enforcement, medical, social service, and child welfare personnel, among others. That law required each family justice center to consult with community-based crime victim agencies, survivors of violence and abuse, and their advocates in the operations process of the family justice center and to develop a procedure for input, feedback, and evaluation of the family justice center. This bill would reenact and recast those provisions to authorize, commencing January 1, 2015, any city, county, or community-based nonprofit organization to establish a multiagency, multidisciplinary family justice center to assist victims of domestic violence, sexual assault, elder or dependent adult abuse, and human trafficking, as specified. The bill would also specify additional confidentiality provisions relating to information disclosed by a victim in a family justice center, as provided, and would require each family justice center to maintain a mandatory training for all staff members, volunteers, and agency professionals.

AB 1629 *Crime victims: compensation: reimbursement of violence peer counseling expenses*
Bonta Existing law provides for the compensation of victims and derivative victims of specified types of crimes by the California Victim Compensation and Government Claims Board from the Restitution Fund, a continuously appropriated fund, for specified losses suffered as a result of those crimes. Existing law sets forth eligibility requirements and specified limits on the amount of compensation the board may award. Existing law authorizes the board to reimburse a crime victim or derivative victim for the amount of outpatient mental health counseling-related expenses incurred by the victim or derivative victim, including peer counseling services provided by a rape crisis center, as specified. This bill would additionally, until January 1, 2017, authorize the board to reimburse a crime victim or derivative victim for the amount of outpatient violence peer counseling-related expenses incurred by the victim or derivative victim, as specified. By expanding the authorization for the use of moneys in a continuously appropriated fund, this bill would make an appropriation.

AB 1791 *Prostitution: minors*
Maienschein Existing law makes it a crime to engage in specified forms of disorderly conduct, including soliciting or agreeing to engage in, or engaging in, any act of prostitution and makes that crime a misdemeanor punishable by imprisonment in a county jail not exceeding 6 months, or by a fine not exceeding \$1,000, or by both that fine and imprisonment. This bill would make that crime punishable by imprisonment in a county jail not exceeding one year, or by a fine not exceeding \$2,000, or by both that fine and imprisonment, if the person who was solicited by, or who agreed to engage in or engaged in any act of prostitution with, the person who committed that crime was a minor at the time of the offense.

AB 1850 *Restraining orders*
Waldron Existing law authorizes a court with jurisdiction over a criminal matter to issue specified protective orders upon a good cause belief that harm to, or intimidation or dissuasion of, a victim or witness has occurred or is reasonably likely to occur, including an order protecting a victim of violent crime from all contact by the defendant. The violation of a restraining order issued pursuant to these provisions is a crime. This bill would additionally authorize a court with jurisdiction over a criminal matter to issue an order protecting a witness of violent crime from all contact by the defendant upon a good cause belief that harm to, or intimidation or dissuasion of, that witness has occurred or is reasonably likely to occur. The bill would also, for the purposes of these provisions, provide that a minor who was not a victim of, but who was physically present at the time of, an act of domestic violence, is a witness and is deemed to have suffered harm.

AB 1860 *Peace officers: basic training requirements*
V. Manuel Existing law requires every peace officer to complete an introductory course of training

Pérez	prescribed by the Commission on Peace Officer Standards and Training, except for specifically exempted categories of peace officers, and imposes other training requirements on those persons who would exercise the powers of peace officers. This bill would provide that a probation department that is a certified provider of the introductory training course shall not be required to offer the course to the general public, and would make other technical, nonsubstantive changes in those provisions.
AB 1900 Quirk	<i>Victims of sex crimes: testimony: video recording</i> Existing law provides that when a defendant has been charged with certain sex crimes, including rape and sodomy, and the victim is a person 15 years of age or less or is developmentally disabled as a result of an intellectual disability, when the defendant has been charged with spousal rape or corporal injury resulting in a traumatic condition upon certain persons, or when the defendant is charged with certain sex crimes, including rape and sodomy, that are committed with or upon a person with a disability, the prosecution may apply for an order that the victim's testimony at the preliminary hearing be recorded and preserved on videotape. Existing law authorizes the court in any criminal proceeding to order that the testimony of a minor 13 years of age or younger be taken by contemporaneous examination and cross-examination in another place, out of the presence of the judge, jury, defendant or defendants, and attorneys, and communicated to the courtroom by means of closed-circuit television. Existing law also requires the court, when the court makes that order, to order that a complete record of the examination of the minor be made and preserved on videotape. This bill would allow a court to use any means of video recording to comply with these recording and preservation requirements.
AB 1964 Dickinson	<i>Unsafe handguns: single-shot pistols</i> Existing law provides for the testing of handguns and requires the Department of Justice to maintain a roster listing all handguns that are determined not to be unsafe handguns. Existing law makes it a crime, punishable by imprisonment in a county jail not exceeding one year, to manufacture, import into the state for sale, keep for sale, offer or expose for sale, give, or lend an unsafe handgun. Existing law makes the provisions defining and governing unsafe handguns inapplicable to a single-shot pistol, as specified. This bill would instead make the provisions defining and governing unsafe handguns inapplicable to a single-shot pistol with a break top or bolt action. The bill would make this exemption inapplicable to a semiautomatic pistol that has been temporarily or permanently altered so that it will not fire in a semiautomatic mode.
AB 2089 Quirk	<i>Domestic violence: protective orders</i> The Domestic Violence Prevention Act authorizes a judicial officer to issue a protective order after notice and a hearing for the purpose of preventing a recurrence of domestic violence and sexual abuse and ensuring a period of separation of the persons involved, based on an affidavit showing reasonable proof of past abuse. The act defines domestic violence as abuse perpetrated against specified persons, and further defines abuse within that context. Existing law requires, under certain circumstances, the clerk of the court to submit the proof of service of a protective order directly into the Department of Justice Domestic Violation Restraining Order System. This bill would instead authorize the issuance of a protective order after notice and a hearing for the purpose of preventing acts of domestic violence, abuse, and sexual abuse and ensuring a period of separation of the persons involved. The bill would provide that, in determining whether to grant or deny a protective order, the length of time since the most recent act of abuse is not, by itself, determinative. The bill would also require the trial court, if the court denies a petition to issue a protective order, to provide a brief statement of the reasons for its decision either in writing or on the record. Existing law authorizes the court to issue a mutual order enjoining the parties from specific acts of abuse if both parties personally appear, each party presents written evidence of abuse or domestic violence, and the court makes detailed findings of fact indicating that both parties acted primarily as aggressors and that neither party acted primarily in self-defense. This bill would provide that, for the purposes of these provisions, a court should

consider specified provisions relating to dominant aggressors in determining if both parties acted primarily as aggressors.

- AB 2300 *Firearms: Prohibited Armed Persons File*
Ridely- Existing law requires the Attorney General to establish and maintain an online database, the
Thomas Prohibited Armed Persons File, to cross-reference persons who have ownership or possession of a firearm on or after January 1, 1991, and who, subsequent to the date of that ownership or possession, fall within a class of persons who are prohibited from owning or possessing a firearm. This bill would instead require that the Prohibited Armed Persons File include persons who have ownership or possession of a firearm on or after January 1, 1996.
- AB 2396 *Convictions: expungement licenses*
Bonta Existing law provides for the licensure and regulation of various professions and vocations by boards within the Department of Consumer Affairs. Existing law authorizes a board to deny, suspend, or revoke a license on various grounds, including, but not limited to, conviction of a crime if the crime is substantially related to the qualifications, functions, or duties of the business or profession for which the license was issued. Existing law prohibits a board from denying a license on the ground that the applicant has committed a crime if the applicant shows that he or she obtained a certificate of rehabilitation in the case of a felony, or that he or she has met all applicable requirements of the criteria of rehabilitation developed by the board, as specified, in the case of a misdemeanor. Existing law permits a defendant to withdraw his or her plea of guilty or plea of nolo contendere and enter a plea of not guilty in any case in which a defendant has fulfilled the conditions of probation for the entire period of probation, or has been discharged prior to the termination of the period of probation, or has been convicted of a misdemeanor and not granted probation and has fully complied with and performed the sentence of the court, or has been sentenced to a county jail for a felony, or in any other case in which a court, in its discretion and the interests of justice, determines that a defendant should be granted this or other specified relief and requires the defendant to be released from all penalties and disabilities resulting from the offense of which he or she has been convicted. This bill would prohibit a board within the Department of Consumer Affairs from denying a license based solely on a conviction that has been dismissed pursuant to the above provisions. The bill would require an applicant who has a conviction that has been dismissed pursuant to the above provisions to provide proof of the dismissal.
- AB 2411 *Probation and parole*
Bonta Existing law requires the terms of probation or parole for all persons placed on formal probation or parole for an offense that requires registration as a sex offender to include, among other things, participation in, or completion of, a sex offender management program, as specified. Existing law requires that the length of the period in the program be determined by a certified sex offender management professional in consultation with the probation or parole officer and as approved by the court. This bill would require participation in the above programs to apply without regard to when the crime or crimes for which the person is on probation or parole were committed. This bill would declare that it is to take effect immediately as an urgency statute.
- AB 2424 *Prostitution*
Campos Existing law makes it a misdemeanor to solicit or agree to engage in or engage in any act of prostitution. Each person who, within this state, takes any person against his or her will and without his or her consent, or with his or her consent procured by fraudulent inducement or misrepresentation, for the purpose of prostitution is punishable by imprisonment in the state prison, and a fine not exceeding \$2,000. This bill would instead limit the fine from exceeding \$10,000.

AB 2499 *Offenders: home detention programs*

Bonilla

Existing law, subject to exceptions, generally makes persons convicted of a felony subject to incarceration in a county jail. Existing law requires, unless the court finds it is not in the interest of justice, that a period of the concluding portion of a county jail term be served on mandatory supervision, which is a period of suspended execution of the term supervised by county probation. Existing law provides that mandatory supervision commences upon release from custody. This bill would instead provide that unless otherwise ordered by the court, mandatory supervision would commence upon release from physical custody or an alternative custody program, whichever is later. Existing law provides that the board of supervisors of any county may authorize the correctional administrator to offer a program under which inmates committed to a county jail or other county correctional facility or granted probation, or inmates participating in a work furlough program, may voluntarily participate or involuntarily be placed in a home detention program during their sentence in lieu of confinement in the county jail or other county correctional facility or program. Existing law requires the correctional administrator to provide specified information about a participant upon request of the police department of a city where an office is located to which persons on an electronic monitoring program report. Existing law requires any information received by a police department pursuant to that request to be used only for the purpose of monitoring the impact of home electronic monitoring programs in the community. This bill would add to the information subject to those requests, at the discretion of the corrections administrator and solely for investigatory purposes, current and historic GPS location data, if available. The bill would recast the provisions restricting the use of that information to prohibit a law enforcement department that does not have the primary responsibility to supervise participants in the electronic monitoring program that receives the requested information from using the information to conduct enforcement actions based on administrative violations of the home detention program. The bill would require a law enforcement department that has knowledge that the subject in a criminal investigation is a participant in an electronic monitoring program to make reasonable efforts to notify the supervising agency prior to serving a warrant or taking any law enforcement action against a participant in an electronic monitoring program. By imposing additional requirements on local agencies, this bill would impose a state-mandated local program. Existing law provides that the county board of supervisors may authorize the correctional administrator to offer a program under which inmates being held in lieu of bail in a county jail or other county correctional facility may participate in an electronic monitoring program if certain conditions are met. Existing law requires the correctional administrator to provide specified information about a participant upon request of a local law enforcement agency with jurisdiction over the location where a participant in an electronic monitoring program is placed. Existing law requires any information received by a law enforcement agency pursuant to that request to be used only for the purpose of monitoring the impact of home electronic monitoring programs in the community. This bill would add to the information subject to those requests, at the discretion of the corrections administrator and solely for investigatory purposes, current and historic GPS location data, if available. The bill would recast the provisions restricting the use of that information to prohibit a law enforcement agency that does not have the primary responsibility to supervise participants in the electronic monitoring program that receives the requested information from using the information to conduct enforcement actions based on administrative violations of the home detention program. The bill would require that an agency that has knowledge that the subject in a criminal investigation is a participant in an electronic monitoring program to make reasonable efforts to notify the supervising agency prior to serving a warrant or taking any law enforcement action against a participant in an electronic monitoring program. By imposing additional requirements on local agencies, this bill would impose a state-mandated local program. Existing law requires that when a defendant has been in custody, including, but not limited to, any time spent in a jail, camp, work furlough facility, and other specified facilities, all days of custody of the defendant, including, home detention for inmates who otherwise would be in jail in lieu of bail, are credited toward the term of imprisonment or toward any fine. Existing law also provides that the time spent in these facilities or programs

qualifies as mandatory time in jail if the statute under which the defendant is sentenced requires a mandatory minimum period of time in jail. This bill would include other home detention programs for the purpose of crediting days in custody for those purposes. The bill would remove the requirement that the statute under which the defendant is sentenced requires a mandatory minimum period of time in jail in order for the time spent in those facilities or programs to qualify as mandatory time in jail. By increasing the administrative responsibilities of local agencies, this bill would impose a state-mandated local program. Existing law provides that a prisoner, who, for specified reasons, is confined in or committed to a county jail, industrial farm, or road camp, or any city jail, industrial farm, or road camp, shall, for each 4-day period of custody, have one day deducted from the prisoner's period of confinement, unless it appears by the record that the prisoner has refused to satisfactorily perform labor as assigned by the sheriff, chief of police, or superintendent of an industrial farm or road camp. Existing law additionally requires for those prisoners, that for every 4 days of confinement, one day to be deducted from the prisoner's period of confinement, unless it appears by the record that the prisoner has not satisfactorily complied with the reasonable rules and regulations established by the sheriff, chief of police, or superintendent of an industrial farm or road camp. This bill would apply those provisions to persons who are participants in specified home detention programs.

AB 2570 *Prisons: California Rehabilitation Oversight Board*

Skinner Existing law requires the California Rehabilitation Oversight Board to regularly examine the various mental health, substance abuse, educational, and employment programs for inmates and parolees operated by the Department of Corrections and Rehabilitation and to report to the Governor and the Legislature annually on September 15 each year, as specified, and include in the report, among other things, findings on the effectiveness of treatment efforts and recommendations with respect to modification, addition, and elimination of rehabilitation and treatment programs. This bill would additionally require the board, beginning January 1, 2015, to examine the department's effort to assist inmates and parolees to obtain postrelease health care coverage.

AB 2607 *Juveniles: detention*

Skinner Existing law makes a minor, under certain circumstances, subject to the jurisdiction of the juvenile court. If the minor has been abused or neglected, or if the minor has violated a law or ordinance, as specified, the juvenile court may adjudge the minor to be a dependent or a ward of the court, respectively. Existing law authorizes the court to order a person who has been adjudged a ward of the juvenile court to be detained in the detention home, or in the case of a ward who is 18 years of age or older, in a county jail or otherwise as the court deems fit until the execution of the order of commitment or of other disposition. In any case in which a minor is detained for more than 15 days pending the execution of the order of commitment or of any other disposition, existing law requires the court to periodically review the case to determine whether the delay is reasonable. This bill would make those provisions that mandate a periodic review applicable to nonminors. The bill would require these periodic reviews to be held at a hearing and would delete the limitation on the court's authority to order a ward to be detained in a detention home, or in the case of a ward who is 18 years of age or older, in a county jail, until the execution of the order of commitment or of other disposition. The bill would prohibit a court from determining that certain delays are reasonable, including, but not limited to, a delay caused by administrative processes. The bill would require the court to order the probation officer to assess the availability of any suitable temporary placement or other alternative to continued detention, and would authorize the court, after consulting with interested parties, including the family of the minor or nonminor, to order the minor or nonminor to be placed in a suitable and available temporary nonsecure placement. Existing law authorizes the court to make any reasonable orders for the care, supervision, custody, conduct, maintenance, and support of a minor or nonminor who is adjudged a ward of the court. Existing law requires the court in certain cases to order the care, custody, and control of the minor or nonminor to be under the

supervision of a probation officer who may place the minor or nonminor in an approved home of a relative or nonrelative, suitable licensed home community care facility, or with a foster family agency. This bill would additionally allow for a minor to be placed in an approved home of a resource family, as defined. The bill would require a minor or nonminor to be released from juvenile detention upon an order being entered to place the minor or nonminor under the supervision of a probation officer, unless the court determines that a delay in the release from juvenile detention is reasonable.

AB 2623 *Peace officer standards and training*

Pan Existing law requires every city police officer or deputy sheriff at a supervisory level and below who is assigned field or investigative duties to complete an elder and dependent adult abuse training course certified by the Commission on Peace Officer Standards and Training within 18 months of assignment to field duties. Existing law specifies certain subjects to be covered by the training. Existing law also requires the commission to consult with the Bureau of Medi-Cal Fraud and Elder Abuse and other subject matter experts when producing new or updated training materials. This bill would add to that list of subjects the legal rights of, and remedies available to, victims of elder or dependent adult abuse, as specified. By imposing additional training costs on local law enforcement agencies, the bill would impose a state-mandated local program. The bill would also require the commission to additionally consult with local adult protective services offices and with the Office of the State Long-Term Care Ombudsman when producing new or updated training materials.

AB 2645 *Probation: mandatory supervision: transfer of case*

Dababneh Existing law requires a court to transfer the case of a person released on probation or mandatory supervision to the superior court in any other county in which the person resides permanently, unless the transferring court determines the transfer would be inappropriate and states its reasons on the record. Existing law requires the court of the receiving county to accept the entire jurisdiction over the case. If victim restitution was ordered as a condition of probation or mandatory supervision, this bill would require the transferring court to determine the amount of restitution before the transfer unless the court finds that the determination cannot be made within a reasonable time from when the motion for transfer is made. If a case is transferred without a determination of the amount of restitution, the bill would require the transferring court to complete the determination as soon as practicable.

AB 2685 *Crime Victim Compensation and Government Claims Board*

Cooley (1) Existing law provides for the compensation of victims and derivative victims of specified types of crimes by the California Victim Compensation and Government Claims Board from the Restitution Fund, a continuously appropriated fund, for specified losses suffered as a result of those crimes. Existing law requires the board to be subrogated against the perpetrator of the crime to the rights of a recipient to the extent of any compensation granted. Existing law authorizes a court to allow a victim, or others related to the victim, as specified, to submit a statement to the court concerning the crime, the person responsible, and the need for restitution. This bill would allow a representative of the board to provide the probation department, district attorney, and court with information relevant to the board's losses prior to the imposition of a sentence, as provided. (2) Existing law requires that when a deceased person has an heir who is confined in a correctional facility, the estate attorney or other specified person give the director of the board notice of the decedent's death within 90 days of the death and include specified information about the incarcerated heir. Existing law requires the general personal representative or the estate attorney of a decedent's estate to provide notices of the decedent's death to the director of the board, no later than 90 days after the date letters of administration are first issued if the representative or attorney knows or has reason to believe that an heir is incarcerated in a prison, jail, or other specified state or local correctional facility. This bill would expand these provisions to apply to a beneficiary, as well as an heir, who is confined or has been

confined. This bill would also require a representative or attorney to give notice only when he or she knows that an heir is incarcerated. This bill would make technical, nonsubstantive changes.

SB 505
Jackson

Peace officers: welfare checks: firearms

Existing law allows a person to be taken into custody for a period of 72 hours for crisis intervention when probable cause exists that the person, as a result of a mental disorder, is a danger to others, or to himself or herself, or gravely disabled. Under existing law, the Attorney General is required to maintain a registry of specified information concerning the sale, lease, or transfer of firearms, and to include in the registry specified data provided to the Department of Justice. This bill would require law enforcement agencies to develop, adopt, and implement written policies and standard protocols pertaining to the best manner to conduct a "welfare check," when the inquiry into the welfare or well-being of the person is motivated by a concern that the person may be a danger to himself or herself or to others. The bill would require those policies to encourage a peace officer, prior to conducting the welfare check and whenever possible and reasonable, as specified, to conduct a search of the Department of Justice Automated Firearms System via the California Law Enforcement Telecommunications System to determine whether the person is the registered owner of a firearm.

SB 833
Liu

Jails: discharge of prisoners

Existing law authorizes the sheriff to discharge a prisoner from the county jail at a time on the last day a prisoner may be confined that the sheriff considers to be in the best interests of that prisoner. Existing law allows for the accelerated release of inmates, as specified, upon the authorization of the presiding judge of the superior court. This bill would additionally authorize the sheriff to offer a voluntary program to a prisoner, upon completion of a sentence served or a release ordered by the court to be effected the same day, that would allow the prisoner to stay in the custody facility for up to 16 additional hours or until normal business hours, whichever is shorter, in order to offer the prisoner the ability to be discharged to a treatment center or during daytime hours, as specified. The prisoner would be allowed to revoke his or her consent and be discharged as soon as possible and practicable. The bill would also specify that this authorization does not prevent the early release of prisoners as otherwise allowed by law or allow jails to retain prisoners any longer than otherwise required by law without the prisoner's express written consent. The bill would specify that offering this voluntary program is an act of discretion under a specified provision of law that provides immunity from civil liability to a public employee for injuries resulting from the employee's exercise of discretion.

SB 838
Beall

Juveniles: sex offenses

Under existing law, as amended by Proposition 21, an initiative statute approved by the voters at the March 7, 2000, statewide primary election, juvenile court hearings are closed to the public, except for juvenile court hearings alleging the commission of specified felonies. The Legislature may amend Proposition 21 by a statute passed in each house by a 2/3 vote. This bill would add to that list of felonies, to which the public may be admitted for the hearing, certain sex offenses accomplished because the person is prevented from resisting due to being rendered unconscious by any intoxicating, anesthetizing, or controlled substance, or when the victim is at the time incapable, because of a disability, of giving consent, and this is known or reasonably should be known to the person committing the offense. Existing law provides that when a minor is adjudged a ward of the court, as specified, the court may order any of certain types of treatment, and as an additional alternative, may commit the minor to a juvenile home, ranch, camp, or forestry camp, or the county juvenile hall, as specified. This bill would require a minor to complete a sex offender treatment program when a minor is adjudged or continued as a ward of the court for the commission of specified sex offenses, if the court determines, in consultation with the county probation officer, that suitable programs are available. The bill would require the court to consider certain factors, in addition to any other relevant information presented, in determining what type of sex offender treatment program is appropriate for the minor. The bill

would require a minor completing a sex offender treatment program to pay all or a portion of the reasonable costs of the program, as specified. By increasing the duties on county officials in implementing the treatment program requirement, this bill would impose a state-mandated local program. Existing law authorizes deferral of judgment for certain minors who have committed felony offenses if specified criteria are met. This bill would add to those criteria that the offense charged is not rape, sodomy, oral copulation, or an act of sexual penetration, as specified, when the victim was prevented from resisting due to being rendered unconscious by any intoxicating, anesthetizing, or controlled substance, or when the victim was at the time incapable, because of mental disorder or developmental or physical disability, of giving consent, and that was known or reasonably should have been known to the minor at the time of the offense.

SB 846
Galgiani

Crimes: Violent Crime Information Center

Existing law establishes the Attorney General as the chief law officer of the state, and grants the Attorney General specified law enforcement powers. Existing law requires the Attorney General to establish and maintain a Violent Crime Information Center to assist in the identification and apprehension of persons responsible for specific violent crimes and for the disappearance and exploitation of persons, particularly children and dependent adults. Existing law also requires the Attorney General to provide information on reports of missing persons to law enforcement agencies, as provided. This bill would clarify that, notwithstanding any other law, a law enforcement agency is authorized to request a copy of information or data maintained by the Department of Justice relating to the Violent Crime Information Center. The bill would also provide related legislative findings and declarations.

SB 910
Pavley

Domestic violence: restraining order

Existing law authorizes a court to issue specified protective orders upon a good cause belief that harm to, or intimidation or dissuasion of, a victim has occurred or is reasonably likely to occur. Existing law requires the court to consider issuing those protective orders in cases in which the defendant is charged with a crime of domestic violence. Existing law provides that in determining whether good cause exists to issue those orders in domestic violence cases, the court may consider the underlying nature of the offense charged and information provided to the court pursuant to a criminal history search, as specified. Existing law also requires the court, in cases in which the defendant was convicted of a crime of domestic violence, to consider issuing an order restraining the defendant from any contact with the victim for a period of up to 10 years. For the purposes of these provisions, domestic violence includes abuse committed against an adult or a minor who is a spouse, former spouse, cohabitant, former cohabitant, or person with whom the suspect has had a child or is having or has had a dating or engagement relationship. The violation of a restraining order issued pursuant to these provisions is a crime. This bill would, for the purposes of these provisions, expand the definition of domestic violence to include abuse perpetrated against a child of a party to the domestic violence proceedings or a child who is the subject of an action under the Uniform Parentage Act, as specified, or against any other person related to the defendant by consanguinity or affinity within the 2nd degree. By expanding the scope of a crime, this bill would impose a state-mandated local program.

SB 939
Block

Criminal jurisdiction

Existing law defines human trafficking as the deprivation of the personal liberty of another person with the intent to effect a violation of certain specified sex crimes, to obtain forced labor or services, or to cause a minor to engage in a commercial sex act with the intent to effect a violation of certain specified sex crimes. Existing law requires, when more than one violation of certain specified provisions of law occurs in more than one jurisdictional territory, that jurisdiction for any of those offenses is in any jurisdiction where at least one of the offenses occurred if all district attorneys in counties with jurisdiction of the offenses agree to the venue. This bill would add human trafficking, pimping, and pandering to the specified offenses to which the above jurisdictional requirements apply. Existing law, when charges alleging multiple

incidences of human trafficking that involve the same victim or victims in multiple territorial jurisdictions are filed in one county, requires the court to hold a hearing to consider whether the matter should proceed in the county of filing or whether one or more counts should be severed and to consider specified factors in making this decision, including the location and complexity of the likely evidence and where the majority of the offenses occurred. Existing law requires the district attorney in the filing county to present evidence to the court that the district attorney in each county where any of the charges could have been filed has agreed that the matter should proceed in the county of filing. This bill would reorganize these provisions.

SB 955 *Interception of electronic communications*

Mitcell Existing law, until January 1, 2015, requires an application for an order authorizing the interception of a wire, oral, or other specified electronic communication to be made in writing upon the personal oath or affirmation of the Attorney General, Chief Deputy Attorney General, or Chief Assistant Attorney General, Criminal Law Division, or of a district attorney. Existing law, until January 1, 2015, authorizes the court to issue an order authorizing interception of those communications if the judge finds, among other things, that there is probable cause to believe that an individual is committing, has committed, or is about to commit, one of several offenses, including, among others, possession for sale of certain controlled substances, murder, and certain felonies involving destructive devices. This bill would add human trafficking to the list of offenses for which interception of electronic communications may be ordered pursuant to those provisions.

SB 977 *Juveniles*

Liu Existing law establishes the jurisdiction of the juvenile court, which may adjudge certain children to be dependents of the court under certain circumstances, including when the child suffered, or there is a substantial risk that the child will suffer, serious physical harm, or a parent fails to provide the child with adequate food, clothing, shelter, or medical treatment. Existing law establishes the grounds for removal of a dependent child from the custody of his or her parents or guardian, and establishes procedures to determine temporary placement of a dependent child. Existing law prescribes various hearings, including specified review hearings, and other procedures for these purposes. When a court orders the removal of a child from the physical custody of his or her parent, existing law generally requires the court to order the return of the child to the physical custody of his or her parent, unless the court finds that the return of the child would create a substantial risk of detriment, or substantial danger, to the safety, protection, or physical or emotional well-being of the child. This bill would specify that the fact that a parent is enrolled in a certified substance abuse treatment facility that allows a dependent child to reside with his or her parent is not, for that reason alone, prima facie evidence of detriment or substantial danger and would additionally require the court to consider at those hearings whether the child can be returned to the custody of his or her parent who is enrolled in a certified substance abuse treatment facility. Prior to disposition in a dependency proceeding, existing law requires the court to receive in evidence the social study of the child made by the social worker, any study or evaluation made by a child advocate appointed by the court, and any other relevant and material evidence. Existing law requires the social study or evaluation to include a factual discussion of certain subjects. Existing law also requires the status of every dependent child in foster care to be reviewed periodically, and authorizes the court to require a social worker or any other agency to render periodic reports, as specified. Existing law requires each supplemental report under those provisions to include a factual discussion of certain subjects. This bill would require the social study or evaluation and the supplemental report described above to include a discussion of whether a child may be returned to the custody of a parent who is enrolled in a certified substance abuse treatment facility that allows a dependent child to reside with the parent. By imposing additional duties on county employees, the bill would impose a state-mandated local program. Existing law provides for the Aid to Families with Dependent Children-Foster Care (AFDC-FC) program, under which, pursuant to a

combination of federal, state, and county funds, aid on behalf of eligible children is paid to foster care providers. Existing law provides that certain services may be provided under the program to include mental health treatment and substance abuse treatment services. This bill would specify that those treatment services may include treatment at a residential substance abuse treatment facility that accepts families.

SB 978 *Rape victims: local rape victim counseling centers: notice*

DeSaulnier Existing law requires a law enforcement officer assigned to a sexual assault case, or his or her agency, to immediately notify the local rape victim counseling center, whenever a victim of an alleged rape or an alleged violation of other specified sex crimes is transported to a hospital for any medical evidentiary or physical examination. This bill would allow the hospital to notify the local rape victim counseling center when the victim is presented to the hospital for the medical or evidentiary physical examination, upon approval of the victim.

SB 1015 *Inmates*

Galgiani Existing law authorizes the Secretary of the Department of Corrections and Rehabilitation to authorize the temporary removal of any inmate from prison or any other institution for the detention of adults under the jurisdiction of the Department of Corrections and Rehabilitation, including removal for the purpose of attending college classes or permitting the inmate to participate in or assist with the gathering of evidence relating to crimes. Existing law also authorizes the secretary to require, except when the removal is for medical treatment or to assist with the gathering of evidence related to crimes, the inmate to reimburse the state, in whole or in part, for expenses incurred by the state in connection with the temporary removal. Existing law makes the provisions that specifically refer to removal for the purpose of permitting the inmate to participate in or assist with the gathering of evidence relating to crimes operative only until January 1, 2015. This bill would make those provisions operative indefinitely. This bill would declare that it is to take effect immediately as an urgency statute.

SB 1038 *Juveniles: dismissal of petition*

Leno Existing law subjects any person under 18 years of age who commits a crime to the jurisdiction of the juvenile court, which may adjudge that person to be a ward of the court, except as specified. Under existing law, juvenile court proceedings to declare a minor a ward of the court are commenced by the filing of a petition by the probation officer, the district attorney after consultation with the probation officer, or the prosecuting attorney, as specified. Existing law authorizes a judge of the juvenile court to dismiss a petition, or set aside the findings and dismiss a petition, at any time before the minor reaches 21 years of age, if the court finds that the interests of justice and the welfare of the minor require that dismissal, or if the court finds that the minor is not in need of treatment or rehabilitation, regardless of whether the minor is, at the time of the order, a ward or dependent child of the court. This bill would delete the restriction that the petition be dismissed before the minor reaches 21 years of age and would, instead, authorize a judge of the juvenile court to dismiss a petition, or set aside the findings and dismiss the petition, if the court finds that the interests of justice and the welfare of the person who is the subject of the petition require that dismissal, or if it finds that he or she is not in need of treatment or rehabilitation, regardless of whether the person who is the subject of the petition is, at the time of the order, a ward or dependent child of the court. The bill would also provide that the court is not required to maintain jurisdiction over a person who is the subject of a petition between the time the court's jurisdiction over that person terminates and the point at which his or her petition is dismissed. Existing law authorizes a juvenile court to, among other things, order a minor who is the subject of a petition to declare the minor a ward of the juvenile court, to participate in a program of supervision for up to 6 months with the consent of the minor and the minor's parents or guardian, without adjudging the minor a ward of the court. Upon successful completion of the program of supervision, existing law requires the petition to be dismissed. Existing law authorizes a person who is the subject of a juvenile court record and

other specified persons to petition the court for the sealing of the records relating to the person's case at any time after the person reaches 18 years of age, as specified. Existing law permits a court to access a file sealed pursuant to these provisions for the limited purpose of verifying the prior jurisdictional status of a ward who is petitioning the court to resume its jurisdiction. Existing law provides that this access shall not be deemed an unsealing of the record and shall not require notice to any other entity. This bill would additionally require the juvenile court to order the petition of a minor who is subject to the jurisdiction of the court dismissed if the minor satisfactorily completes a term of probation, as specified. The bill would require the court to seal all records in the custody of the juvenile court pertaining to that dismissed petition or a petition dismissed upon satisfactory completion of a program of supervision, as described above, but would authorize a prosecuting attorney and the probation department of any county to have access to those records after they are sealed for the limited purpose of determining whether the minor is eligible for deferred entry of judgment. The bill would authorize a court to access a file sealed pursuant to these provisions for the limited purpose of verifying the prior jurisdictional status of a ward who is petitioning the court to resume its jurisdiction. The bill would provide that this access shall not be deemed an unsealing of the record and shall not require notice to any other entity.

SB 1054 *Mentally ill offender crime reduction grants*

Steinberg

(1) Existing law establishes, within the Board of State and Community Corrections, the California Juvenile Justice Data Working Group, as provided, and the working group is required, among other things, to recommend a plan for improving specified juvenile justice reporting requirements, including streamlining and consolidating requirements without sacrificing meaningful data collection. The working group is required to submit its recommendations to the board no later than December 31, 2014. This bill would extend, to April 30, 2015, the date to submit recommendations. (2) Existing law requires the board to administer mentally ill offender crime reduction grants on a competitive basis to counties that expand or establish a continuum of timely and effective responses to reduce crime and criminal justice costs related to mentally ill juvenile and adult offenders. The grants administered by the board are required to be divided between adult and juvenile mentally ill offender crime reduction grants in accordance with the funds appropriated for each type of grant. This bill would clarify that the grants be divided equally between adult and juvenile mentally ill offender crime reduction grants. (3) Existing law requires an application for a mentally ill offender crime reduction grant to describe a 4-year plan for programs, services, or strategies, and requires the board to award grants that provide funding for 4 years with the proviso that funding beyond the first year of the plan is contingent upon annual appropriations and the availability of funds to support mentally ill offender crime reduction grants beyond the first funding year. This bill would delete that proviso and reduce the term of the award grants to funding for 3 years. (4) Existing law requires the board to create an evaluation design for adult and juvenile mentally ill offender crime reduction grants that assesses the effectiveness of the program in reducing crime, adult and juvenile offender incarceration and placement levels, early releases due to jail overcrowding, and local criminal and juvenile justice costs. The board is required to annually submit a report to the Legislature based on the evaluation design, commencing October 1, 2015, with a final report due on December 31, 2019. This bill would change the due date of the final report to December 31, 2018.

SB 1135 *Inmate: sterilization*

Jackson

Existing law establishes a state correctional system and provides for the establishment of county jails. Existing law regulates certain aspects of medical care for inmates. This bill would prohibit sterilization for the purpose of birth control of an individual under the control of the Department of Corrections and Rehabilitation or a county correctional facility, as specified. The bill would also otherwise prohibit any means of sterilization of an inmate, except when required for the immediate preservation of life in an emergency medical situation or when medically necessary, as determined by contemporary standards of evidence-based medicine, to treat a diagnosed

condition and certain requirements are satisfied, including that patient consent is obtained. If a sterilization procedure is performed pursuant to these exceptions, the bill would require psychological consultation and medical followup, as specified. The bill would require the department, if a sterilization procedure is performed on one or more individuals under its control, to annually publish on its Internet Web site data related to the number of sterilizations performed, disaggregated by race, age, medical justification, and method of sterilization. The bill would require each county jail or other institution of confinement, if a sterilization procedure is performed on one or more individuals under its control, to annually submit to the Board of State and Community Corrections data related to the number of sterilizations performed, disaggregated by race, age, medical justification, and method of sterilization, and would require the board to annually publish that data on its Internet Web site. The bill would require the department and all county jails or other institutions of confinement to provide notification to all individuals under their custody, and to all employees who are involved in providing health care services, of their rights and responsibilities with regard to the sterilization of inmates.

SB 1310 *Misdemeanors: maximum sentence*

Lara Existing law defines a crime or public offense as an act committed or omitted in violation of a law forbidding or commanding it, and to which is annexed, upon conviction, specified punishments, including, among others, imprisonment. Under existing law, a crime that is punishable by imprisonment in a county jail for a period not to exceed a year is a misdemeanor. Existing law includes many misdemeanors with specified punishments permitting confinement in a county jail not to exceed one year. This bill would require that every offense punishable by imprisonment in a county jail up to or not exceeding one year be punishable by imprisonment not to exceed 364 days.

SB 1388 *Human trafficking*

Lieu Existing law provides that a person who solicits or agrees to engage in or engages in any act of prostitution is guilty of disorderly conduct, a misdemeanor, punishable by imprisonment in a county jail for no more than 6 months, by a fine not exceeding \$1,000, or by both that fine and imprisonment. Disorderly conduct includes, but is not limited to, soliciting or agreeing to engage in or engaging in any act of prostitution, and agreeing to engage in an act of prostitution when, with specific intent to so engage, the person manifests an acceptance of an offer or solicitation to so engage, regardless of whether the offer or solicitation was made by a person who also possessed the specific intent to engage in prostitution. This bill would provide that if that crime is committed and the person who was solicited was a minor at the time of the offense, and if the defendant knew or should have known that the person who was solicited was a minor at the time of the offense, the violation is punishable by imprisonment in a county jail for not less than 2 days, except as specified, and not more than one year, or by a fine not exceeding \$10,000, or by both that fine and imprisonment. Existing law authorizes the court to order a person convicted of violating certain prohibitions against the prostitution of a minor to pay an additional fine not to exceed \$20,000. This bill would require that the additional fine not exceed \$25,000.

SB 1391 *Community colleges: inmate education programs: computation of apportionments*

Hancock Existing law establishes the California Community Colleges under the administration of the Board of Governors of the California Community Colleges. Existing law requires the board of governors to appoint a chief executive officer, to be known as the Chancellor of the California Community Colleges. Existing law provides that, notwithstanding open course provisions in statute or regulations of the board of governors, the governing board of a community college district that provides classes for inmates of certain facilities may include the units of full-time equivalent students generated in those classes for purposes of state apportionments. This bill would instead waive the open course provisions in statute or regulations of the board of

governors for any governing board of a community college district for classes the district provides to inmates of those facilities and state correctional facilities, and would authorize the board of governors to include the units of full-time equivalent students generated in those classes for purposes of state apportionments. Existing law provides for the method of computing apportionments for purposes of these inmate education programs. This bill would make revisions to that method of computation. The bill would prohibit a community college district from claiming, for purposes of apportionments for these inmate education programs, any class for which a district receives full compensation for its direct education costs for the conduct of the class from any public or private agency, individual, or group of individuals, or any class offered pursuant to a contract or instructional agreement entered into between the district and a public or private agency, individual, or group of individuals that has received from another source full compensation for the costs the district incurs under that contract or instructional agreement, as prescribed. This bill would require the Department of Corrections and Rehabilitation and the Office of the Chancellor of the California Community Colleges, on or before March 1, 2015, to enter into an interagency agreement to expand access to community college courses that lead to degrees or certificates that result in enhanced workforce skills or transfer to a 4-year university. This bill would require that courses for inmates in a state correctional facility developed as a result of this agreement supplement, but not duplicate or supplant, any adult education course opportunities offered at that facility by the Office of Correctional Education of the Department of Corrections and Rehabilitation. This bill would require the department, in collaboration with the Office of the Chancellor of the California Community Colleges, to develop metrics for evaluations of the efficacy and success of the programs developed through the interagency agreement, conduct the evaluations, and, on or before July 31, 2018, report findings from the evaluations to the Legislature and the Governor.

SB 1461
Committee
on Public
Safety

Public Safety

(1) Existing law makes it a misdemeanor, punishable by a fine of not more than \$2,000, imprisonment in the county jail for not more than one year, or by both that fine and imprisonment, to fail to visit and remove all animals from traps at least once daily. Existing law makes it a misdemeanor, punishable by a fine of \$1,000, imprisonment in the county jail for not more than 6 months, or by both that fine and imprisonment, to set or maintain traps that do not bear a number or other identifying mark, as specified. This bill would instead provide that setting or maintaining traps that do not bear a number or other identifying mark, as specified, is punishable by a fine of not more than \$2,000, imprisonment in the county jail for not more than one year, or by both that fine and imprisonment, and that failing to visit and remove all animals from traps at least once daily is punishable by a fine of \$1,000, imprisonment in the county jail for not more than 6 months, or by both that fine and imprisonment. (2) Existing law requires the Department of Justice to maintain a statewide telecommunications system of communication for the use of law enforcement agencies. The system is under the direction of the Attorney General. Existing law requires the Attorney General to appoint an advisory committee on the California Law Enforcement Telecommunications System to advise and assist in the management of the system. The committee serves at the pleasure of the Attorney General, without compensation, except for reimbursement of necessary travel expenses. Existing law requires the committee to consist of representatives from specified organizations, including from the Department of General Services. This bill would change the membership of the committee by substituting the representative from the Department of General Services with a representative from the Office of Emergency Services. (3) Existing law regulates the operation of personal watercraft, as defined, and imposes various requirements for the manufacture and safe operation of a personal watercraft. Existing law prohibits a person from operating a personal watercraft at any time between the hours from sunset to sunrise. A violation of this provision is an infraction. This bill would exempt marine patrols, harbor police, or emergency personnel in the performance of their duties from that prohibition. (4) Existing law categorizes controlled substances into 5 schedules. Existing law, subject to exceptions, makes it an offense to, among other things, transport specified Schedule I and Schedule II controlled substances, or any Schedule III, IV, or V

controlled substance which is a narcotic drug, unless upon written prescription, as specified. Existing law, subject to exceptions, makes it an offense to, among other things, transport specified Schedule III, IV, or V controlled substances which are not a narcotic drug, unless upon written prescription, as specified. Existing law provides that these provisions do not preclude or limit the prosecution of an individual for aiding and abetting the commission of, or conspiring to commit, those prohibited acts. This bill would additionally provide that those provisions do not preclude or limit the prosecution of an individual for acting as an accessory to those prohibited acts. (5) Existing law requires, commencing January 1, 2011, the Department of Justice to establish, implement, and maintain a confirmation program to process fingerprint-based criminal record background clearances on individuals designated by agencies as custodians of records. Existing law requires agencies to designate custodians of records, and to annually notify the department as to the identity of the agencies' custodians of records. This bill would delete that annual notification requirement. (6) Under existing law and until January 1, 2016, California is a party to an interstate compact for juveniles. That compact requires California, among other things, to appoint a commissioner to the Interstate Commission for Juveniles and to create a state council for interstate juvenile supervision. Existing law makes the executive director of the Corrections Standards Authority the compact administrator. This bill, instead, would make the Secretary of the Department of Corrections and Rehabilitation the compact administrator.

Economic Development and Income

AB 26 *Construction: prevailing wage*

Bonilla Existing law defines the term "public works" for purposes of requirements regarding the payment of prevailing wages. Existing law generally defines "public works" to include construction, alteration, demolition, installation, or repair work done under contract and paid in whole or in part out of public funds. Existing law defines "construction" for these purposes to include work performed during the design and preconstruction phases of construction. Existing law makes a willful violation of laws relating to payment of prevailing wages on public works a misdemeanor. This bill would revise the definition of "construction" to also include work performed during the postconstruction phases of construction, including, but not limited to, all cleanup work at the jobsite.

AB 229 *Local government: infrastructure and revitalization financing districts*

John A. Existing law authorizes the creation by a city, county, or city and county of an infrastructure financing district, as defined, for the sole purpose of financing public facilities, subject to adoption of a resolution by the legislative body and affected taxing entities proposed to be subject to division of taxes and 2/3 voter approval. Existing law authorizes the legislative body to, by majority vote, initiate proceedings to issue bonds for the financing of district projects by adopting a resolution, subject to specified procedures and 2/3 voter approval. Existing law requires an infrastructure financing plan to include the date on which an infrastructure financing district will cease to exist, which may not be more than 30 years from the date on which the ordinance forming the district is adopted. Existing law prohibits a district from including any portion of a redevelopment project area. Existing law, the Polanco Redevelopment Act, authorizes a redevelopment agency to take any action that the agency determines is necessary and consistent with state and federal laws to remedy or remove a release of hazardous substances on, under, or from property within a project area, whether the agency owns that property or not, subject to specified conditions. Existing law also declares the intent of the Legislature that the areas of the district created be substantially undeveloped, and that the establishment of a district should not ordinarily lead to the removal of dwelling units. This bill would authorize the creation by a city, county, city and county, or joint powers authority of an infrastructure and revitalization financing district, as defined, and the issuance of debt with 2/3 voter approval. The bill would authorize the creation of a district for up to 40 years and the issuance of debt with a final maturity date of up to 30 years, as specified. The bill would authorize a district to finance projects in redevelopment project areas and former redevelopment project areas and former military bases. The bill would authorize the legislative body to dedicate any portion of its funds received from the Redevelopment Property Tax Trust Fund to the district, if specified criteria are met. The bill would authorize the formation of a district to finance a project or projects on a former military base, if specified conditions are met. The bill would authorize a district to fund various projects, including, among others, watershed land used for the collection and treatment of water for urban uses, flood management, levees, bypasses, open space, habitat restoration, brownfields restoration, environmental mitigation, purchase of land and property for development purposes, including commercial property, hazardous cleanup, former military bases, and specified transportation purposes. The bill would authorize a district to implement hazardous cleanup pursuant to the Polanco Redevelopment Act, as specified. The bill would impose a specified reporting requirement on districts. The bill would state that it is the intent of the Legislature that the establishment of a district should not ordinarily lead to the removal of existing functional, habitable, and safe dwelling units, as specified. The bill would define the term "public works" for purposes of these provisions.

AB 674 *Microenterprise*

Quirk- Existing law defines microenterprise as a sole proprietorship, partnership, or corporation that Silva has fewer than 5 employees, including the owner, and generally lacks access to conventional

loans, equity, or other banking services, as provided. Existing law distinguishes a microenterprise from a small business or microbusiness. Existing law encourages specified local agencies to access, include, and promote local partnerships that invest in microenterprise development, as provided. Existing law defines a "microenterprise development provider" to mean a nonprofit or public agency that provides self-employment training, technical assistance, and access to microloans to individuals seeking to become self-employed or to expand their current business. This bill would modify the definition of microenterprise to also include a limited liability company, increase the number of employees to 5 or fewer, and require that the entity generally lack sufficient access to loans, equity, or other financial capital. The bill would delete those provisions expressly distinguishing a microenterprise from a small business or microbusiness. The bill would modify the definition of microenterprise development provider to also include a nonprofit organization or public agency that provides self-employment training, technical assistance, and access to microloans to a microenterprise seeking to expand its current business.

AB 1522 *Healthy Workplaces, Healthy Families Act of 2014*

Gonzalez Existing law authorizes employers to provide their employees paid sick leave. This bill would enact the Healthy Workplaces, Healthy Families Act of 2014 to provide that an employee who, on or after July 1, 2015, works in California for 30 or more days within a year from the commencement of employment is entitled to paid sick days for prescribed purposes, to be accrued at a rate of no less than one hour for every 30 hours worked. An employee would be entitled to use accrued sick days beginning on the 90th day of employment. The bill would authorize an employer to limit an employee's use of paid sick days to 24 hours or 3 days in each year of employment. The bill would prohibit an employer from discriminating or retaliating against an employee who requests paid sick days. The bill would require employers to satisfy specified posting and notice and recordkeeping requirements. The bill would define terms for those purposes. The bill would require the Labor Commissioner to enforce these requirements, including the investigation, mitigation, and relief of violations of these requirements. The bill would authorize the Labor Commissioner to impose specified administrative fines for violations and would authorize the commissioner or the Attorney General to recover specified civil penalties against an offender who violated these provisions on behalf of the aggrieved, as well as attorney's fees, costs, and interest. The bill would not apply to certain categories of employees that meet specified requirements.

AB 1556 *Unemployment insurance*

Perea Existing unemployment insurance law requires all standard information employee pamphlets provided by the Employment Development Department concerning unemployment and disability insurance programs to be printed in English and separately in Spanish, or both. This bill would instead require those pamphlets to be printed in English and the 7 other most commonly used languages among participants in each program. This bill would require the department to make pages on its Internet Web site that provide information regarding applying for, and receiving, unemployment insurance benefits available in the 7 languages, other than English, most commonly used by unemployment insurance applicants and claimants. Existing unemployment insurance law requires the Employment Development Department to pay unemployment compensation benefits to unemployed individuals meeting specified requirements. This bill would require the Director of Employment Development to periodically review policies and practices used to determine eligibility for and the amount of benefits in the unemployment insurance program, as specified, and report to the Legislature the results of the first review on or before July 1, 2015. Existing law prohibits an unemployed individual from being disqualified for benefits solely on the basis that he or she is a student. This bill would prohibit an unemployed individual who is meeting specified requirements and is certifying for continued unemployment compensation from being scheduled for a determination of eligibility for a week in which the individual commenced or is participating in a training or education program and has notified the Employment Development Department of the training or education

program. This bill would permit the department to schedule and conduct a determination of eligibility if the department determines that the commencement of, or the ongoing participation in, a training or education program conflicts with the eligibility requirements for unemployment compensation. Because this bill would make changes to existing eligibility requirements for unemployment compensation benefits that would result in additional amounts being payable from the Unemployment Fund, a continuously appropriated fund, the bill would make an appropriation. Existing law requires claims for unemployment compensation to be made in accordance with authorized regulations of the director. This bill would require a continued claim for unemployment benefits to be submitted within a specified period. It would also prohibit an unemployed individual from being disqualified for unemployment compensation benefits solely on the basis that the continued claim was submitted within a specified period.

AB 1723 *Employees: wages*

Nazarian Existing law authorizes the Labor Commissioner to investigate and enforce statutes and orders of the Industrial Welfare Commission that, among other things, specify the requirements for the payment of wages by employers. Existing law provides for criminal and civil penalties for violations of statutes and orders of the commission regarding payment of wages. Existing law authorizes the Labor Commissioner to recover liquidated damages for an employee who brings a complaint alleging payment of less than the minimum wage fixed by an order of the commission or by statute. Existing law subjects any employer, who pays or causes to be paid to any employee a wage less than the minimum fixed by an order of the commission to a citation that includes a civil penalty, the payment of restitution of wages, and payment of liquidated damages to the employee. Existing law also provides for a penalty imposed upon an employer for the willful failure to timely pay wages of an employee who resigns or is discharged. This bill would expand that penalty, restitution, and liquidated damages provision for a citation to also subject the employer to payment of any applicable penalties for the willful failure to timely pay wages of a resigned or discharged employee.

AB 1797 *California Workforce Investment Board*

Rodriguez Under existing law, the Labor and Workforce Development Agency consists of, among other entities, the California Workforce Investment Board and the Department of Industrial Relations. Existing law makes the board responsible for assisting the Governor in the development, oversight, and continuous improvement of California's workforce investment system and the alignment of the education and workforce investment systems to the needs of the 21st Century economy and workforce. Existing law provides for the establishment of apprenticeship programs in various trades, to be approved by the Chief of the Division of Apprenticeship Standards within the Department of Industrial Relations in any trade in the state or in a city or trade area whenever the apprentice training needs justify the establishment. In efforts to expand job training and employment for allied health professions, this bill would require the board, in consultation with the division, to, among other things, identify opportunities for "earn and learn" job training opportunities and develop the means to identify, assess, and prepare a pool of qualified candidates seeking to enter "earn and learn" job training models. The bill would require the board, on or before December 1, 2015, to prepare and submit to specified legislative committees a report documenting the above findings and making recommendations based on those findings.

AB 1870 *Public works: prevailing wage: multiemployer apprenticeship program grants*

Alejo Existing law requires that, except as specified, not less than the general prevailing rate of per diem wages, determined by the Director of Industrial Relations, be paid to workers employed on public works projects. Under existing law, an apprentice employed upon public works is required to be paid the prevailing rate of per diem wages for apprentices in the trade to which he or she is registered and to be employed only at the work of the craft or trade to which he or she is registered, as specified. Under existing law a contractor to whom a contract is awarded, who,

in performing any of the work under the contract, employs journeymen or apprentices in any apprenticeable craft or trade is required to contribute to the California Apprenticeship Council the same amount that the director determines is the prevailing amount of apprenticeship training contributions in the area of the public works site. Existing law requires the California Apprenticeship Council to distribute the training contributions by making a grant to an approved multiemployer apprenticeship program serving the same craft or trade and geographical area for which the training contributions were made to the council, for the purpose of training apprentices. Under existing law, if there are 2 or more approved multiemployer apprenticeship programs serving the same craft or trade and geographical area for which the training contributions were made to the council, the grant is required to be divided among all those programs based on the number of apprentices registered in each program. This bill would, if there are two or more approved multiemployer apprenticeship programs serving the same craft or trade and county for which the training contributions were made to the council, require the grant to be divided among those programs based on the number of apprentices from that county registered in each program.

- AB 2022
Medina *Public contracts: Target Area Contract Preference Act*
The Target Area Contract Preference Act establishes a preference for contracts for goods or services that are in excess of \$100,000 for contractors that certify that a specified percentage of the hours worked on a contract will be performed on a worksite in a distressed area, as defined. This bill would redefine a distressed area to be a census tract that is determined by the Department of Finance under a specified statute to be in the top quartile of census tracts for having the highest unemployment and poverty.
- AB 2053
Gonzalez *Employment discrimination or harassment: education and training: abusive conduct*
Existing law makes specified employment practices unlawful, including the harassment of an employee directly by the employer or indirectly by agents of the employer with the employer's knowledge. Existing law further requires every employer to act to ensure a workplace free of sexual harassment by implementing certain minimum requirements, including posting sexual harassment information posters at the workplace and obtaining and making available an information sheet on sexual harassment. Existing law also requires employers, as defined, with 50 or more employees to provide at least 2 hours of training and education regarding sexual harassment to all supervisory employees, as specified. Existing law requires each employer to provide that training and education to each supervisory employee once every 2 years. This bill would additionally require that the above-described training and education include, as a component of the training and education, prevention of abusive conduct, as defined.
- AB 2060
V. Manuel
Pérez *Supervised Population Workforce Training Grant Program*
Existing law defines probation to mean the suspension of the imposition or execution of a sentence of an individual convicted of a crime and the order of his or her conditional and revocable release in the community under the supervision of a probation officer. Existing law authorizes probation for some, but not all, felony convictions. Existing law requires all eligible people released from prison on and after October 1, 2011, or, whose sentences have been deemed served, as provided, after serving a prison term for a felony, upon release from prison, and for a period not exceeding 3 years immediately following release, to be subject to postrelease community supervision provided by a county agency designated by each county's board of supervisors that is consistent with evidence-based practices, including, but not limited to, supervision policies, procedures, programs, and practices demonstrated by scientific research to reduce recidivism among individuals under postrelease supervision. Existing law authorizes a court, when sentencing a person to county jail for a felony, to commit the person to county jail for either the full term in custody, as specified, or to suspend the execution of a concluding portion of the term selected at the court's discretion. Under existing law, this period of suspended execution is supervised by the county probation officer and is known as mandatory

supervision. This bill, until January 1, 2021, would establish the Supervised Population Workforce Training Grant Program to be administered, as provided, by the California Workforce Investment Board and funded, upon appropriation by the Legislature. The bill would provide grant program eligibility criteria for counties and provide that eligible uses for grant funds include, but are not limited to, vocational training, stipends for trainees, and apprenticeship opportunities for the supervised population, which would include individuals on probation, mandatory supervision, and postrelease community supervision. By January 1, 2018, the board would be required to submit a report to the Legislature containing specified information, including an evaluation of the effectiveness of the grant program.

- AB 2148
Mullin *Workforce development: annual workforce metrics dashboard*
Existing law provides that the California Workforce Investment Board is responsible for assisting the Governor in the development, oversight, and continuous improvement of California's workforce investment system. Existing law requires the board to assist the Governor in targeting resources to specified industry sectors and providing guidance to ensure that services reflect the needs of those sectors. This bill would additionally require the board to assist the Governor in the development of an annual workforce metrics dashboard that measures the state's human capital investments in workforce development and that provides, among other things, a status report on credential attainment, training completion, degree attainment, and participant earnings from workforce education and training programs. The bill would also authorize the State Department of Education to collect the social security numbers of adults participating in adult education programs for these purposes, as specified. This bill would also require the Employment Development Department, among other things, to aggregate data, which the bill would require to be provided by participating workforce program partners, and to report this data to the board to assist the board in producing the annual workforce metrics dashboard, as specified.
- AB 2272
Gray *Public works: prevailing wages*
Existing law defines the term "public works" for purposes of requirements regarding the payment of prevailing wages. Existing law generally defines "public works" to include construction, alteration, demolition, installation, or repair work done under contract and paid for in whole or in part out of public funds. Existing law makes a willful violation of laws relating to the payment of prevailing wages on public works a misdemeanor. Existing law establishes the California Advanced Services Fund (CASF) and requires the Public Utilities Commission to administer a program using moneys in the fund to encourage deployment of high-quality advanced communication services to all Californians by providing funding for infrastructure projects to provide broadband access to households that are unserved or underserved, as specified. This bill would revise the definition of "public works" to also include infrastructure project grants from the California Advanced Services Fund. The bill would specify that for purposes of this provision, the Public Utilities Commission is not the awarding body or body awarding the contract. By expanding the definition of a crime, this bill would impose a state-mandated local program.
- AB 2288
Roger Hernández *Child Labor Protection Act of 2014*
Existing law establishes a citation system for the imposition of civil sanctions against violators of the laws and regulations of the state relating to the employment of minors, and classifies citations according to the nature of the violation. This bill would authorize treble damages to an individual who was discriminated against in the terms or conditions of his or her employment because he or she filed a claim or civil action alleging a violation of employment laws that arose while the individual was a minor. The bill would further subject a specified class of violations of employment laws relating to the employment of minors to a civil penalty, as provided. The bill would also require the tolling of the statute of limitations for claims arising from violations of employment laws until the person allegedly aggrieved attains majority, and would declare the

latter provision declaratory of existing law.

- AB 2292** *Infrastructure Financing Districts: broadband*
Bonta Existing law authorizes an infrastructure financing district to finance only public capital facilities of communitywide significance that provide significant benefits to an area larger than the area of the district, including, among others, highways, interchanges, ramps and bridges, arterial streets, parking facilities, transit facilities, facilities for the collection and treatment of water for urban uses, child care facilities, libraries, and facilities for the transfer and disposal of solid waste. This bill would additionally authorize an infrastructure financing district to finance public capital facilities or projects that include broadband, as defined.
- AB 2618** *Property and business improvement areas: benefit assessments*
John A. The California Constitution generally requires that assessments, fees, and charges be submitted to property owners for approval or rejection after the provision of written notice and the holding of a public hearing. The Property and Business Improvement District Law of 1994 authorizes cities to form property and business improvement districts that may levy assessments within a district for the purpose of making improvements and promoting activities of benefit to the properties and businesses within the district, and defines various terms for purposes of the law. The law requires a management district plan to include, among other things, the name of the proposed district, a description of the boundaries of the district, and the total annual amount proposed to be expended for improvements, maintenance and operations, and debt service in each year of operation of the district. This bill would require a management district plan to additionally include, for districts that are property-based, the proportionate special benefit derived by each identified parcel, to be determined as prescribed, the total amount of all special benefits to be conferred on the properties located within the property-based district, the total amount of any general benefit, and a detailed engineer's report, as specified. This bill would define the term "special benefit" for purposes of that law to mean a particular and distinct benefit over and above general benefits, as defined, conferred on real property located in a district or to the public at large, and would specify that special benefit includes incidental or collateral effects that arise even if those effects benefit property or persons not assessed. The law additionally requires the city council to adopt a resolution of formation containing, among other things, a statement that the improvements and activities to be provided in the district will be funded by the levy of the assessments and a finding that the property or businesses within the area of the district will be benefited by the improvements and activities funded by the assessments proposed to be levied. This bill would require a finding that the property within the district will receive a special benefit and the total amount of all special benefits to be conferred on the properties within the property-based district. The bill would make various conforming changes to specify that the provisions described above apply to maintenance as well as improvements and activities.
- AB 2743** *Employment wages*
Committee Existing law authorizes specified employees working in the entertainment industry and their on Labor & employers to enter into a collective bargaining agreement to establish a time limit for payment of wages after an employee is discharged or laid off. Existing law imposes civil penalties on an employer who willfully fails to pay wages, in accordance with specified provisions, for an employee who is discharged or who quits. Existing law authorizes civil action for those penalties. This bill would apply the civil penalty and suit provision to the violation of a time limit for payment of wages established pursuant to that collective bargaining agreement provision.

<p>AB 2744 Committee on Labor & Employment</p>	<p><i>Public works: apprenticeship program</i></p> <p>Existing law provides that when a contractor or subcontractor performing a public works project is found by the Labor Commissioner to be in violation of the requirements relating to public works contracts, except with regard to the employment of apprentices, with intent to defraud, or within a 3-year period of having committed 2 or more separate willful violations of these provisions, the contractor or subcontractor or a firm, corporation, partnership, or association in which the contractor or subcontractor has any interest is ineligible to bid on, be awarded, or perform work as a subcontractor on a public works contract for specified periods of time. This bill would make these provisions applicable to violations of provisions related to the employment of apprentices. Existing law, among other things, imposes a civil penalty on contractors or subcontractors who are determined to have knowingly violated specified provisions regulating the employment of apprentices on public works projects, provides that a contractor or subcontractor who is determined to have knowingly committed a serious violation of the apprentice employment provisions may additionally be denied the right to bid on or be awarded or perform work as a subcontractor on any public works contract for a specified period of time, provides for a review of the civil penalty or debarment by the Labor Commissioner, and provides for a process to collect the civil penalty. This bill would revise and recast these provisions by, among other things, making the civil penalty applicable to the contractor and any subcontractor responsible for the violation, requiring the Labor Commissioner or his or her designee to issue a civil wage and penalty assessment in accordance with a specified provision, and providing for notice by the Division of Labor Standards Enforcement to the contractor within 15 days of receipt of a complaint that their subcontractor knowingly violated the apprentice employment provisions.</p>
<p>AB 2749 Committee on Jobs</p>	<p><i>Economic development</i></p> <p>(1) Existing law defines specified terms relating to economic development and authorizes the Business, Transportation and Housing Agency and its secretary to expend specified funds. This bill would renumber these provisions, and would instead authorize the Governor's Office of Business and Economic Development and its director to expend these funds. (2) The Bergeson-Peace Infrastructure and Economic Development Bank Act establishes the Infrastructure and Economic Development Bank within the Governor's Office of Business and Economic Development, governed by a board of directors composed of 5 members. The act requires the bank to annually submit to the Governor and the Joint Legislative Budget Committee a report of its activities for the preceding fiscal year. The act also requires the bank to establish criteria, priorities, and guidelines for the selection of projects to receive its assistance that includes compliance with the State Environmental Goals and Policy Report, or its successor. Existing law prohibits review of the expenditures of the bank's infrastructure bank fund, except for by the Legislature, as specified. This bill would modify the bank's annual reporting requirement to, among other requirements, be instead transmitted to the Governor and the Legislature, and require the executive director of the bank to post the report on the bank's Internet Web site. This bill would waive compliance with the State Environmental Goals and Policy Report, or its successor, as a factor for receiving the bank's assistance, if the report has not been updated, as specified. This bill would modify the Legislature's review of the bank relating to the infrastructure bank fund, to among other things, include the amount of credit and liabilities of the fund, based on an audit of the fund at the close of the prior fiscal year. (3) Existing law, the Small Business Financial Assistance Act of 2013, until January 1, 2018, continues in existence the California Small Business Expansion Fund, a continuously appropriated fund which includes General Fund moneys, and authorizes all or a portion of the funds in the expansion fund to be paid out to a financial institution or financial company that will establish a trust fund and act as a trustee of the funds, as specified. Existing law authorizes the program manager, as defined, to create one or more accounts in the expansion fund and the trust fund for corporations participating in one or more programs authorized by the Small Business Financial Assistance Act of 2013 and the California Disaster Assistance Act, as specified. Existing law, on and after</p>

January 1, 2018, eliminates the authorization to utilize funds in the expansion fund and the trust fund for corporations participating in one or more programs pursuant to the California Disaster Assistance Act. This bill would continue the authorization to utilize funds in the expansion fund and the trust fund for corporations participating in one or more programs pursuant to the California Disaster Assistance Act, as specified.

SB 266

Prevailing wages

Lieu

Existing law requires the Labor Commissioner to issue a civil wage and penalty assessment to a contractor or subcontractor, or both, if, after an investigation, the commissioner determines there has been a violation of the law regulating public works projects, including the payment of prevailing wages. Existing law tolls the period for service of assessments for the period of time required by the Director of Industrial Relations to determine whether a project is a public work, as specified. Existing law, with respect to the determination of whether a project is a public work, requires a person filing a notice of completion of the project to also provide notice to the Labor Commissioner, as specified, and requires the awarding body or political subdivision accepting a public work to provide to the Labor Commissioner notice of that acceptance, as specified. This bill instead would require the body awarding the contract for a public work to furnish, within 10 days after receipt of a written request from the Labor Commissioner, a copy of the valid notice of completion for the public work or a document evidencing the awarding body's acceptance of the public work on a particular date, whichever occurs later, in accordance with specified provisions. The bill would require the awarding body to notify the appropriate office of the Labor Commissioner if, at the time of receipt of the Labor Commissioner's written request, there has been no valid notice of completion filed by the awarding body in the office of the county recorder, and no document evidencing the awarding body's acceptance of the public work on a particular date. If the awarding body fails to timely furnish the Labor Commissioner with the applicable document, the bill would require that the period for service of assessments be tolled until the Labor Commissioner's actual receipt of the applicable document. The bill would also include legislative findings and declarations.

SB 614

Local government: jurisdictional changes: infrastructure financing

Wolk

(1) Existing law, the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, provides the authority and procedures for the initiation, conduct, and completion of changes of organization and reorganization of cities and districts. The act requires a local agency or school district that initiates proceedings for a change of local government organization or reorganization by submitting a resolution of application to a local agency formation commission to also submit a plan for providing services within the affected territory, as specified. This bill would instead require, if a proposal for a change of organization or reorganization is submitted to a local commission, that the applicant submit a plan for providing services within the affected territory that, until January 1, 2025, in the case of a change of organization or reorganization initiated by a local agency that includes a disadvantaged, unincorporated community, authorizes a local agency to include in its resolution of application an annexation development plan to improve or upgrade structures, roads, sewer or water facilities, or other infrastructure to serve the disadvantaged, unincorporated community. This bill would authorize the local agency formation commission to approve the proposal to include the formation of a special district or reorganization of a special district, as specified. This bill would require an annexation plan to include certain information. (2) Existing law requires a county auditor, in the case of a jurisdictional change caused by the formation of a district, to adjust the allocation of property tax revenue pursuant to the agreement of local agencies whose service area or service responsibility would be altered by the jurisdictional change, as specified. This bill would, until January 1, 2025, authorize a local agency that files a resolution of application for change of organization, and one or more other local agencies that will improve or upgrade structures to serve a disadvantaged, unincorporated community, to agree on an annexation development plan for financing services and structures that may provide that taxes, levied upon taxable property in

the area included within the territory each year by or for the benefit of the local agency and one or more other local agencies that consent to the plan, be divided as specified. This bill would require the plan to include a date on which that division of taxes shall terminate, and would allow the plan to provide for the issuance of indebtedness, as specified. The bill would prohibit any plan developed under these provisions from including any portion of a redevelopment project area, as specified, or resulting in a reduction of property tax revenues to school entities.

SB 628
Beall

Enhanced infrastructure financing districts

Existing law authorizes a legislative body of a city, defined to mean a city or a city and county, to establish an infrastructure financing district, adopt an infrastructure financing plan, and issue bonds, for which only the district is liable, to finance specified public facilities upon approval by 2/3 of the voters. Existing law authorizes an infrastructure financing district to fund infrastructure projects through tax increment financing, pursuant to the infrastructure financing plan and the agreement of affected taxing entities, as defined. Existing law requires an infrastructure financing plan to include the date on which an infrastructure financing district will cease to exist, that may not be more than 30 years from the date on which the ordinance forming the district is adopted. This bill would additionally authorize the legislative body of a city or a county, defined to include a city and county, to establish an enhanced infrastructure financing district, adopt an infrastructure financing plan, and issue bonds, for which only the district is liable, upon approval by 55% of the voters; to finance public capital facilities or other specified projects of communitywide significance, including, but not limited to, brownfield restoration and other environmental mitigation; the development of projects on a former military base; the repayment of the transfer of funds to a military base reuse authority; the acquisition, construction, or rehabilitation of housing for persons of low and moderate income for rent or purchase; the acquisition, construction, or repair of industrial structures for private use; transit priority projects; and projects to implement a sustainable communities strategy. The bill would also authorize an enhanced infrastructure financing district to utilize any powers under the Polanco Redevelopment Act. This bill would require the legislative body to establish a public financing authority, defined as the governing board of the enhanced infrastructure financing authority, comprised of members of the legislative body of the participating entities and of the public, prior to the adoption of a resolution to form an enhanced infrastructure district and infrastructure financing plan. This bill would require proceedings for the establishment of a district to be instituted by the adoption of a resolution of intention that, among other things, states the boundaries of the district, the type of public facilities and development proposed to be financed or assisted by the district, and the need for the district and the goals the district proposes to achieve. If the resolution is adopted by the legislative body after a public hearing, the bill would prohibit the public financing authority from implementing the infrastructure financing plan until specified events occur. This bill would authorize the public financing authority to initiate proceedings to issue bonds, and would require the proposal to issue bonds to be submitted to qualified electors of the proposed district, as specified. By requiring electors to make specified declarations on ballots under penalty of perjury, this bill would expand circumstances under which a person may be convicted of a crime and thereby, would impose a state-mandated local program. This bill would authorize an enhanced infrastructure financing district to fund infrastructure projects through tax increment financing, pursuant to the infrastructure financing plan and the agreement of affected taxing entities, as defined. This bill would authorize the creation of an infrastructure financing district for up to 45 years from the date on which the issuance of bonds is approved, as specified. This bill would require an infrastructure financing district to contract for the performance of an independent financial and performance audit every 2 years, as specified. This bill would authorize a city, county, or special district that contains territory within the boundaries of an infrastructure financing district, upon approval of its governing body, to loan moneys to the infrastructure financing district to fund the activities described in the infrastructure financing plan, as specified. This bill would authorize an enhanced infrastructure financing district to finance a project or portion of a project that is located in, or overlaps with, a redevelopment project area or former redevelopment project area,

as specified. This bill would prohibit a city or county that created a redevelopment agency from creating a district until specified conditions related to the wind down of the former redevelopment agency have been satisfied. This bill would provide that any debt or obligation of an enhanced infrastructure financing district is subordinate to an enforceable obligation of a former redevelopment agency. This bill would additionally authorize the legislative body of the city forming an enhanced infrastructure financing district to choose to dedicate any portion of its net available revenue, as defined, to the enhanced infrastructure financing district through the infrastructure financing plan, as specified.

SB 1141 *Unemployment insurance: use of information*

Hancock Under existing law, the information obtained in the administration of the Unemployment Insurance Code is for the exclusive use and information of the Director of Employment Development in the discharge of his or her duties and is not open to the public. However, existing law permits the use of the information for specified purposes, and allows the director to require reimbursement for direct costs incurred. Existing law provides that a person who knowingly accesses, uses, or discloses this confidential information without authorization is guilty of a misdemeanor. This bill would require the Director of Employment Development to permit the use of any information in his or her possession to enable the Department of Corrections and Rehabilitation to obtain quarterly wage data of former inmates who have been incarcerated within the prison system in order to assess the impact of rehabilitation services or the lack of these services on the employment and earnings of these former inmates.

SB 1314 *Unemployment insurance benefits: determination appeals*

Monning (1) Existing law requires the Employment Development Department to pay unemployment compensation benefits to eligible claimants. Existing law requires the department to make a prompt notification of various rulings, determinations, and computations, including a notification to an employer of a department ruling or determination as to the cause of a claimant's termination of employment, and a notification to a claimant of the determination of the claimant's eligibility for benefits, as specified. Existing law authorizes reconsideration of a determination of eligibility within 20 days after mailing a notice of a determination. Existing law also authorizes an appeal from a ruling, determination, or computation within 20 days of a notice, as specified, and authorizes an extension of this deadline for good cause. This bill would extend the deadline for a reconsideration or for an appeal of the above-described rulings, determinations, and computations to 30 days, on or after July 1, 2015. (2) Existing law requires an administrative law judge to affirm, reverse, modify, or set aside an appeal of a determination of eligibility for benefits and requires the administrative law judge to notify certain parties of the decision, as specified. This decision becomes final unless a further appeal is initiated to the California Unemployment Insurance Appeals Board within 20 days, as specified. This bill would, on and after July 1, 2015, extend the deadline for appeal to the board to 30 days.

Education

AB 215 *School employees: dismissal or suspension: hearings*

Buchanan Existing law prohibits a permanent school employee from being dismissed, except for one or more of certain enumerated causes, including immoral or unprofessional conduct. This bill would also include egregious misconduct, as defined, as a basis for dismissal. Existing law requires the governing board of a school district to give notice to a permanent employee of its intention to dismiss or suspend the employee, together with a written statement of charges, at the expiration of 30 days from the date of service of the notice, unless the employee demands a hearing. This bill would additionally apply the above to egregious misconduct. The bill would authorize the governing board of a school district, if the governing board has given the above notice, based on written charges, to amend charges less than 90 days before the hearing on the charges only upon a showing of good cause. The bill would require that the employee be given a meaningful opportunity to respond to the amended charges. The bill would authorize proceedings, based solely on charges of egregious misconduct, to be initiated via an alternative process, which this bill would establish, as provided. Existing law prohibits the governing board of a school district from giving notice of dismissal or suspension of a permanent employee between May 15 and September 15 of any year. This bill would authorize any notice of dismissal or suspension to be given at any time of year, as provided. The bill would require a notice of dismissal or suspension given outside of the instructional year of the school site where the employee is physically employed to be in writing and served personally upon the employee. The bill would also revise various procedures for providing a notice of dismissal or suspension, and would impose various requirements for the filing of a demand for a hearing and the conduct of hearings by the Office of Administrative Hearings. Existing law authorizes the governing board of a school district to immediately suspend an employee and give him or her notice of dismissal upon the filing of written charges relating to immoral conduct, conviction of a felony or any crime involving moral turpitude, with incompetency due to mental disability, or with willful refusal to perform regular assignments without reasonable cause, as provided. This bill would authorize an employee who has been placed on suspension pursuant to the above provisions to serve and file with the Office of Administrative Hearings a motion for immediate reversal of suspension, as provided. Existing law provides that upon being charged, as specified, with certain sex or controlled substance offenses, a certificated employee be placed on either a compulsory leave of absence or an optional leave of absence for certain enumerated violations. This bill would revise the definitions of "charged with a mandatory leave of absence offense" and "charged with an optional leave of absence offense" for purposes of those provisions governing when a certificated employee is required to be placed on either a compulsory leave of absence or an optional leave of absence. Because these revisions would increase the number of employees subject to immediate placement on compulsory leave of absence, thereby increasing the duties of school districts, the bill would impose a state-mandated local program. Existing law requires in a dismissal or suspension proceeding against a permanent employee, if a hearing is requested by the employee, that the hearing be commenced within 60 days from the date of the employee's demand for a hearing. This bill would, for dismissal or suspension proceedings that are not based solely on charges of egregious misconduct, require that the hearing be commenced within 6 months from the date of the employee's demand for a hearing, and be completed by a closing of the record within 7 months of the date of the employee's demand for a hearing. The bill would revise various procedures for the conduct of those hearings, as prescribed, including the authority to waive the conductibility of the hearing by a Commission on Professional Competence and instead have the hearing conducted by a single administrative law judge. The bill would require, in a dismissal or suspension proceeding carried out under the above provisions, that the parties make specified disclosures in lieu of certain written discovery, as prescribed, and would authorize the parties to obtain discovery by oral deposition. The bill would require the governing board of the school district and the state to share equally the expenses of the hearing if the Commission on Professional Competence determines that the

employee should be dismissed or suspended. This bill would provide separate hearing procedures for dismissal or suspension proceedings that are based solely on charges of egregious misconduct, as provided.

- AB 420
Dickinson *Pupil discipline: suspensions and expulsions and expulsions: willful defiance*
Existing law prohibits a pupil from being suspended from school or recommended for expulsion, unless the superintendent of the school district or the principal of the school in which the pupil is enrolled determines that the pupil has committed a specified act, including, among other acts, disrupting school activities or otherwise willfully defying the valid authority of supervisors, teachers, administrators, school officials, or other school personnel engaged in the performance of their duties. This bill would eliminate the authority to suspend a pupil enrolled in kindergarten or any of grades 1 to 3, inclusive, and the authority to recommend for expulsion a pupil enrolled in kindergarten or any of grades 1 to 12, inclusive, for disrupting school activities or otherwise willfully defying the valid authority of those school personnel engaged in the performance of their duties. The bill would make the restrictions inoperative on July 1, 2018.
- AB 834
Williams *Private postsecondary education: School Performance Fact Sheets*
Existing law, the California Private Postsecondary Education Act of 2009, provides, among other things, for regulatory oversight of private postsecondary schools in the state. The act is enforced by the Bureau for Private Postsecondary Education within the Department of Consumer Affairs. The act exempts specified institutions, including certain law schools, from all, or a portion, of its provisions. The act requires an institution to provide a prospective student prior to enrollment with a School Performance Fact Sheet, which is required to contain specified information relating to the educational program. The act requires an institution that maintains an Internet Web site to provide, on that Internet Web site, specified information, including a School Performance Fact Sheet for each educational program offered by the institution. The act authorizes an institution exempt from all or part of the act pursuant to specified provisions to apply to the bureau for an approval to operate subject to the act, as specified. The act requires these institutions to provide to prospective students the School Performance Fact Sheet, to file that fact sheet with the bureau, and to post it on the institution's Internet Web site no later than the first August 1 after the institution is approved to operate and no later than August 1 of each year thereafter. This bill would provide a law school otherwise exempt from the act that applies to the bureau for an approval to operate subject to the act and that meets other specified criteria with an alternate way to satisfy the requirements of the act regarding a School Performance Fact Sheet. Specifically, by complying with a specified standard of the American Bar Association relating to the disclosure of consumer information, by providing completion rates of students and placement rates, bar passage rates, and salary and wage information of graduates to prospective students prior to enrollment through the law school application process administered by the Law School Admission Council, and by providing to prospective students, at a minimum on its Internet Web site, any additional information required to be reported on a School Performance Fact Sheet, such a law school would satisfy those requirements. The bill would require such a law school to annually provide the information to the bureau and would require the bureau to include the information on its Internet Web site. This bill would declare that it is to take effect immediately as an urgency statute.
- AB 1432
Gatto *Mandated child abuse reporting: school employees: training*
The Child Abuse and Neglect Reporting Act requires a mandated reporter, which includes a teacher or one of certain other types of school employees, to report whenever he or she, in his or her professional capacity or within the scope of his or her employment, has knowledge of or has observed a child whom the mandated reporter knows or reasonably suspects has been the victim of child abuse or neglect. Existing law requires the State Department of Education to develop staff development seminars and any other appropriate means of instructing school personnel in the detection of child abuse and neglect and the proper action that school personnel should take

in suspected cases of child abuse and neglect. Existing law requires school districts that do not train their employees in the duties of mandated reporters under the child abuse reporting laws to report to the State Department of Education the reasons why this training is not provided. This bill would require the State Department of Education, in consultation with the Office of Child Abuse Prevention in the State Department of Social Services, to develop and disseminate information to all school districts, county offices of education, state special schools and diagnostic centers operated by the State Department of Education, and charter schools, and their school personnel in California, regarding the detection and reporting of child abuse, to provide statewide guidance on the responsibilities of mandated reporters, and to develop appropriate means of instructing school personnel in the detection of child abuse and neglect and the proper action that school personnel should take in suspected cases of child abuse and neglect, including, but not limited to, an online training module to be provided by the State Department of Social Services. The bill would require school districts, county offices of education, state special schools and diagnostic centers operated by the State Department of Education, and charter schools to do both of the following: (1) annually train, using the online training module provided by the State Department of Social Services, or other training, as specified, employees and persons working on their behalf who are mandated reporters on the mandated reporting requirements, as specified; and (2) develop a process for all persons required to receive training under the bill to provide proof of completing this training within the first 6 weeks of each school year or within 6 weeks of that person's employment.

AB 1433

Student safety

Gatto

Existing law requires the governing board of each community college district, the Trustees of the California State University, the Board of Directors of the Hastings College of the Law, the Regents of the University of California, and the governing boards of postsecondary educational institutions receiving public funds for student financial assistance to require the appropriate officials at each campus to compile records of specified crimes and noncriminal acts reported to campus police, campus security personnel, campus safety authorities, or designated campus authorities. This provision does not apply to the governing boards of private postsecondary educational institutions with fewer than 1,000 students, or to campuses of public postsecondary educational systems with 1,000 or fewer students. This provision also does not apply to the California Community Colleges unless and until the Legislature makes funds available to the California Community Colleges for purposes of this provision. Existing law, the Ortiz-Pacheco-Poochigian-Vasconcellos Cal Grant Program (Cal Grant Program), establishes the Cal Grant A and B Entitlement Awards, the California Community College Transfer Cal Grant Entitlement Awards, the Competitive Cal Grant A and B Awards, the Cal Grant C Awards, and the Cal Grant T Awards under the administration of the Student Aid Commission, and establishes eligibility requirements for awards under these programs for participating students attending qualifying institutions. This bill would, as a condition for participation in the Cal Grant Program, require any report by a victim of a Part 1 violent crime, sexual assault, or hate crime, as defined, received by a campus security authority and made by the victim for purposes of notifying the institution or law enforcement, to be immediately, or as soon as practicably possible, disclosed to the appropriate local law enforcement agency without identifying the victim, unless the victim consents to being identified after the victim has been informed of his or her right to have his or her personally identifying information withheld. The bill would prohibit a report to a local law enforcement agency from identifying the alleged assailant if the victim does not consent to being identified. The bill would provide that these requirements do not constitute a waiver of, or exception to, any law providing for the confidentiality of information. This bill would, as a condition for participation in the Cal Grant Program, provide that the governing board of each community college district, the Trustees of the California State University, the Regents of the University of California, and the governing board of each private and independent postsecondary institution shall, on or before July 1, 2015, adopt and implement written policies and procedures to ensure that any report of a Part 1 violent crime, sexual assault, or hate crime, committed on or off campus, as defined, received by a campus security authority,

as defined, and made by the victim for purposes of notifying the institution or law enforcement, is immediately, or as soon as practicably possible, forwarded to the appropriate law enforcement agency, as provided. The bill would require that the report be forwarded to the appropriate law enforcement agency without identifying the victim, unless the victim consents to being identified after the victim has been informed of his or her right to have his or her personally identifying information withheld. The bill would provide that these requirements do not constitute a waiver of, or exception to, any law providing for the confidentiality of information. This bill would declare that it is to take effect immediately as an urgency statute.

AB 1442 *Pupil records: social media*

Gatto

Existing law requires school districts to establish, maintain, and destroy pupil records according to regulations adopted by the State Board of Education. This bill would, notwithstanding that provision, require a school district, county office of education, or charter school that considers a program to gather or maintain in its records any information obtained from social media, as defined, of any pupil enrolled in the school district, county office of education, or charter school to first notify pupils and their parents or guardians about the proposed program, and to provide an opportunity for public comment at a regularly scheduled public meeting before the adoption of the program. The bill would require a school district, county office of education, or charter school that adopts a program pursuant to these provisions to, among other things, gather and maintain only information that pertains directly to school safety or to pupil safety, provide a pupil with access to any information about the pupil obtained from social media, and destroy the information gathered from social media and maintained in its records, as provided. If a school district, county office of education, or charter school contracts with a 3rd party to gather information from social media on an enrolled pupil, the bill would prohibit the 3rd party from using the information for purposes other than to satisfy the terms of the contract, prohibit the 3rd party from selling or sharing the information with any person or entity, except as provided, and would provide additional restrictions on the destruction of the information by the 3rd party, as specified.

AB 1455 *Pupils: bullying: counseling services*

Campos

Existing law prohibits a pupil from being suspended from school or recommended for expulsion unless the superintendent of the school district or the principal of the school in which the pupil is enrolled determines that the pupil has committed any of various acts, including bullying, as defined. Existing law authorizes the superintendent of the school district or the principal of a school, for a pupil subject to discipline, to use alternatives to suspension or expulsion that are age appropriate and designed to address and correct the pupil's specific misbehavior, including, among other alternatives, referrals to the school counselor, psychologist, social worker, child welfare attendance personnel, or other school support service personnel for case management and counseling. This bill would authorize the superintendent of a school district, the principal of a school, or the principal's designee to also refer a victim of, witness to, or other pupil affected by, an act of bullying committed on or after January 1, 2015, to the school counselor, school psychologist, social worker, child welfare attendance personnel, school nurse, or other school support service personnel for case management, counseling, and participation in a restorative justice program, as appropriate. The bill would also provide that a pupil who has engaged in an act of bullying may also be referred to those school support service personnel for case management and counseling, or for participation in a restorative justice program.

AB 1590 *Student financial aid: Cal Grant Program*

Wieckowski

Existing law, the Ortiz-Pacheco-Poochigian-Vasconcellos Cal Grant Program (Cal Grant Program), establishes the Cal Grant A and B Entitlement Awards, the California Community College Transfer Entitlement Awards, the Competitive Cal Grant A and B Awards, the Cal Grant C Awards, and the Cal Grant T Awards under the administration of the Student Aid Commission, and establishes eligibility requirements for awards under these programs for

participating students attending qualifying institutions, as defined. The existing definition of a qualifying institution includes, among other institutions, California private or independent postsecondary educational institutions that participate in the Pell Grant Program and in at least 2 of the following federal campus-based programs: federal Work-Study, the Perkins Loan Program, and the Supplemental Education Opportunity Grant Program. Existing law requires the commission to certify by October 1 of each year a qualifying institution's latest 3-year cohort default rate and graduation rate as most recently reported by the United States Department of Education. This bill would express findings and declarations, would delete "campus-based" from the description of the federal programs referenced above in connection with the California private or independent postsecondary educational institutions that are defined as qualifying institutions, and would replace the Perkins Loan Program with the Stafford Loan Program for purposes of qualifying a private or independent postsecondary educational institution for Cal Grants Awards. The bill would change the date the commission needs to certify the institution's latest official 3-year cohort default rate and graduation rate to November 1, and would define the graduation rate of a qualifying institution to be the percentage of full-time, first-time degree- or certificate-seeking undergraduate students who graduate in 150% or less of the expected time to complete the degree requirements as most recently reported by the United States Department of Education.

AB 1599 *Education: omnibus bill*

Committee
on
Education

(1) Existing law sets forth a method for providing special education and related services to pupils with exceptional needs. Existing law requires the allowable new building area for the purpose of providing special day class and Resource Specialist Program facilities for special education pupils to be negotiated and approved by the State Allocation Board, as provided. Existing law prescribes the maximum square footage for those facilities by special day class basic need, including, among other basic needs, the maximum square footage for mildly mentally retarded and severely mentally retarded special education pupils. This bill would change references in those provisions from mildly mentally retarded and severely mentally retarded to mildly intellectually disabled and severely intellectually disabled, respectively. (2) Existing law requires the State Board of Education and the State Department of Education to request the Instructional Quality Commission to review and revise, as necessary, the course requirements in the history-social science framework to ensure that minimum standards for courses in American government and civics include certain matters. This bill would additionally require the commission, when revising the history-social science framework, to ensure that those course requirements are also included in all history and social science courses and grade levels, as appropriate. The bill would, among other things, also require the commission, whenever the history-social science framework is revised, to receive input from civics learning experts for purposes of integrating civics learning content, concepts, and skills, at all appropriate grade levels, with the standards established by the state board in core curriculum areas, as specified, and ensure that voter education information is included in the American government and civics curriculum at the high school level, as specified. (3) Existing law specifies the circumstances under which the State Board of Education or a county committee on school district reorganization may approve proposals or petitions for the reorganization of school districts. After the state board has approved plans and recommendations, or a county committee has approved a petition for the unification or other reorganization of school districts, existing law requires the secretary of the state board or the county committee to give notice to a specified county superintendent of schools. Within 35 days of receiving notification from the state board, existing law provides for the county superintendent of schools to call an election, to be conducted at the next election of any kind, or in the case of a notice from a county committee, at the next regular election, in the territory of the districts as determined by the state board or the county committee. This bill would instead require a county superintendent of schools, if notified by a county committee, to call the election at next election of any kind, in accordance with specified requirements. (4) Existing law provides that a school district that has been organized for more than 3 years shall be lapsed, as defined, if certain conditions occur. Within 30 days

after the close of each school year, existing law requires the county committee on school district reorganization to conduct a public hearing to determine if those conditions have been met. After the hearing, existing law requires the county committee to order the territory annexed to one or more adjoining districts, as specified. Existing law provides that an order of a county committee attaching the territory of a lapsed school district to one or more adjoining school districts shall be effective for all purposes on the date of the order. This bill would, among other things, instead require the county committee to conduct the public hearing within 45 days before the close of each school year, and would require the county committee to order the territory annexed after the hearing and at least 30 days before the end of the school year. The bill would, among other things, make the county committee's order effective on the July 1 after the date of the order, as specified. To the extent these changes would impose a higher level of service on local officials, the bill would create a state-mandated local program. (5) Existing law requires each school district or county superintendent of schools maintaining any kindergarten or any of grades 1 to 12, inclusive, to provide for each needy pupil one nutritionally adequate free or reduced-price meal during each schoolday. Existing law requires the governing board of a school district and the county superintendent of schools to make applications for free or reduced-price meals available to pupils. Existing law provides that the School Lunch Program application is confidential and prohibits the information from being used in the application from being disclosed to any governmental agency, including the federal Immigration and Naturalization Service and the Social Security Administration, or used for any purpose other than enrollment in the CalFresh program. Notwithstanding that restriction, existing law authorizes a public officer or agency to allow the use by certain school district employees of records pertaining to pupil participation in any free or reduced-price meal program solely for the purpose of, among other things, the disaggregation of academic data. This bill would, among other things, additionally authorize the release of eligibility information on enrolled pupils participating in the free or reduced-price meal program to the Superintendent of Public Instruction for purposes of determining funding allocations under the local control funding formula and for assessing the accountability of that funding, as provided, and, upon request, to other local educational agencies serving a pupil in the same household as an enrolled pupil for purposes related to free or reduced-price meal program eligibility and for data used in local control funding formula calculations. (6) Existing law requires that every individual with exceptional needs, as defined, who is eligible to receive special education instruction and related services be provided with that instruction and those services at no cost to his or her parent or guardian or, as appropriate, to him or her. A free appropriate public education is required to be made available to individuals with exceptional needs in accordance with specified federal regulations adopted pursuant to the federal Individuals with Disabilities Education Act. Existing law authorizes local educational agencies to seek, either directly or through the pupil's parents or guardians, reimbursement from insurance companies to cover the costs of related services, in accordance with specified federal regulations. This bill would delete that authorization and would instead authorize a public agency, if an individual with exceptional needs is covered by public benefits or insurance, to use Medicaid, other public benefits, or insurance programs in which a pupil participates to provide or pay for certain services required by law if the agency provides written notification to the pupil's parents and obtains written parental consent, as provided. (7) Existing law sets forth a method for providing special education and related services to pupils with exceptional needs. Existing law also permits, under certain circumstances, contracts to be entered for the provision of those services by nonpublic, nonsectarian schools or agencies, as defined. Existing law authorizes a master contract for special education and related services provided by a nonpublic, nonsectarian school or agency only if the school or agency has been certified by the Superintendent of Public Instruction as meeting specified standards. Existing law also requires the nonpublic, nonsectarian school or agency that is applying for certification to submit, on a form developed by the State Department of Education, a signed verification by local educational agency representatives that they have been notified of the intent to certify or renew certification. Existing law requires the department to mail renewal application materials to certified nonpublic, nonsectarian schools and agencies

at least 120 days before the expiration date of their current certification. This bill would require the local educational agency to send the applicant an acknowledgment, rather than a signed verification, as specified. The bill would delete the provision requiring the department to mail renewal application materials and instead require the department to provide electronic notification of the availability of these materials to certified nonpublic, nonsectarian schools and agencies at least 120 days before the date their current certification expires. (8) Existing law requires the Superintendent of Public Instruction to review existing tests that assess the English language development of pupils whose primary language is a language other than English. Existing law requires pupils in kindergarten and first grade to be assessed in English listening and speaking, and, once an assessment is developed, early literacy skills. Existing law requires an early literacy assessment to be administered for a period of 4 years beginning after the initial administration of the assessment or until July 1, 2014, whichever occurs first. This bill would instead require this early literacy assessment to be administered for a period of 4 years beginning after the initial administration of the assessment or until July 1, 2017, whichever occurs last.

AB 1643 *Pupil attendance: school attendance review boards*

Buchanan (1) Existing law authorizes the establishment of county and local school attendance review boards that may promote the use of alternatives to the juvenile court system if available public and private services are insufficient or inappropriate to correct school attendance or school behavior problems, and specifies the membership of each school attendance review board. Existing law provides that any minor pupil who is a habitual truant, is irregular in attendance at school, or is habitually insubordinate or disorderly during attendance at school may be referred to a school attendance review board. This bill would authorize a county school attendance review board to accept referrals or requests for hearing services from one or more school districts within its jurisdiction. The bill would authorize a county school attendance review board to be operated through a consortium or partnership of a county with one or more school districts or between 2 or more counties. The bill would add representatives from at least one county district attorney's office and one county public defender's office to both county and local school attendance review boards, as specified. (2) Existing law requires the county superintendent of schools, if a county school attendance review board exists, to convene a meeting of the county school attendance review board at the beginning of each school year, as provided. This bill would specify that, for purposes of conducting hearings, the county school attendance review board is authorized to meet as needed, and would further authorize the chairperson of the county school attendance review board to determine the members needed at those hearings, as specified. (3) Existing law authorizes a county school attendance review board to provide consultant services to, and coordinate the activities of, local school attendance review boards, as provided. This bill would instead authorize a county school attendance review board to provide guidance to local school attendance review boards.

AB 1668 *Educational facilities: California Educational Facilities Authority*

Wieckowski (1) Existing law, the California Educational Facilities Authority Act, establishes the California Educational Facilities Authority for purposes of, among other things, providing private institutions of higher education within the state an additional means by which to expand, enlarge, and establish certain educational facilities, finance those facilities, and refinance existing facilities. Under the act, existing law defines "bond" to mean bonds, notes, debentures, or other securities of the authority issued pursuant to the act. This bill would instead define "bond" to mean bonds, notes, debentures, securities, or other evidences of indebtedness of the authority issued pursuant to the act. (2) Existing law provides that the authority has the power to, among other things, receive and accept, from any federal or other public agency or governmental entity, grants or loans for or in aid of the acquisition or construction of any project, and to receive and accept aid or contributions from any other source, of either money, property, labor, or other things of value, to be held, used, and applied only for the purposes for

which the grants, loans, and contributions may be made. This bill would instead provide that the authority has the power to, among other things, receive and accept from any source, loans, contributions, or grants for, or in aid of, the acquisition, construction, financing, or refinancing of a project, or any portion of a project, in money, property, labor, or other things of value. (3) Existing law authorizes the authority, from time to time, to, among other things, issue its negotiable notes and negotiable bonds for any corporate purpose. Existing law also authorizes the authority to issue negotiable bond anticipation notes in anticipation of the sale of the negotiable bonds. This bill would instead authorize the authority, from time to time, to, among other things, issue notes and bonds for any corporate purpose. The bill would authorize the authority to issue bond anticipation notes in anticipation of the sale of the bonds. (4) Existing law, in the discretion of the authority, authorizes any bonds issued under the act to be secured by a trust agreement by and between the authority and a corporate trustee or trustees, as specified. Existing law authorizes the trust agreement or resolution providing for the issuance of bonds to contain any provisions the authority deems reasonable and proper for the security of the bondholders, including any provisions for protecting and enforcing the rights and remedies of the bondholders as may be reasonable and proper. This bill would provide that any provision the authority may include in a trust agreement or resolution providing for the issuance of bonds under the act may also be included in a bond and the provision shall have the same effect. (5) Existing law requires a bond issued under the provisions of the act to contain on its face a statement to the effect that, among other things, neither the state nor the authority shall be obligated to pay the bond or the interest on the bond except from the revenues of the project, or the portion of the project, for which the bond is issued. This bill would require the statement described above to be included on the bond, but not necessarily on its face. (6) Existing law requires all moneys received pursuant to the authority of the act to be deemed to be trust funds to be held and applied solely as provided in the act, whether as proceeds from the sale or bonds or as revenues. This bill would instead require all moneys received pursuant to the authority of the act to be deemed to be trust funds to be held and applied solely as provided for in the act, whether as proceeds from selling or incurring bonds or as revenues. The bill would also make numerous nonsubstantive changes to these provisions. (7) This bill would declare that it is to take effect immediately as an urgency statute.

AB 1719
Weber

Kindergarten: evaluation and annual reporting

Existing law provides that school districts offering kindergarten may maintain kindergarten classes at different school sites for different lengths of time. This bill would require the Superintendent of Public Instruction to provide the Legislature no later than July 1, 2017, with an evaluation of kindergarten program implementation in the state, including part-day and full-day kindergarten programs, as specified. The bill would make these provisions operative only upon an appropriation by the Legislature for these purposes. The bill would require a local educational agency, commencing with the 2015-16 school year, to provide an annual report to the State Department of Education that contains information on the type of kindergarten program offered by the local educational agency, as provided, in a manner determined by the department.

AB 1806
Bloom

Pupil services: homeless children or youth

(1) Existing law, if an individual with exceptional needs is a foster child, as defined, and the local educational agency has proposed a change of placement due to an act for which a decision to recommend expulsion is at the discretion of the principal or the district superintendent of schools, requires the attorney for the individual with exceptional needs and an appropriate representative of the county child welfare agency to be invited to participate in the individualized education program team meeting that makes a manifestation determination, as specified. This bill, if an individual with exceptional needs is a homeless child or youth, as defined, and the local educational agency has proposed a change of placement due to an act for which a decision to recommend expulsion is at the discretion of the principal or the district

superintendent of schools, would require the designated local educational agency liaison for homeless children and youth to be invited to participate in the individualized education program team meeting that makes a manifestation determination, as specified. (2) Existing law, if the decision to recommend expulsion is a discretionary act and the pupil is a foster child, as defined, requires the governing board of the school district to provide notice of the expulsion hearing to the pupil's attorney and an appropriate representative of the county child welfare agency, as specified. Existing law, if a recommendation of expulsion is required and the pupil is a foster child, as defined, authorizes the governing board of the school district to provide notice of the expulsion hearing to the pupil's attorney and an appropriate representative of the county child welfare agency, as specified. This bill, if the decision to recommend expulsion is a discretionary act and the pupil is a homeless child or youth, as defined, would require the governing board of the school district to provide notice of the expulsion hearing to the designated local educational agency liaison for homeless children and youth, as specified. The bill, if a recommendation of expulsion is required and the pupil is a homeless child or youth, as defined, would authorize the governing board of the school district to provide notice of the expulsion hearing to the designated local educational agency liaison for homeless children and youth, as specified. (3) Existing law requires a school district to exempt a pupil in foster care, as defined, who transfers between schools any time after the completion of the pupil's 2nd year of high school from all coursework and other requirements adopted by the governing board of the school district that are in addition to certain statewide coursework requirements unless the school district makes a finding that the pupil is reasonably able to complete the school district's graduation requirements in time to graduate from high school by the end of the pupil's 4th year of high school. Existing law requires, among other things, the school district to take specified actions if it determines that the pupil in foster care is reasonably able to complete the school district's graduation requirements within the pupil's 5th year of high school. This bill would extend these provisions to a pupil who is a homeless child or youth, as defined. By requiring school districts to perform additional duties in complying with the exemption requirements, the bill would impose a state-mandated local program. (4) Existing law requires a school district and county office of education to accept coursework satisfactorily completed by a pupil in foster care, as defined, while attending another public school, a juvenile court school, or a nonpublic, nonsectarian school or agency even if the pupil did not complete the entire course and requires the school district and county office of education to issue that pupil full or partial credit for the coursework completed. Existing law prohibits a school district or county office of education from, among other things, requiring a pupil in foster care to retake a course if the pupil has satisfactorily completed the entire course in a public school, a juvenile court school, or a nonpublic, nonsectarian school or agency. Existing law provides that a pupil in foster care shall not be prohibited from retaking or taking a course to meet the eligibility requirements for admission to the California State University or the University of California. This bill would extend these provisions to a pupil who is a homeless child or youth, as defined. By requiring a school district and county office of education to perform additional duties in complying with the requirements to accept coursework, the bill would impose a state-mandated local program.

AB 1817 *Voter registration: high school pupils*

Gomez

Existing law permits a county elections official to deputize as registrars of voters qualified citizens, and permits a deputy registrar to register persons to vote. Existing law requires the last two full weeks in April and in September to be known as "high school voter weeks," during which time deputy registrars of voters are allowed to register to vote students and school personnel on high school campuses in areas designated by the school administration. This bill would instead designate the last two full weeks in April and in September to be "high school voter education weeks," during which time persons authorized by the county elections official are allowed to register to vote students and school personnel on high school campuses in areas designated by the administrator of the high school, or his or her designee. Under existing law, a person may not be registered as a voter except by affidavit of registration. A person is entitled to register to vote if he or she is a United States citizen, a resident of California, not in prison or on

parole for the conviction of a felony, and at least 18 years of age at the time of the next election. Existing law requires a properly executed affidavit of registration to be deemed effective upon receipt of the affidavit by the county elections official, if received on or before the 15th day prior to an election, or as otherwise specified. Existing law, operative when the Secretary of State certifies that the state has a statewide voter registration database that complies with the requirements of the federal Help America Vote Act of 2002, authorizes a person who is at least 17 years of age and otherwise meets all voter eligibility requirements to submit his or her affidavit of registration. The affidavit of registration is deemed effective as of the date the affiant will be 18 years of age. This bill would permit the administrator of a high school, or his or her designee, to appoint one or more pupils who are enrolled at that high school to be voter outreach coordinators. This bill would permit a voter outreach coordinator to coordinate voter registration activities on the high school campus that would encourage eligible persons to apply to register to vote by submitting an affidavit of registration. This bill would permit the voter outreach coordinator, with the approval of the administrator or his or her designee, to coordinate other election-related activities on his or her high school campus, as specified.

AB 1840 *Pupil health: vision appraisal*

Campos Existing law requires, upon first enrollment in a California school district of a child at a California elementary school, and at least every 3rd year thereafter until the child has completed the 8th grade, the child's vision to be appraised by the school nurse or other authorized person, as specified. This bill would authorize a child's vision to be appraised by using an eye chart or any scientifically validated photoscreening test. The bill would require photoscreening tests to be performed, under an agreement with, or the supervision of, an optometrist or ophthalmologist, by the school nurse or a trained individual who meets requirements established by the State Department of Education.

AB 1851 *School attendance: interdistrict attendance*

Bradford Existing law authorizes the governing boards of 2 or more school districts to enter into an agreement for the interdistrict attendance of pupils who are residents of the school districts. If the governing board of either of 2 school districts subject to such an agreement fails to approve a request for a permit to attend another school district that is also a party to the agreement within 30 calendar days after the person having legal custody of a pupil has requested the permit, or, in the absence of an agreement between the school districts, fails or refuses to enter into an agreement, the person requesting the permit shall be advised of the right to appeal to the county board of education, as specified. Existing law requires the county board of education, within 30 calendar days after the appeal is filed, to determine whether the pupil should be permitted to attend the school district in which the pupil desires to attend and the applicable period of time, unless the county board of education is located in a class 1 or class 2 county, as defined, in which case the county board of education, until July 1, 2015, is required to make this determination within 40 schooldays. This bill would instead, until July 1, 2018, require a county board of education located in a class 1 or class 2 county, as defined, to determine within 40 schooldays whether the pupil should be permitted to attend the school district in which the pupil desires to attend and the applicable period of attendance.

AB 1930 *CalFresh: student eligibility*

Skinner Existing federal law provides for the Supplemental Nutrition Assistance Program (SNAP), known in California as CalFresh, formerly the Food Stamp Program, under which supplemental nutrition assistance benefits allocated to the state by the federal government are distributed to eligible individuals by each county. Under existing law, households are eligible to receive CalFresh benefits to the extent permitted by federal law. Existing federal law provides that students who are enrolled in college or other institutions of higher education at least half time are not eligible for SNAP benefits unless they meet one of several specified exemptions, including participating in specified employment training programs. This bill would provide that,

for the purposes of determining eligibility, certain educational programs, as determined by the State Department of Social Services, shall be considered employment training programs, thereby qualifying a student participating in one of those programs for an exemption, unless prohibited by federal law. The bill would also require the State Department of Social Services, in consultation with representatives from other specified organizations, to establish a protocol to identify and verify all potential exemptions and to identify and verify participation in educational programs, including self-initiated placements, that would qualify a student for an exemption. The bill would require the department to implement these provisions by all-county letters or similar instructions beginning no later than October 1, 2015, until regulations are adopted, and would require the department to adopt regulations on or before October 1, 2017. The bill would require the department to seek and obtain federal approval, as specified, prior to publishing that guidance or regulation, if the United States Department of Agriculture requires federal approval.

AB 1942 *Community colleges: accreditation*
Bonta Existing law establishes the California Community Colleges under the Board of Governors of the California Community Colleges, which consists of 16 voting members and one nonvoting member, as specified. Existing law requires the Board of Governors of the California Community Colleges to establish minimum conditions entitling a community college district to receive state aid for the support of the community colleges. This bill would require the board of governors, in determining whether a community college district satisfies those minimum conditions, to review the accreditation status of the community colleges within that district. Under its existing regulatory authority, the Board of Governors of the California Community Colleges requires each community college to be accredited and has designated the Accrediting Commission for Community and Junior Colleges as the accrediting agency. This bill would require the accrediting agency of the community colleges to report to the appropriate subcommittees of the Legislature upon the agency's issuance of a decision that affects the accreditation status of a community college and, on a biannual basis, any accreditation policy changes that affect the accreditation process or status for a community college.

AB 1993 *Pupils: bullying*
Fox Existing law, the Interagency School Safety Demonstration Act of 1985, among other things, requires the Department of Justice and the State Department of Education to contract with one or more professional trainers to coordinate statewide workshops for school districts, county offices of education, and school site personnel, and in particular school principals, to assist them in the development of their respective school safety and crisis response plans, and provide training in the prevention of bullying, as defined. This bill would require the department to develop an online training module to assist all school staff, school administrators, parents, pupils, and community members in increasing their knowledge of the dynamics of bullying and cyberbullying, as specified.

AB 2141 *Pupil attendance: truancy: referrals for prosecution*
Hall Existing law defines a truant as any pupil subject to compulsory full-time education or to compulsory continuation education who is absent from school without a valid excuse 3 full days in one school year, or tardy or absent for more than any 30-minute period during the schoolday without a valid excuse on 3 occasions in one school year, or any combination thereof. Existing law provides that a pupil who is required to be reported as a truant is subject to specified penalties for the first to 4th instances that a truancy report is issued to a pupil, and, under certain circumstances, he or she may be judged a ward of the juvenile court. Existing law provides that a parent, guardian, or other person having control of or charge of any pupil who is a truant or chronic truant is guilty of, among other things, an infraction and subject to specified penalties for the first to 3rd or subsequent convictions. Existing law provides that any minor pupil who is a habitual truant, is irregular in attendance at school, or is habitually insubordinate or disorderly

during attendance at school may be referred to a school attendance review board or to the probation department for services if the probation department has elected to receive these referrals. Existing law, under specified circumstances, authorizes a school attendance review board to notify the district attorney or the probation officer, or both, if the district attorney or the probation officer has elected to participate in a truancy mediation program, as specified. Existing law, under specified circumstances, also authorizes a school attendance review board or probation officer to direct the county superintendent of schools to request a petition on behalf of the pupil in the juvenile court of the county. This bill would require a state or local agency conducting a truancy-related mediation or prosecuting a pupil or a pupil's parent or legal guardian pursuant to these provisions, among others, to provide the school district, school attendance review board, county superintendent of schools, probation department, or any other agency that referred the truancy-related mediation, criminal complaint, or petition with the outcome of each referral, as specified.

AB 2160 *Cal Grant Program: grade point average*

Ting

The Cal Grant Program establishes the Cal Grant A and B Entitlement Awards, the California Community College Transfer Cal Grant Entitlement Awards, the Competitive Cal Grant A and B Awards, the Cal Grant C Awards, and the Cal Grant T Awards under the administration of the Student Aid Commission, and establishes eligibility requirements for awards under these programs for participating students attending qualifying institutions. A provision of the program specifies that the commission shall require that a grade point average be submitted, as specified, to the commission for Cal Grant A and B applicants, except for those applicants permitted to provide test scores in lieu of a grade point average. This bill would require that each pupil enrolled in grade 12, except for pupils who opt out, as specified, be deemed a Cal Grant applicant. The bill would require that a grade point average be submitted for all Cal Grant A and B applicants, and submitted electronically for all grade 12 pupils at public schools, including charter schools, each academic year, except for pupils who have opted out, as specified, and would provide that grade point averages submitted shall be subject to review by the commission or its designee. The bill would require the school district or charter school, no later than October 15 of a pupil's grade 12 academic year, to notify, in writing, each grade 12 pupil and his or her parent or guardian that the pupil will be deemed a Cal Grant applicant unless the pupil is opted out, and would specify a procedure for opting out.

AB 2195 *Juveniles: truancy*

Achadjian

Existing law provides that a juvenile hearing officer may hear and dispose of any case in which a minor is alleged to have committed any one of specified misdemeanors or infractions. In those cases, the juvenile court is known as the Informal Juvenile and Traffic Court. Existing law also provides that a minor may be adjudged to be a ward of the juvenile court on the basis of certain noncriminal conduct, including truancy, as specified. This bill would authorize a juvenile hearing officer to hear cases in which a minor is alleged to come within the jurisdiction of the juvenile court on the basis of truancy, as specified. The bill would authorize a hearing before a juvenile hearing officer, referee, or judge to be conducted upon a written notice to appear for truancy, with the consent of the minor. The bill would prohibit a judge, referee, or juvenile hearing officer from proceeding with a hearing of a minor on the basis of truancy unless the court has been presented with evidence that the minor's school has undertaken certain actions to address the minor's truancy and the available record of previous attempts to address the minor's truancy. The bill would provide that a court in these cases may restrict the minor's driving privilege, order the minor to pay a fine of not more than \$50, and order the minor to perform community service. The bill would, among other things, authorize the judge, referee, or juvenile hearing officer to give the minor the opportunity to demonstrate improved attendance before imposing those orders.

AB 2350 *Postsecondary education: Equity in Higher Education Act: prevention of pregnancy discrimination*
 Bonilla

Existing law, known as the Donahoe Higher Education Act, sets forth, among other things, the missions and functions of California's public and independent segments of higher education and their respective institutions of higher education. Provisions of the act apply to the University of California only to the extent that the Regents of the University of California, by appropriate resolution, act to make a provision applicable. A portion of the Donahoe Higher Education Act known as the Equity in Higher Education Act declares, among other things, that it is the policy of the State of California that all persons, regardless of their sex, should enjoy freedom from discrimination of any kind in the postsecondary educational institutions of the state. This bill would express various legislative findings and declarations relating to pregnancy discrimination. The bill would add to the Equity in Higher Education Act a provision specifying that this policy of freedom from discrimination includes, but is not limited to, freedom from pregnancy discrimination as described in a specified federal statute. This bill would prohibit postsecondary educational institutions, including the faculty, staff, or other employees of these institutions, from requiring a graduate student to take a leave of absence, withdraw from the graduate program, or limit his or her graduate studies solely due to pregnancy or pregnancy-related issues. The bill would require postsecondary educational institutions, including the faculty, staff, or other employees of these institutions, to reasonably accommodate pregnant graduate students, as specified, so that they may complete their graduate courses of study and research. The bill would also allow a graduate student who chooses to take a leave of absence because she is pregnant or has recently given birth a period consistent with the policies of the postsecondary educational institution, or a period of 12 additional months, whichever period is longer, to prepare for and take preliminary and qualifying examinations and an extension of at least 12 months toward normative time to degree while they are in candidacy for a graduate degree, unless a longer extension is medically necessary. The bill would allow a graduate student who is not the birth parent and who chooses to take a leave of absence because of the birth of his or her child a period consistent with the policies of the postsecondary educational institution, or a period of one month, whichever period is longer, to prepare for and take preliminary and qualifying examinations, and an extension of at least one month toward normative time to degree while he or she is in candidacy for a graduate degree, unless a longer period or extension is medically necessary to care for his or her partner or their child. The bill would provide that an enrolled graduate student in good academic standing who chooses to take a leave of absence because she is pregnant or has recently given birth would return to her program in good academic standing following a leave period that is consistent with the policies of the postsecondary educational institution, or a period of up to one academic year, whichever period is longer, subject to the reasonable administrative requirements of the institution, unless there is a medical reason for a longer absence, in which case her standing in the graduate program would be maintained during that period of absence. The bill would also provide that an enrolled graduate student in good academic standing who is not the birth parent and who chooses to take a leave of absence because of the birth of his or her child would return to his or her program in good academic standing following a leave period that is consistent with the policies of the postsecondary educational institution, or a period of up to one month, whichever period is longer, subject to the reasonable administrative requirements of the institution. The bill would require each postsecondary educational institution to have a written policy for graduate students on pregnancy discrimination and procedures for addressing pregnancy discrimination complaints under Title IX or this bill. The bill would require a copy of this policy to be made available to faculty, staff, and employees in their required training, and made available to all graduate students attending orientation sessions at a postsecondary educational institution.

AB 2377 *Student loans: California Student Loan Refinancing Program*
 John A. Under existing law, the California Educational Facilities Authority Act, the California
 Pérez Educational Facilities Authority is, among other things, authorized to borrow money and issue

bonds, notes, and other obligations. The authority is also authorized to hold or invest in student loans, create pools of student loans, and sell bonds bearing interest on a taxable or tax-exempt basis or other interests backed by the pools of student loans. This bill would establish the California Student Loan Refinancing Program under the administration of the authority, with the goal of helping eligible college graduates to refinance student loan debt at favorable rates by creating a revolving fund so that additional refinancing may occur to help more qualified borrowers, as defined, through the creation of a loss reserve account, as defined. The bill would authorize the authority to contract with any financial institution, as defined, for the purpose of allowing the financial institution to participate in the program. The bill would require the authority to establish a loss reserve account, consisting of moneys deposited by the authority, as specified, for each financial institution with which the authority enters into a contract. The bill would specify the conditions under which a qualified loan, as defined, may be enrolled in the program in order to obtain the protection against loss provided by its loss reserve account. The bill would establish eligibility requirements for qualified borrowers to participate in the program. The bill would require the authority to submit an annual report to the Governor and the Legislature describing the program's financial condition and results, as specified. The bill would authorize the board of the authority to adopt emergency regulations for the implementation of the program established by the bill. Because this bill would authorize the authority to raise and expend funds for new purposes, the bill would make an appropriation.

AB 2382
Bradford

CalWORKs: eligibility: truancy

(1) Existing federal law provides for allocation of federal funds through the federal Temporary Assistance for Needy Families (TANF) block grant program to eligible states, with California's version of this program being known as the California Work Opportunity and Responsibility to Kids (CalWORKs) program. Under the CalWORKs program, each county provides cash assistance and other benefits to qualified low-income families and individuals who meet specified eligibility criteria, including participating in specified welfare-to-work activities. Existing law exempts from these welfare-to-work requirements a child who is under 16 years of age or attending an elementary, secondary, vocational, or technical school on a full-time basis. Existing law conditions the receipt of CalWORKs aid upon the school attendance of all children in an assistance unit who are subject to compulsory education, as specified. Existing law further requires that this attendance requirement be included in the recipient's welfare-to-work plan. Under existing law, if the county determines that an eligible child under 16 years of age is not regularly attending school as required, the county is prohibited from considering the needs of all adults in an assistance unit in computing the grant of a family, unless the county determines that good cause exists. Existing law prohibits the needs of a child 16 years of age or older from being considered in computing the grant to the family if the county determines that he or she has not been regularly attending school or participating in a welfare-to-work plan, unless the county determines that good cause exists. This bill would revise these requirements by, among other things, deleting the requirement that the aid grant of a family be reduced if the county determines that an eligible child under 16 years of age is not regularly attending school. The bill would authorize, if the county determines that a child is not attending school, the county to inform the family of how to enroll the child in a continuation school within the county and screen the family to determine its eligibility for family stabilization services, as specified. The bill would require the county, if applicable, to document that the family was given this information and was screened for those services. The bill would allow the county to consider the needs of a child in the assistance unit who is 16 years of age or older in computing the grant to the family for any month in which the county is informed by a school district or a county school attendance review board that the child did not attend school if at least one of several circumstances is present, including that the county is provided with evidence that the child has been attending school or there is good cause for school nonparticipation at any time during the month. The bill would provide that a child whose needs are excluded from computing the family grant would remain eligible for services that may lead to school attendance. To the extent this bill would increase benefit amounts and impose additional duties on counties, the bill would

impose a state-mandated local program. (2) 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.

AB 2560 *Teacher credentialing: applications: child abuse reporting*

Bonilla Existing law requires the Commission on Teacher Credentialing to establish standards and procedures for the initial issuance and renewal of teaching credentials. Existing law, the Child Abuse and Neglect Reporting Act, requires a mandated reporter, as defined to include a teacher, to report whenever he or she, in his or her professional capacity or within the scope of his or her employment, has knowledge of or observes a child whom the mandated reporter knows or reasonably suspects has been the victim of child abuse or neglect. This bill would require the commission, as part of its standards and procedures for the issuance or renewal of teaching or services credentials, to require an initial or renewal applicant who submits an initial or renewal application for his or her credential online, or an initial applicant who submits an application in paper form, to read and attest by signature a statement that is substantially in a specified form that the applicant understands the duties imposed on a holder of a teaching credential or a services credential by the Child Abuse and Neglect Reporting Act, as provided.

SB 173 *Education funding: adult education*

Liu (1) Existing law establishes the State Department of Education, under the administration of the Superintendent of Public Instruction, to execute numerous statutes and policies relating to the funding and governance of public elementary and secondary schools throughout the state. Existing law authorizes the governing board of a school district maintaining secondary schools to establish and maintain classes for adults, as specified. Existing law requires the Chancellor of the California Community Colleges and the State Department of Education, pursuant to funding made available in the annual Budget Act, to jointly provide 2-year planning and implementation grants to regional consortia of community college districts and school districts for the development of regional plans for adult education. Existing law requires the chancellor and the department to submit a joint report relating to this adult education consortium program to the Legislature and the Governor on or before March 1, 2015. This bill would require the department, in conjunction with the Office of the Chancellor of the California Community Colleges, as part of a report that is required under existing law, to jointly develop and issue assessment policy recommendations regarding assessments to be used by school districts and community college districts for purposes of placement in adult education courses offered by those districts as part of an adult education consortium. The bill would also require the department and the chancellor's office, as a part of the report required under the adult education consortium program, to jointly develop and issue policy recommendations to the Legislature regarding a comprehensive accountability system for adult education courses offered by school districts and community college districts in accordance with prescribed requirements. The bill would require the chancellor's office and the department to coordinate and issue recommendations, including recommendations as to whether or not fees should be assessed, and fee policy guidelines to be used by school districts and community college districts regarding the authority to charge fees for courses offered pursuant to the adult education consortium program. The bill would require the chancellor's office, in conjunction with the department, to annually report on the number and types of courses being taught and the number of students being served with funding provided to the adult education consortia. The bill would require the chancellor's office to annually report on the number and types of noncredit courses being taught and the number of students being served with funding provided to the community colleges for noncredit courses offered pursuant to a specified statute. The bill would require the chancellor's office to identify any deficits in course offerings based upon levels, types, and needs for adult education programs identified in adult education consortium plans. (2) The bill would require the Commission on Teacher Credentialing and the Academic Senate for California Community

Colleges to jointly develop and submit recommendations to specified policy and fiscal committees of the Legislature for modifying or establishing reciprocity standards for instructors of adult education courses by July 1, 2016.

SB 174 *Student financial aid: Cal Grant Program*

De León

Existing law, the Ortiz-Pacheco-Poochigian-Vasconcellos Cal Grant Program, establishes the Cal Grant A and B Entitlement awards, the California Community College Transfer Cal Grant Entitlement awards, the Competitive Cal Grant A and B awards, the Cal Grant C awards, and the Cal Grant T awards under the administration of the Student Aid Commission, and establishes eligibility requirements for awards under these programs for participating students attending qualifying institutions. Under the Cal Grant B Entitlement Program, awards may be made for access costs, defined as living expenses and expenses for transportation, supplies, and books, in an amount not to exceed \$1,551 annually, as adjusted in the annual Budget Act. This bill would require the Treasurer to certify the amount of moneys available in an academic year from the College Access Tax Credit Fund for distribution, and provide that an amount determined by the Student Aid Commission would be available for expenditure, upon appropriation to the commission by the Legislature in the annual Budget Act, from the College Access Tax Credit Fund, for distribution to students to supplement Cal Grant B access cost awards to bring those students' total annual awards for access costs to not more than \$5,000 and to defray the administrative costs incurred by the commission in implementing the bill. The bill would become operative only if SB 798 is enacted and becomes operative on or before January 1, 2015. This bill would declare that it is to take effect immediately as an urgency statute.

SB 267 *Pupil assessment: high school exit examination: eligible pupils with disabilities*

Pavley

Existing law requires each pupil completing grade 12 to successfully pass the high school exit examination as a condition of receiving a diploma of graduation or as a condition of graduation from high school. Existing law requires the State Board of Education, taking into consideration certain findings and recommendations, to adopt regulations for alternative means by which eligible pupils with disabilities may demonstrate that they have achieved the same level of academic achievement in the content standards required for passage of the high school exit examination. Existing law defines an "eligible pupil with a disability" as a pupil who has an individualized education program or other specified plan that indicates that the pupil has an anticipated graduation date and is scheduled to receive a high school diploma on or after July 1, 2015, who has not passed the high school exit examination but has attempted to pass those sections not yet passed, as specified, and who the school district or state special school certifies has satisfied or will satisfy all other state and local requirements for the receipt of a high school diploma on or after July 1, 2015. Existing law exempts an eligible pupil with a disability from being required to pass the high school exit examination as a condition of receiving a diploma of graduation or as a condition of graduation from high school until the state board makes a determination that the alternative means by which an eligible pupil with disabilities may demonstrate the same level of academic achievement in the portions of, or those content standards required for passage of, the high school exit examination are not feasible or that the alternative means are implemented. Existing law authorizes an eligible pupil with a disability, commencing July 1, 2015, to participate in the alternative means of demonstrating the level of academic achievement in the content standards required for passage of the high school exit examination in the manner prescribed by the regulations adopted by the state board. Existing law authorizes the state board to extend that date by up to one year, as provided. This bill would revise the definition of an "eligible pupil with a disability" by revising the date by which a pupil is required to be scheduled to receive a high school diploma and the date by which the school district or state special school is required to certify that the pupil has satisfied or will satisfy all other state and local requirements for the receipt of a high school diploma to the pupil's anticipated graduation date. The bill would also revise the commencement date for an eligible pupil with a disability to participate in the alternative means of demonstrating the level of

academic achievement in the required content standards to be contingent upon the state board's determination that the alternative means have been implemented. The bill would also repeal the state board's authority to extend that date.

- SB 384**
Gaines *California Memorial Scholarship Program*
Existing law also establishes the Antiterrorism Fund for purposes that include funding antiterrorism activities. Existing law establishes the California Memorial Scholarship Program, administered by the Scholarshare Investment Board and funded by the California Memorial Scholarship Fund. Existing law states that the purpose of the program is to provide scholarships for surviving dependents of California residents killed as a result of injuries sustained during the terrorist attacks of September 11, 2001. Existing law further provides that these scholarships shall be used to defray the costs incurred by participants in the program at institutions of higher education. Existing law requires the California Victim Compensation and Government Claims Board to identify all persons who are eligible for scholarships under the program and to notify them of their eligibility no later than July 1, 2003. Existing law requires eligible persons to inform the Scholarshare Investment Board in a timely manner of their decision on whether to participate in the program and requires eligible persons who are to become participants in the program to execute agreements no later than July 1, 2005. Existing law requires an agreement to specify that any moneys remaining in an account after the 30th birthday of the participant, or not later than July 1, 2015, whichever occurs last, shall revert to the Antiterrorism Fund. This bill would instead require the California Victim Compensation and Government Claims Board to identify, and confirm by documentation, all persons who are eligible for scholarships under the program by use of various methods, including, among others, media outreach and communication with the Special Master of the federal September 11th Victim Compensation Fund, and, after creating a new list of eligible persons, to notify those persons of their eligibility by no later than July 1, 2015. The bill would require the Scholarshare Investment Board to service these scholarships only for individuals determined to be eligible by the California Victim Compensation and Government Claims Board. The bill would require eligible persons who are to become participants in the program to execute participation agreements no later than July 1, 2016, and would require those agreements to revert the moneys remaining in a participant's account to the Antiterrorism Fund after the 30th birthday of the participant, or not later than July 1, 2026, whichever occurs last. This bill would declare that it is to take effect immediately as an urgency statute.
- SB 798**
De León *Income taxes: credits contributions to education funds*
The Personal Income Tax Law and the Corporation Tax Law allow various credits against the taxes imposed by those laws. This bill, under both laws, for taxable years beginning on or after January 1, 2014, and before January 1, 2017, would allow a credit equal to a certain percentage of a contribution to the College Access Tax Credit Fund, established by this bill, for specified education purposes, as provided. The bill would specify that the aggregate amount of credit that may be allocated under both laws shall not exceed \$500,000,000 for each calendar year, as specified, and would require the California Educational Facilities Authority to perform certain duties with regard to allocating and certifying the tax credits allowed under these provisions. This bill would become operative only if SB 174 of the 2013-14 Regular Session is enacted and takes effect on or before January 1, 2015. This bill would declare that it is to take effect immediately as an urgency statute.
- SB 845**
Correa *Postsecondary education: electronic disbursement of student financial aid*
Existing law provides for the missions and functions of the private and public segments of postsecondary education in the state. Existing law establishes various student financial aid programs for students attending segments of postsecondary education. This bill would require the Board of Governors of the California Community Colleges and the Trustees of the California State University, and would request the Regents of the University of California and

each governing body of an accredited private postsecondary educational institution, to develop, in consultation with stakeholders, one or more model contracts for use at their respective systems for the disbursement of a financial aid award, scholarship, campus-based aid award, or school refund on a debit, prepaid, or preloaded card, and to make these model contracts, and all binding contracts of this nature, publicly available on their respective Internet Web sites. The bill would also require that each model contract consider the best interests of students and contain provisions that reflect conditions required for compliance with federal regulations governing the disbursement of federal financial aid. The bill would also require the board of governors and the trustees, and would additionally request the regents and each governing body of an accredited private postsecondary educational institution, when developing each of their respective model contracts, to consider specified information.

SB 850
Block

Public postsecondary education: community college districts: baccalaureate

Existing law establishes the California Community Colleges, under the administration of the Board of Governors of the California Community Colleges, as one of the segments of public postsecondary education in this state. Existing law requires the board of governors to appoint a chief executive officer, to be known as the Chancellor of the California Community Colleges. Existing law establishes community college districts, administered by governing boards, throughout the state, and authorizes these districts to provide instruction to students at the community college campuses maintained by the districts. Existing law requires community colleges to offer instruction through, but not beyond, the 2nd year of college and authorizes community colleges to grant associate degrees in arts and science. This bill would, commencing January 1, 2015, authorize the board of governors, in consultation with the California State University and the University of California, to establish a statewide baccalaureate degree pilot program at not more than 15 community college districts, with one baccalaureate degree program each, to be determined by the chancellor and approved by the board of governors. The bill would prohibit each participating district from offering more than one baccalaureate degree program within the district, as specified. The bill would require a district baccalaureate degree pilot program to commence by the beginning of the 2017-18 academic year, and would require a student participating in a baccalaureate degree pilot program to complete his or her degree by the end of the 2022-23 academic year. The bill would require participating community college districts to meet specified requirements, including, but not limited to, offering baccalaureate degree programs and program curricula not offered by the California State University or the University of California, and in subject areas with unmet workforce needs, as specified. This bill would also require the governing board of a participating community college district to submit certain items for review by the chancellor and approval by the board of governors, including, among other things, the administrative plan for the baccalaureate degree pilot program and documentation of consultation with the California State University and the University of California. The bill would provide that the Legislative Analyst's Office shall conduct both a statewide interim evaluation and a statewide final evaluation of the statewide baccalaureate degree pilot program implemented under this article, as specified, and report to the Legislature and Governor, in writing, the results of the interim evaluation on or before July 1, 2018, and the results of the final evaluation on or before July 1, 2022. The bill would provide that on or before March 31, 2015, the board of governors shall develop, and adopt by regulation, a funding model for the support of the statewide baccalaureate degree pilot program, as specified. This bill would make these provisions inoperative on July 1, 2023, and would repeal the provisions on January 1, 2024.

SB 915
Hill

Standardized testing: inadequate or improper test conditions

Existing law imposes various requirements on a test sponsor, also known as a test agency, with respect to the administration of standardized tests for purposes of postsecondary education. Existing law provides that a test sponsor that intentionally violates these provisions is liable for a civil penalty not to exceed \$750 for each violation. Existing law provides that these requirements do not apply to instances where the cancellation of all test scores results from

the complete disruption of the administration of the test, such as by natural disasters, national emergencies, inadequate or improper test conditions, answer sheet printing errors, or testing agency errors. This bill would require a test agency, where there has been a complaint or a notice of inadequate or improper test conditions relating to an administration of an Advanced Placement test, to immediately initiate an investigation. The bill would require the school in charge of the test site to cooperate with the test agency's investigation by providing information requested by the test agency, as specified. If the test agency, upon completing the investigation, determines that the inadequate or improper test conditions will prevent it from reporting valid test scores, the bill would require the test agency to notify the school in charge of the test site of the decision within 2 business days. The bill would require the school in charge of the test site, following notification from the test agency of the decision that scores will not be reported, to notify the affected test subjects of the decision within 2 business days. The bill would require the school in charge of the test site to provide all affected test subjects with at least 5 business days' prior notice of an opportunity to retest. The bill would require such a retest to be administered within 30 calendar days of the completion of the investigation. The bill would require proctors administering an Advanced Placement test to create a seating chart, including the seat location of each test subject, for each Advanced Placement test administered at the test site. The bill would further require the school in charge of the test site to retain and preserve each such seating chart for at least one year after the administration of the Advanced Placement test to which that seating chart applies. The bill would require the school in charge of the test site to submit these seating charts to the test agency upon its request to assist with its investigation of a complaint or notice of inadequate or improper test conditions. An intentional violation of these requirements would subject a test sponsor to the civil penalty referenced above.

SB 949
Jackson

After school programs: Distinguished After School Health Recognition Program

Existing law, the Child Care and Development Services Act, provides, among other things, a comprehensive, coordinated, and cost-effective system of child care and development services for children from infancy to 13 years of age and their parents, including a full range of supervision, health, and support services through full- and part-time programs. Existing law also provides for the licensure and regulation of various types of child care facilities, including day care centers, by the State Department of Social Services. This bill, until January 1, 2018, would establish the Distinguished After School Health (DASH) Recognition Program, to be administered by the State Department of Education. The bill would require the department to develop a process, administered on the department's Internet Web site, whereby an after school program, as defined, may be recognized as meeting prescribed requirements, including training staff on healthy eating and physical activity, providing healthy food and drinks to program attendees, and providing program attendees with physical activity and limited screen time, as defined. The bill would require the department to include in the process on the Internet Web site an option to create a certificate, using a template designed by the department, that includes specified information, including a document, signed by the after school program director, demonstrating the manner in which the after school program meets the above requirements. The bill would provide that the certificate would be valid for one year and would require the department to post a list of after school programs that have qualified on its Internet Web site. The bill would provide that funding for the DASH Recognition Program is subject to an appropriation being made for these purposes in the annual Budget Act or another statute, or the receipt of funding from nonstate sources.

SB 1022
Huff

Public postsecondary education: labor market outcomes information

Existing law establishes the California State University and the University of California as 2 of the segments of public postsecondary education in this state. Instruction is provided to students at the 23 institutions constituting the California State University and the 10 institutions constituting the University of California. This bill would require the California State University,

and request the University of California, to publicly provide labor market outcome information relating to the graduates of their undergraduate programs and authorize the California State University and the University of California to publicly provide labor market outcome information relating to the graduates of their graduate programs. The labor market outcome information to be provided pursuant to the bill would include, but not necessarily be limited to, salary data, and the percentage distribution of graduates, classified by industry. The bill would specify requirements for presentation of this data, including the use of easily understood labor market measures, aggregation of the data to the systemwide level and by particular areas of study, timeframes after graduation for the presentation of the data in each labor market outcome category, and adherence to pertinent state and federal privacy laws. The bill would also express the intent of the Legislature that the California State University publicly provide prematriculation labor market data for graduates at the point in time 6 years before they received their degrees. The bill would require that this information be made publicly available through publication on the Internet Web sites of the respective segments, and updated no later than June 1 of each year.

SB 1023

Liu

Community colleges: foster youth

Existing law establishes the California Community Colleges, under the administration of the Board of Governors of the California Community Colleges, as one of the segments of public postsecondary education in this state. Existing law establishes community college districts throughout the state, and authorizes them to operate campuses and provide instruction. This bill would authorize the Office of the Chancellor of the California Community Colleges to enter into agreements with up to 10 community college districts to provide additional funds for services in support of postsecondary education for foster youth. The bill would provide that these services include, when appropriate, but are not necessarily limited to, outreach and recruitment, service coordination, counseling, book and supply grants, tutoring, independent living and financial literacy skills support, frequent in-person contact, career guidance, transfer counseling, child care and transportation assistance, and referrals to health services, mental health services, housing assistance, and other related services. The bill would require a community college district that wishes to participate in this program to apply to the board of governors for funding under the program created by the bill, as specified. The bill would require, if more than 10 community college districts apply for funding, the board of governors to give priority to those districts with the higher number of eligible students. The bill would require that a participating student be a current or former foster youth in California whose dependency was established or continued by the court on or after the student's 16th birthday and be no older than 25 years of age at the commencement of any academic year in which he or she participates in the program. The bill would express the intent of the Legislature that, consistent with specified requirements in the Seymour-Campbell Student Success Act of 2012, and to the extent that a participating community college meets specified responsibilities set forth in that act, any student who participates in the program established by this bill also receive specified matriculation services under that act. The bill would require the board of governors to adopt regulations for the program and to be responsible for the administration of funds for the program, as specified. The bill would require the board of governors to submit a biennial report, commencing no later than March 31, 2018, and every 2 years thereafter, providing prescribed information, including recommendations on whether and how the program can be expanded to all community college districts and campuses. The bill would be operative in a fiscal year only if sufficient funds have been appropriated for purposes of the bill for that fiscal year.

SB 1028

Jackson

Student financial aid: Cal Grant C awards

Existing law, the Ortiz-Pacheco-Poohigian-Vasconcellos Cal Grant Act, establishes the Cal Grant C program under the administration of the Student Aid Commission and establishes eligibility requirements for awards under this program. The act requires that a Cal Grant C award be used only for occupational or technical training, as defined, in a course of not less than

4 months. The act requires the commission, after consultation with state and federal agencies, to determine the areas of occupational or technical training for which Cal Grant C awards shall be awarded. Existing law also requires the Student Aid Commission to develop, and regularly review and update at least every 5 years, the areas of occupational or technical training for which students may utilize Cal Grant C awards and to give priority in granting the awards to students pursuing occupational or technical training in areas that meet specified criteria. The act requires the commission to give priority in granting the awards to students pursuing occupational or technical training in areas that meet specified criteria. This bill would revise and recast the act in regard to Cal Grant C awards to, among other things, require the commission to give special consideration to the social and economic situations of the students applying for the grants, giving additional weight to applicants facing specified challenges. In determining the individual award amounts, the bill would additionally require the commission to take into account the financial means available to the student to fund his or her course of study and costs of attendance. The bill would revise the criteria that areas of occupational or technical training are required to meet to be given priority for awards, as specified. The bill would require the commission, in consultation with specified entities, for purposes of the Cal Grant C program, to prioritize occupational training programs and industry clusters. The bill would require the commission to consult with specified public entities to develop a plan to publicize the grant award program to California's long-term unemployed to be used by those specified public entities when they come into contact with members of the population who are likely to be experiencing long-term unemployment and would require the commission to develop a plan to make students receiving awards aware of job search and placement services available through specified public entities. The bill would specify that the local workforce investment boards are required to participate in the outreach efforts only to the extent that those efforts are a part of their existing responsibilities under federal law. Existing law authorizes the Director of Employment Development to use information in his or her possession to the extent necessary to achieve specified purposes. This bill would authorize the director, to the extent permitted by federal law and regulations, to provide the commission with wage information to verify the employment status of an individual applying for a Cal Grant C award. This bill would incorporate

SB 1060

School employees: professional growth

Liu

Existing law requires the Commission on Teacher Credentialing to establish standards and procedures for the issuance and renewal of teaching credentials. Existing law expresses the Legislature's intent to encourage teachers to engage in an individual program of professional growth that extends a teacher's content knowledge and teaching skills. Existing law provides that an individualized program of professional growth may consist of specified activities and courses. This bill would require a local educational agency, as defined, that offers a program of professional growth for teachers, administrators, paraprofessional educators, or other classified employees involved in the direct instruction of pupils, to evaluate professional learning that meets based on a specified list of criteria, including, that it is based on a needs assessment of the needs of educators and tied to supporting pupil learning, and would encourage local educational agencies to choose professional learning that meets any of the listed criteria. The bill would specify various activities that may be included as professional learning activities, including collaboration time for teachers to develop new instructional lessons.

SB 1172

Pupil health: vision appraisals

Steinberg

Existing law requires, upon first enrollment in a California school district of a child at an elementary school, and at least every 3rd year thereafter until the child has completed the 8th grade, the child's vision to be appraised by the school nurse or other authorized person, as specified. Existing law requires this appraisal to include tests for visual acuity and color vision. Existing law requires gross external observation of the child's eyes, visual performance, and perception to be done by the school nurse and the classroom teacher. This bill would instead

require a pupil's vision to be appraised by the school nurse or other authorized person during kindergarten or upon first enrollment or entry in a California school district of a pupil at an elementary school, and in grades 2, 5, and 8, except as provided. The bill would revise the functions to be performed by the school nurse and the classroom teacher in observing a pupil's eyes, appearance, and other factors that may indicate vision difficulties. The bill would require the State Department of Education to adopt guidelines to implement those provisions, including training requirements and a method of testing for near vision.

SB 1200 *Public postsecondary education: academic standards*

Padilla The Donahoe Higher Education Act sets forth, among other things, the missions and functions of California's public and independent segments of higher education, and their respective institutions of higher education. Existing law establishes the University of California, under the administration of the Regents of the University of California, and the California State University, under the administration of the Trustees of the California State University, as 2 of the public segments of postsecondary education in this state. A provision of the act requires the California State University and requests the University of California to establish a uniform set of model academic standards for high school courses for pupils who wish to attend those institutions. Existing law establishes the Academic Content Standards Commission and requires the commission to develop internationally benchmarked academic content standards in language arts and mathematics, at least 85% of which are required to be the common core academic standards developed by the Common Core State Standards Initiative consortium or another specified interstate collaboration. This bill would express the Legislature's intent that the University of California and the California State University align their respective model academic standards for high school courses in language arts and mathematics to these academic content standards developed by the commission. The bill would require the trustees and would request the regents to develop guidelines for high school computer science courses to be approved for purposes of recognition for admission to the California State University and the University of California, respectively, and would encourage the University of California to ensure that computer science courses that satisfy the mathematics subject area requirements for admission build upon fundamental mathematics content provided in courses that align with the academic content standards developed by the commission.

SB 1221 *After school programs*

Hancock (1) Existing law establishes the 21st Century High School After School Safety and Enrichment for Teens (ASSETs) program, and requires a high school after school program, established as specified, to consist of an academic assistance element and an enrichment element that include certain things. Existing law requires applicants for grants to ensure that certain requirements are fulfilled, as applicable, including a certification that each applicant or partner in the application agrees, among other things, to provide to the State Department of Education information on participating pupils' schoolday attendance rates, pupil test scores from a specified program, pupil achievement on the high school exit examination, as applicable, and program attendance. This bill would instead require a certification that each applicant or partner in the application agrees, among other things, to provide to the department information on participating pupils' schoolday attendance rates and program attendance. (2) Existing law requires priority for funding pursuant to the ASSETs program to be given to programs that serve pupils attending a school whose most recent score on the Academic Performance Index ranks the school in the lowest 3 deciles and programs that previously received funding, as specified, for expansion of existing grants up to a certain per site maximum or to replace expiring grants that have satisfactorily met their projected attendance goals and demonstrated other positive outcomes regarding, but not limited to, performance on the high school exit examination, graduation rates, schoolday attendance, and positive behavioral changes. This bill would instead require priority for funding to be given to programs that previously received funding, as specified, for expansion of existing grants up to a certain per site maximum or to replace expiring grants that have

satisfactorily met their projected attendance goals. (3) Existing law establishes the After School Education and Safety Program (ASES). Existing law requires a high school after school program established pursuant to the ASSETs program and a program established pursuant to ASES to submit to the department annual outcome-based data for evaluation, including research-based indicators and measurable pupil outcomes, as specified. Existing law requires grantees to submit certain attendance information to demonstrate program effectiveness, and, to demonstrate program effectiveness based upon individual program focus, requires programs to select one or more measures, as specified, to be submitted annually. Existing law provides that those measures include positive behavioral changes, as specified, for programs established pursuant to the ASSETs program pupil performance on the high school exit examination and graduation rates, pupil performance on the Standardized Testing and Reporting Program (STAR Program) test, homework completion rates, and skill development, as specified. This bill would instead require a high school after school program established pursuant to the ASSETs program and a program established pursuant to ASES to submit to the department annual outcome-based data for evaluation. The bill would require grantees to submit certain attendance information to demonstrate program effectiveness using the unique statewide pupil identifiers for participating pupils who are unduplicated pupils. The bill would require programs to submit evidence of a data-driven program quality improvement process that is based on the department's guidance on program quality standards, as specified. The bill would also require the State Department of Education to develop and submit a biennial report to the Legislature related to the pupils attending, and the program quality of, expanded learning programs, as defined, and would require the report to include data, as specified, and authorize the report to include aggregate reporting of certain information. (4) Existing law specifies that each school that establishes an ASES program is eligible to receive a 3-year direct grant. Existing law specifies the maximum total direct grant amount awarded annually and requires that a school that establishes a program, as specified, to be eligible to receive a supplemental grant to operate the program in excess of 180 regular schooldays or during any combination of summer, intersession, or vacation period for a maximum of the lesser of 2 specified amounts. This bill would replace a direct grant with an after school grant. The bill would specify the minimum total after school grant that may be awarded. The bill would replace a supplemental grant with a summer grant, as defined. The bill would specify the maximum total summer grant that may be awarded. The bill would also define the term "expanded learning." (5) Existing law provides that a school that establishes a program pursuant to specified provisions of ASES is eligible to receive a supplemental grant to operate the program, as specified, for a maximum of 30% of the total grant amount awarded, per school year, to the school. Existing law authorizes an existing after school supplemental grantee to operate a 3-hour or 6-hour per day program, but prohibits a grantee from receiving additional grant funds for the purposes of operating a 6-hour per day program. This bill would instead provide that a school that establishes a program pursuant to specified provisions of ASES is eligible to receive a summer grant to operate the program, as specified, for a maximum of either 30% of the total grant amount awarded, per school year, to the school, or \$33,750 for each regular school year for each elementary school and \$45,000 for each regular school year for each middle or junior high school. The bill would also authorize an existing after school summer grantee to operate a 3-hour or 6-hour per day program. (6) Existing law authorizes the State Department of Education to terminate a program established pursuant to the provisions of ASES if the program consistently fails to demonstrate measurable program outcomes, as defined, for 3 consecutive years. Existing law authorizes measurable program outcomes to be demonstrated by, but not be limited to, comparing pupils participating in the program to nonparticipating pupils at the same schoolsite and pupils participating in the program who demonstrate improvement on one or more indicators collected by the program, as specified. Existing law authorizes program effectiveness to be demonstrated using performance levels from the STAR Program by specified documentation. This bill would instead authorize measurable program outcomes to be demonstrated by, but not be limited to, comparing pupils participating in the program to nonparticipating pupils at the same schoolsite. The bill would repeal the authority to demonstrate program effectiveness using performance levels from the STAR Program by

specified documentation. (7) Existing law, to the extent consistent with federal and state privacy laws, authorizes local educational agency grantees funded pursuant to specified provisions to submit certain pupil data to an operator of an after school program with which the local educational agency has a contract, including STAR Program test scores and scores on individual California Standards Tests. This bill would instead, to the extent consistent with federal and state privacy laws, authorize local educational agency grantees funded pursuant to specified provisions to submit certain pupil data to an operator of an after school program or summer program, or both, with which the local educational agency has a contract, including statewide test and assessment scores. (8) Existing law prohibits a program established pursuant to the provisions of ASES located off school grounds from being approved unless safe transportation is provided to the pupils enrolled in the program. This bill would authorize additional funding to be provided for transportation, as specified, if a program is operated at a school site located in an area that has a population density of less than 11 persons per square mile. (9) Existing law states the intent of the Legislature that the 21st Century Community Learning Centers (21st CCLC) program contained within a specified federal act complement ASES. Existing law requires at least 10% of the total amount appropriated pursuant to the 21st CCLC program, except as specified, to be available for direct grants to provide equitable access and participation in community learning center programs and to provide family literacy services, as specified. Existing law also requires at least 40% of the total amount appropriated pursuant to the 21st CCLC program, except as specified, be allocated to programs serving elementary and middle school pupils. Existing law requires core funding grants for programs serving middle and elementary school pupils in before and after school programs to be allocated according to the same funding provisions, and subject to the same reporting and accountability provisions, as described in specified provisions of ASES. This bill would instead require at least 5% of the total amount appropriated pursuant to the 21st CCLC program, except as specified, to be available for grants to provide equitable access and participation in community learning center programs. The bill would require after school and summer funding grants for programs serving middle and elementary school pupils to be allocated according to the same funding provisions, and subject to the same reporting and accountability provisions, as described in specified provisions of ASES. The bill would require priority to be given to grant applications that will provide year-round expanded learning programming, as defined.

SB 1271 *Personal Income Tax Law: cancellation of indebtedness: student loan forgiveness*
 Evans The Personal Income Tax Law provides for various exclusions from gross income. This bill would, for taxable years beginning on or after January 1, 2014, exclude from gross income the amount of student loan indebtedness repaid or canceled pursuant to a specified federal law. This bill would take effect immediately as a tax levy.

SB 1296 *Juveniles: contemptuous habitual truants*
 Leno Existing law authorizes a court to punish for acts of contempt, including authorizing a court to direct the incarceration of a defendant until he or she complies with the court's order. Existing law prohibits a court from imprisoning or otherwise taking into custody the victim of a sexual assault or domestic violence crime for contempt of court if the contempt consists of refusing to testify about the sexual assault or domestic violence crime. This bill would additionally prohibit a court from imprisoning, holding in physical confinement, as defined, or otherwise taking into custody persistently or habitually truant minors for contempt of court if the contempt consists of the minor's failure to comply with a court order to attend school. The bill would authorize a court, if those minors are found to be in contempt of court for that reason, to issue any other lawful order, as necessary, to secure the minor's attendance at school. Existing law subjects a person who is under 18 years of age who engages in certain noncriminal behavior, including, among other things, persistent or habitual truancy or failure to obey the reasonable and proper orders or directions of school authorities to the jurisdiction of the juvenile court, which may adjudge the minor to be a ward of the court. Existing law prohibits a minor from being detained

in a secure facility, as defined, if he or she is taken into custody solely upon the ground that he or she is a person described above or adjudged a ward of the juvenile court solely upon that ground, except as provided. This bill would prohibit a minor from being detained in a secure facility, as defined, solely upon the ground that he or she is in willful disobedience or interference with any lawful order of the juvenile court, if the basis of the order of contempt is persistent or habitual truancy, and would authorize a court to issue any other lawful order, as necessary, to secure the minor's school attendance. The bill would make a related declaration of legislative intent.

Housing

- AB 523** *Department of Housing and Community Development: loans*
Ammiano Existing law authorizes the Department of Housing and Community Development to make advance payments to eligible borrowers and grantees under certain loan or grant programs for housing, if the department makes specified determinations. This bill would additionally authorize the department to reduce the interest rate on any loan issued by the department to a rental housing development to as low as 0.42% per annum, or a rate determined by the department that is sufficient to cover the costs of project monitoring, as specified, if the development meets specified requirements. The bill would also authorize the department to change the current interest rate for any loan for which it receives a loan extension request associated with an award of federal or state low-income housing tax credits made on or after January 1, 2014, to the most recently published applicable federal rate, and would require the additional tax credit equity generated by the change to be used for rehabilitation of the development. The bill would also authorize the department to forgive an amount of accrued interest if the total amount of debt and accrued interest at the end of the loan term would be greater after making this change than it would have been under the original interest rate. The bill would also require the department to charge a fee sufficient to cover administrative costs associated with a loan modification requested by a borrower.
- AB 1537** *General plan housing element: regional housing need*
Levine 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. That law requires the housing element to, among other things, include an inventory of land suitable for residential development and make adequate provision for the existing and projected needs of all economic segments of the community. That law prescribes the densities appropriate to accommodate housing for lower income households and varies those densities depending upon how an area is classified, whether as metropolitan, suburban, or in another category. A city, county, or city and county is required to submit a draft housing element or draft amendment to its housing element to the Department of Housing and Community Development for a determination of whether the draft substantially complies with state law governing housing elements. This bill would require, until December 31, 2023, a county that is in the San Francisco-Oakland-Fremont California Metropolitan Statistical Area and that has a population of less than 400,000 to be considered suburban for purposes of determining the densities appropriate to accommodate housing for lower income households. The bill would require these counties to utilize the sums existing in their housing trust funds as of June 30, 2013, for affordable housing, as specified. The bill would, for that same purpose, also require a city that has a population of less than 100,000 and is incorporated within that county to be considered suburban. The bill would require a county or city so classified to make 2 reports, as specified, to the Legislature and the Department of Housing and Community Development. The bill would apply housing density requirements in place on June 30, 2014, within 1/2 mile of a Sonoma-Marín Area Rail Transit station.
- AB 1690** *Local planning: housing element*
Gordan Existing law requires that the housing element of a community's general plan contain a program that sets forth a schedule of actions during the planning period that the local government is undertaking, or intends to undertake, to implement the policies and achieve the goals and objectives of the housing element through the utilization of appropriate federal and state financing and subsidy programs, and the utilization of moneys in a low- and moderate-income housing fund, as specified. Existing law also requires the program to accommodate at least 50% of the very low and low-income housing need on sites designated for residential use and for which nonresidential uses or mixed-uses are not permitted, as specified. This bill would authorize a city or county to accommodate the very low and low-income housing need on sites

designated for mixed uses if those sites allow 100% residential use and require that residential use occupy 50% of the total floor area of a mixed-use project.

- AB 1793
Chau *Redevelopment housing successor: report*
Existing law dissolved redevelopment agencies and community development agencies, and provides for the designation of successor agencies that are required to wind down the affairs of the dissolved redevelopment agencies and to, among other things, make payments due for enforceable obligations, as defined. Existing law provides that the city, county, or city and county that authorized the creation of a redevelopment agency may elect to retain the housing assets and functions previously performed by the redevelopment agency. Existing law requires that any funds transferred to the city, county, or city and county or the entity assuming the housing functions of the former redevelopment agency, together with any funds generated from housing assets, to be maintained in a separate Low and Moderate Income Housing Asset Fund to be used in accordance with applicable housing-related provisions of the Community Redevelopment Law, except as specified. Existing law requires the housing successor annually to provide an independent financial audit of the fund to its governing body, and to post on its Internet Web site specified information. This bill would require that posted information to also include, as specified, an inventory of homeownership units assisted by the former redevelopment agency or the housing successor that are subject to covenants or restrictions or to an adopted program that protects the former redevelopment agency's investment of moneys from the Low and Moderate Income Housing Fund.
- AB 1929
Chau *California Housing Finance Agency: MHSA funding: special needs housing for persons with mental illness*
Existing law, the Mental Health Services Act (hereafter, the MHSA), an initiative measure, was approved by the voters in November 2004 as Proposition 63. The MHSA establishes the Mental Health Oversight and Accountability Commission, and imposes a tax of 1% on incomes above \$1,000,000 for the purpose of financing new or expanded mental health services. Under the MHSA, the former State Department of Mental Health is required, among other things, to distribute funds for local assistance for designated mental health programs according to a local plan. Existing law requires the State Department of Health Care Services to implement the mental health services provided under the Adult and Older Adult Mental Health System of Care Act, which provides, among other things, funds for counties to provide mental health services and related supportive housing or housing assistance necessary to stabilize homeless, mentally ill persons or mentally ill persons at risk of being homeless. The MHSA permits amendment by the Legislature by a 2/3 vote of each house if the amendment is consistent with and furthers the intent of the MHSA, and also permits the Legislature to clarify procedures and terms of the MHSA by a majority vote. Existing law establishes the California Housing Finance Fund in the State Treasury, and authorizes the transfer of construction loan funds to the construction lender or to the contractor as necessary to meet draws for progress payments pursuant to rules and regulations of the California Housing Finance Agency. Existing law authorizes the agency to make loans to finance affordable housing, including residential structures, housing developments, multifamily rental housing, special needs housing, as defined, and other forms of housing permitted by provisions regulating housing and community development. Existing law authorizes the agency to issue revenue bonds, in accordance with specified requirements, for the purpose of financing the acquisition, construction, rehabilitation, refinancing, or development of special needs housing, including, but not limited to, supportive housing intended to benefit persons identified as having special mental health needs, including housing intended to meet the housing needs of persons eligible for mental health services funded in whole or in part under the MHSA. Existing law requires the agency, in consultation with the State Department of Mental Health and the State Department of Housing and Community Development, and other agencies and interested parties, to prepare and present to the Legislature a plan for the development, acquisition, construction, and rehabilitation of supportive housing projects using up to

\$75,000,000 annually in funding from the Mental Health Services Act, as provided under the Governor's Executive Order S-07-06. Under existing law, by executive order, the State Department of Mental Health, in consultation with the California Mental Health Directors Association, is directed to allocate up to \$75,000,000 in Mental Health Services Act funds each year to finance the capital costs associated with the development, acquisition, construction, and rehabilitation of permanent supportive housing for individuals with mental illness. The bill would require the agency, with the concurrence of the State Department of Health Care Services, to release unencumbered Mental Health Services Fund moneys dedicated to the MHSA housing program upon the request of the respective county, and would require these counties to use these moneys to provide housing assistance, as defined, to identified target populations, including persons with a serious mental disorder. The bill would make findings and declarations regarding the need to encourage counties, the agency, and the State Department of Health Care Services to continue partnering in the development of supportive housing, and to ensure county mental health departments are able to more fully utilize the MHSA funds for supportive housing and other housing assistance purposes. This bill would declare that it clarifies procedures and terms of the Mental Health Services Act.

AB 2135

Surplus land: affordable housing

Ting

Existing law prescribes requirements for the disposal of surplus land by a local agency, as defined. Existing law requires a local agency disposing of surplus land to negotiate in good faith with certain entities that provided notice of a desire to purchase or lease the land and, if the price or terms cannot be agreed upon within a period of not less than 60 days with those entities, the local agency may dispose of the surplus land without fulfilling further requirements, as specified. Existing law authorizes a local agency selling surplus land for specified purposes to specified entities, including, but not limited to, low- and moderate-income housing, to provide a payment period of up to 20 years in a sales contract or trust deed. Existing law requires a local agency disposing of surplus land to give first priority in a purchase or lease to an entity agreeing to use the site for housing for persons of low or moderate income, except as specified. Existing law specifies that these and other related provisions are not to be interpreted to empower a local agency to sell or lease surplus land at less than fair market value. This bill would require an entity proposing to use the surplus land for developing low- and moderate-income housing to agree to make available not less than 25% of the total number of units developed on the parcels at affordable housing cost or affordable rent for a period of at least 55 years to lower-income households, as those terms are defined in existing law. This bill would require a local agency to give first priority in disposing of the surplus land to an entity that agrees to these requirements. This bill would also require these requirements, as specified, to be contained in a covenant or restriction recorded against the surplus land at the time of sale, to run with the land, and be enforceable, against any owner who violates the covenant or restriction and each successor-in-interest who continues the violation, by a residents' association, as specified, and certain individuals, that include, but are not limited to, a resident of a unit subject to these requirements. This bill would increase the minimum time that an agency disposing of surplus land is required to conduct negotiations with certain entities desiring to purchase or lease the surplus land from 60 to 90 days. This bill would require, if the local agency does not agree to price and terms with those certain entities and the surplus land is used for the development of 10 or more residential units, the entity or a successor-in-interest that received the surplus land to provide not less than 15% of the total number of units developed on the parcels at affordable housing cost or affordable rent, at terms similar to an entity that received first priority for providing not less than 25% of the total number of units at affordable housing cost or affordable rent, as specified. This bill would permit the payment period for surplus land sold for low- and moderate-income housing purposes to exceed 20 years, subject to limits related to land use requirements for low- or moderate-income housing. This bill would delete the statement that these provisions are not to be interpreted to empower a local agency to sell or lease surplus land at less than fair market value, and would provide that a sale or lease at or less than fair market value, as specified, shall not be construed as inconsistent with an agency's purpose.

AB 2161 Chau	<p><i>Affordable housing</i></p> <p>Existing law authorizes the Department of Housing and Community Development to approve an extension of a department loan, the subordination of a department loan to new debt, or an investment of tax credit equity under specified rental housing finance programs, subject to specified conditions. This bill would include within these provisions the reinstatement of a qualifying unpaid matured loan, as defined. This bill would require a qualifying unpaid matured loan reinstated under these provisions to be treated as if its term has been extended from the expired due date for purposes of calculating obligations of the borrower to the department.</p>
AB 2222 Nazarian	<p><i>Housing density bonus</i></p> <p>The Planning and Zoning Law requires, when a developer of housing proposes a housing development within the jurisdiction of the local government, that the city, county, or city and county provide the developer with a density bonus and other incentives or concessions for the production of lower income housing units or the donation of land within the development if the developer, among other things, agrees to construct a specified percentage of units for very low, low-, or moderate-income households or qualifying residents. Existing law requires continued affordability for 30 years or longer, as specified, of all very low and low-income units that qualified an applicant for a density bonus. This bill instead would require continued affordability for 55 years or longer, as specified, of all very low and low-income rental units that qualified an applicant for a density bonus. This bill would also include very low and low-income persons among the initial occupants of for-sale units. This bill also would prohibit an applicant from receiving a density bonus unless the proposed housing development would, for units subject to certain affordability requirements that were occupied by qualifying persons on the date of application, provide at least the same number of units of equivalent size or type, or both, to be made available for rent at affordable housing costs to, and occupied by, persons and families in the same or lower income category as those households in occupancy. For those subject types of units that have been vacated or demolished at the time of application, this bill would condition a density bonus upon at least the same number of units of equivalent size or type, or both, as existed at the highpoint in the preceding 5 years being made available at affordable rent or affordable housing cost to, and occupied by, persons and families in the same or lower income category as those persons and families in occupancy at that time, if known. Existing law also requires a city, county, or city and county to grant a density bonus or other incentives, as specified, when an applicant for approval to convert apartments to a condominium project agrees, among other things, to provide a specified percentage of units for low- or moderate-income persons and families or for lower income households, as defined. This bill also would prohibit an applicant from receiving a density bonus unless the proposed condominium project would replace the existing affordable units with at least the same number of affordable units of equivalent size or type, or both, and the proposed development, inclusive of the units replaced pursuant to the requirements described above, contains affordable units according to specified percentages or consists entirely of affordable units.</p>
AB 2753 Committee on Housing and Community Development	<p><i>Housing</i></p> <p>(1) The State Housing Law requires existing hotel and motel dwelling units, as specified, to have carbon monoxide devices installed on or before January 1, 2016. Existing law requires the Department of Housing and Community Development, on or before July 1, 2014, to submit for adoption and approval building standards for the installation of carbon monoxide detectors in hotel and motel dwelling units, as specified. This bill would extend to January 1, 2017, the deadline for the owners of existing hotel and motel dwelling units to install carbon monoxide devices. This bill would extend to July 1, 2015, the deadline for the Department of Housing and Community Development to submit building standards for the installation of carbon monoxide detectors in hotel and motel dwelling units. (2) The California Homebuyer's Downpayment Assistance Program assists first-time low- and moderate-income homebuyers utilizing existing mortgage financing and requires certain funds to be used for the Extra Credit Teacher</p>

Home Purchase Program or other school personnel home ownership assistance programs, as specified. This bill would modify an obsolete cross-reference and would provide for specified conditions when the downpayment assistance is not due and payable upon sale of a home.

SB 1252

Public social services: former foster youth: transitional housing

Torres

Existing law makes transitional housing available to any former foster youth who is at least 18 years of age and not more than 24 years of age who has exited from the foster care system and has elected to participate in the Transitional Housing Program-Plus, as defined, if he or she has not received services pursuant to these provisions for more than a total of 24 months. This bill would authorize a county to, at its option, extend transitional housing pursuant to the above provisions to a former foster youth who is not more than 25 years of age, and for a total of 36 cumulative months, if the former foster youth is completing secondary education or is enrolled in an institution that provides postsecondary education.

Immigration

- AB 1660** *Driver's licenses: nondiscrimination*
Alejo Existing law requires the Department of Motor Vehicles (DMV) to issue an original driver's license to a person who is unable to submit satisfactory proof that the applicant's presence in the United States is authorized under federal law if he or she meets all other qualifications for licensure and provides satisfactory proof to the department of his or her identity and California residency. Existing law makes it a violation of law, including, but not limited to, a violation of the Unruh Civil Rights Act, to discriminate against an individual because he or she holds or presents a driver's license issued under these provisions. This bill would additionally make it a violation of the California Fair Housing and Employment Act (FEHA) for an employer or other covered entity to discriminate against an individual because he or she holds or presents a driver's license issued under these provisions or to require a person to present a driver's license, except as specified. The bill would make conforming changes to FEHA to specify that discrimination on the basis of national origin includes, but is not limited to, discrimination on the basis of possessing a driver's license granted under these provisions. The bill would also prohibit a governmental authority, or agent of a governmental authority, or person acting on behalf of a governmental authority, from discriminating against an individual because he or she holds or presents a license issued pursuant to those provisions. The bill would provide that an action taken by an employer to comply with any requirement or prohibition under the federal Immigration and Nationality Act is not a violation of law. Existing law also prohibits using a driver's license issued under these provisions as a basis for a criminal investigation, arrest, or detention in circumstances where a person whose driver's license was not issued under these provisions would not be criminally investigated, arrested, or detained. This bill would make the prohibition against using a driver's license issued under those provisions as a basis for an investigation, arrest, or detention apply to citations and also apply regardless of whether the investigation, arrest, citation, or detention is criminal. This bill would prohibit the DMV from disclosing to the public the information it obtains regarding the ineligibility of an applicant for a social security number, except as specified. The bill would provide that any document provided by an applicant to the DMV for purposes of proving his or her identity, true, full name, or California residency, or that the applicant's presence in the United States is authorized under federal law, is not a public record. The bill would also make driver's license information obtained by an employer exempt from disclosure under the California Public Records Act. Existing constitutional provisions require that a statute that limits the right of access to the meetings of public bodies or the writings of public officials and agencies be adopted with findings demonstrating the interest protected by the limitation and the need for protecting that interest. This bill would make legislative findings to that effect.
- SB 477** *Foreign labor contractors: registration*
Steinberg Existing federal law permits certain aliens to engage in employment in the United States under specified conditions. Existing state law regulates the services of foreign labor contractors, as defined, with regard to contracts, recruitment procedures and representations, and information as to terms and conditions of employment. Existing law provides that any person who violates or induces a violation of the latter provisions is guilty of a misdemeanor. Existing law also permits any person aggrieved by a violation of these provisions to bring an action for injunctive relief or damages, or both, and authorizes recovery of damages, costs, and reasonable attorney's fees, in an amount not less than \$500, if the aggrieved person prevails on the action. Under existing state law, the Division of Labor Standards Enforcement in the Department of Industrial Relations, under the direction of the Labor Commissioner, enforces and administers the licensing and supervision of farm labor contractors, as defined. This bill would change the definition of a foreign labor contractor to mean a person who performs foreign labor contracting activity, as defined. The bill, on and after July 1, 2016, would require a foreign labor contractor to register with the Labor Commissioner and would impose certain conditions for registration, including

payment of specified fees. The bill would require the commissioner to enforce and administer the registration and supervision of foreign labor contractors, and would authorize the commissioner to adopt regulations or policies and procedures to implement these provisions. The bill would prohibit a person from knowingly entering into an agreement for the services of a foreign labor contractor that is not registered with the commissioner. The bill would also require foreign labor contractors to disclose specified information and deposit with the commissioner a surety bond in a specified amount, for payment of any amount adjudicated against the foreign labor contractor, as a condition of registration, as specified. The bill would further require persons knowingly using the services of foreign labor contractors to obtain foreign workers to disclose specified information to the commissioner. The bill would require a foreign labor contractor to disclose in writing to each foreign worker who is recruited for employment certain information, as specified. The bill would prohibit a foreign labor contractor and its agent from assessing a fee or cost to a foreign worker for foreign labor contracting activities. The bill would also prohibit charging a foreign worker with any costs or expenses not customarily assessed against similarly situated workers, and would limit the amount of housing costs charged to the foreign worker to the market rate for similar housing. The bill would prohibit requiring a foreign worker to pay any costs or expenses prior to commencement of work. The bill would prohibit additional requirements or changes to the terms of the contract originally provided to and signed by the foreign worker, unless the foreign worker is provided at least 48 hours to review and consider the additional requirements or changes, and would require the specific consent of the foreign worker, as provided, to each additional requirement or change. The bill would authorize a civil penalty for violations of these provisions, would authorize the commissioner or a person aggrieved by a violation of these provisions to bring an action for injunctive relief or damages, or both, and would authorize recovery of damages, costs, and reasonable attorney's fees, as specified, including enforcement of liability against the bond deposited with the commissioner. The bill would exempt a person from joint and several liability for an act or omission by a foreign labor contractor if the person is using a registered foreign labor contractor's services. The bill would also exempt a person who uses the services of a registered foreign labor contractor from misdemeanor liability for an act or omission by the foreign labor contractor.

SB 873
Committee
on Budget
& Fiscal
Review

Housing

(1) Existing federal law, the Immigration and Nationality Act, establishes a procedure for classification of certain aliens as special immigrants who have been declared dependent on a juvenile court, and authorizes those aliens who have been granted special immigrant juvenile status to apply for an adjustment of status to that of a lawful permanent resident within the United States. Under federal regulations, state juvenile courts are charged with making a preliminary determination of the child's dependency, as specified. Existing federal regulations define juvenile court to mean a court located in the United States having jurisdiction under state law to make judicial determinations about the custody and care of juveniles. Existing law establishes the jurisdiction of the juvenile court, which may adjudge a minor to be a dependent or ward of the court. Existing law also establishes the jurisdiction of the probate court. Existing law regulates the establishment and termination of guardianships in probate court, and specifies that a guardian has the care, custody, and control of a ward. Existing law establishes the jurisdiction of the family court, which may make determinations about the custody of children. This bill would provide that the superior court, including the juvenile, probate, or family court division of the superior court, has jurisdiction to make judicial determinations regarding the custody and care of juveniles within the meaning of the federal Immigration and Nationality Act. The bill would require the superior court to make an order containing the necessary findings regarding special immigrant juvenile status pursuant to federal law, if there is evidence to support those findings. The bill would require records of these proceedings that are not otherwise protected by state confidentiality laws to remain confidential, and would also authorize the sealing of these records. The bill would require the Judicial Council to adopt any rules and forms needed to implement these provisions. (2) Existing federal law, Title VI of the federal Civil Rights Act of 1964 and the Safe Streets Act of 1968, prohibit national origin

discrimination by recipients of federal assistance. The California Constitution provides that a person unable to understand English who is charged with a crime has the right to an interpreter throughout the proceedings. Existing law requires that court interpreters' fees or other compensation be paid by the court in criminal cases, and by the litigants in civil cases, as specified. Existing law requires, in any action or proceeding under specified provisions of the Family Code relating to domestic violence, an interpreter to be provided by the court for a party who does not proficiently speak or understand the English language to interpret the proceedings in a language that the party understands and to assist communication between the party and his or her attorney. This bill would state that existing law and authority to provide interpreters in civil court includes providing an interpreter for a child in a proceeding in which a petitioner requests an order from the superior court to make the findings regarding special immigrant juvenile status. (3) Under existing law, the State Department of Social Services regulates the licensure and operation of various types of facilities, including community care facilities and residential care facilities for the elderly. Existing law authorizes the department to appoint a temporary manager to assume the operation of a community care facility or residential care facility for the elderly for 60 days, subject to extension by the department, when specified circumstances exist. To the extent department funds are used for the costs of the temporary manager or related expenses, existing law requires the department to be reimbursed from the revenues accruing to the facility or to the licensee, and to the extent those revenues are insufficient, requires that the unreimbursed amount constitute a lien upon the asset of the facility or the proceeds from the sale of the facility. Existing law also authorizes the department to apply for a court order appointing a receiver to temporarily operate a community care facility or a residential care facility for the elderly for no more than 3 months, subject to extension by the department, when certain circumstances exist. To the extent that state funds are used to pay for the salary of the receiver or other related expenses, existing law requires the state be reimbursed from the revenues accruing to the facility or to the licensee or the entity related to the license, and to the extent that those revenues are insufficient, requires that the unreimbursed amount constitute a lien on the assets of the facility or the proceeds from the sale of the facility. This bill would instead provide that if the revenues are insufficient to reimburse the department for the costs of the temporary manager, the salary of the receiver, or related expenses, the unreimbursed amount shall constitute grounds for a monetary judgment in civil court and subsequent lien upon the assets of the facility or the proceeds from the sale thereof. The bill would make other related changes to these provisions. The bill would provide that liens placed against the personal and real property of a licensee for reimbursement of funds relating to the receivership be given judgment creditor priority. (4) 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) block grant program, state, and county funds. Existing law specifies the amounts of cash aid to be paid each month to CalWORKs recipients. Existing law continuously appropriates moneys from the General Fund to defray a portion of county costs under the CalWORKs program. 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. Under existing law, a child is eligible for AFDC-FC if he or she is placed in the approved home of a relative and is otherwise eligible for federal financial participation in the AFDC-FC payment, as specified. Existing law, beginning January 1, 2015, establishes the Approved Relative Caregiver Funding Option Program in counties choosing to participate, for the purpose of making the amount paid to relative caregivers for the in-home care of children placed with them who are ineligible for AFDC-FC payments equal to the amount paid on behalf of children who are eligible for AFDC-FC payments. Existing law requires that the related child placed in the home meet certain requirements in order to be eligible under the Approved Relative Caregiver Funding Option Program and requires that specified funding be used for the program. This bill would require, for purposes of this program, that the care and placement of the child be the responsibility of the county welfare department or the county probation department. The bill would also, for

purposes of funding the program, delete the requirement that the funding of the applicable per-child CalWORKs grant be limited to the federal funds received. (5) Under existing law, foster care providers licensed as group homes have rates established by classifying each group home program and applying a standardized schedule of rates. Existing law prohibits the establishment of a new group home rate or change to an existing rate under the AFDC-FC program, except for exemptions granted by the department on a case-by-case basis. Existing law also limits, for the 2012-13 and 2013-14 fiscal years, exceptions for any program with a rate classification level below 10 to exceptions associated with a program change. This bill would extend that limitation to the 2014-15 fiscal year. (6) Existing law requires each applicant or recipient to assign to the county, as a condition of eligibility for aid paid under CalWORKs, any rights to support from any other person the applicant or recipient may have on his or her own behalf, or on behalf of any other family member for whom the applicant or recipient is applying for or receiving aid, and to cooperate with the county welfare department and local child support agency in establishing the paternity of a child of the applicant or recipient born out of wedlock with respect to whom aid is claimed, and in establishing, modifying, or enforcing a support order with respect to a child of the individual for whom aid is requested or obtained. Existing law exempts from these provisions an assistance unit that excludes any adults pursuant to specified provisions of law, including a provision that makes an individual ineligible for CalWORKs aid if the individual has been convicted in state or federal court for a felony drug conviction, as specified, after December 31, 1997. This bill would provide that if the income for an assistance unit that excludes any adults as described above includes reasonably anticipated income derived from child support, the amount established in specified provisions of law of any amount of child support received each month shall not be considered income or resources and shall not be deducted from the amount of aid to which the assistance unit otherwise would be eligible. (7) Existing law establishes the In-Home Supportive Services (IHSS) program, administered by the State Department of Social Services and counties, under which qualified aged, blind, and disabled persons are provided with services in order to permit them to remain in their own homes and avoid institutionalization. Existing law establishes the Medi-Cal program, administered by the State Department of Health Care Services, under which qualified low-income individuals receive health care services. The Medi-Cal program is, in part, governed and funded by federal Medicaid Program provisions. Existing law authorizes certain Medi-Cal recipients to receive waiver personal care services, as defined, in order to allow the recipients to remain in their own homes. Existing law requires that in-home supportive services and waiver personal care services be performed by providers within a workweek that does not exceed 66 hours per week, as reduced by a specified net percentage. This bill would, if certain conditions are met, deem a provider authorized to work a recipient's county-approved adjusted hours for the week if the recipient's weekly authorized hours are adjusted and, at the time of adjustment, the recipient currently receives all authorized hours of services from that provider. Existing law also requires the State Department of Health Care Services, if the provider of authorized waiver personal care services cannot provide authorized in-home supportive services to a recipient as a result of the above-described workweek limitation, to work with the recipient to engage additional providers, as necessary. This bill would delete that provision and instead require the State Department of Health Care Services to work with and assist recipients receiving services pursuant to the Nursing Facility/Acute Hospital Waiver who are at or near their individual cost cap to avoid a reduction in the recipient's services that may result because of increased overtime pay for providers. The bill would require the department, as a part of this effort, to consider allowing the recipient to exceed the individual cost cap. The bill would require the department to provide timely information to waiver recipients regarding the steps that will be taken to implement this provision. (8) Existing federal law, the Homeland Security Act of 2002, empowers the Director of the Office of Refugee Resettlement of the federal Department of Health and Human Services with functions under the immigration laws of the United States with respect to the care of unaccompanied alien children, as defined, including, but not limited to, coordinating and implementing the care and placement of unaccompanied alien children who are in federal custody by reason of their immigration status, including developing a plan to be

submitted to Congress on how to ensure that qualified and independent legal counsel is timely appointed to represent the interests of each child, as provided. Existing law designates the State Department of Social Services as the single agency with full power to supervise every phase of the administration of public social services, except health care services and medical assistance. This bill would require the State Department of Social Services, subject to the availability of funding, to contract with qualified nonprofit legal services organizations to provide legal services to unaccompanied undocumented minors, as defined, who are transferred to the care and custody of the federal Office of Refugee Resettlement and who are present in this state. The bill would require that the contracts awarded meet certain conditions. (9) Existing law authorizes the State Department of Social Services to implement specified provisions of Chapter 29 of the Statutes of 2014 through all-county letters or similar instructions and requires the department to adopt emergency regulations implementing these provisions no later than January 1, 2016. This bill would extend that authorization for all-county letters and similar instructions to additional provisions of Chapter 29 of the Statutes of 2014 that relate to the CalFresh program. (10) This bill would provide that its provisions are severable. (11) Existing constitutional provisions require that a statute that limits the right of access to the meetings of public bodies or the writings of public officials and agencies be adopted with findings demonstrating the interest protected by the limitation and the need for protecting that interest. This bill would make legislative findings to that effect. (12) This bill would incorporate additional changes to Section 1569.682 of the Health and Safety Code made by this bill and AB 1899, to take effect if both bills are chaptered and this bill is chaptered last. (13) Item 5180-151-0001 of Section 2.00 of the Budget Act of 2014 appropriated \$1,435,400,000 to the State Department of Social Services for local assistance for children and adult services, which includes, among other things, increased costs associated with cases of child abuse and neglect and revised federal requirements for child welfare case reviews, and funds for the Commercially Sexually Exploited Children Program. Item 5180-153-0001 of Section 2.00 of the Budget Act of 2014 also appropriated \$1,901,000 to the State Department of Social Services for local assistance for increased costs associated with revised county collection and reporting activities for cases of child abuse and neglect and revised federal requirements for child welfare case reviews. This bill would revise these items by increasing the appropriation in Item 5180-151-0001 by \$1,686,000 for the Commercially Sexually Exploited Children Program, and by reducing the appropriation in Item 5180-153-0001 by \$1,686,000. (14) This bill would provide that the continuous appropriation applicable to CalWORKs is not made for purposes of implementing the bill. (15) This bill would declare that it is to take effect immediately as a bill providing for appropriations related to the Budget Bill.

SB 1210

Lara

Postsecondary education: California DREAM Loan Program

Existing law establishes the University of California, under the administration of the Regents of the University of California, and the California State University, under the administration of the Trustees of the California State University, as 2 of the segments of public postsecondary education in this state. Existing law authorizes the regents and the trustees to require that mandatory systemwide fees and tuition, among other fees, be paid by students at campuses of the University of California and the California State University, respectively. This bill would establish the California DREAM Loan Program. The bill would provide that, commencing with the 2015-16 academic year, a student attending a participating campus of the University of California or California State University may receive a loan, referred to as a DREAM loan, through the program if the student satisfies specified requirements, including a requirement that the student be exempt from paying nonresident tuition or meet equivalent requirements adopted by the regents. The bill would require the Student Aid Commission, in collaboration with the participating campus, to certify that the student satisfies these requirements. The bill would require the student to affirm in writing that he or she satisfies one of these requirements, and would require the student to authorize the commission to access any information pertinent to certify that the student satisfies these requirements. The bill would require a participating campus to determine the amount of the loan offered to an individual student by the campus,

subject to enumerated specifications. The bill would state the intent of the Legislature that funds shall be appropriated in the annual Budget Act each fiscal year, commencing with the 2015-16 fiscal year, to participating campuses based upon the number of eligible students attending each respective campus who submitted a specified financial aid application during the prior academic year. The bill would require a participating campus to deposit these funds in a DREAM revolving fund established by each campus, subject to specified exceptions. The bill would require each participating campus to contribute its discretionary funds into its DREAM revolving fund so that the sum of the campus' contribution of funds and its share of DREAM loan repayments equals or exceeds 50%, as specified, of all funds in the campus' DREAM revolving fund at the start of each academic year before DREAM loans are awarded for that academic year. The bill would require the California State University and the University of California to annually report to the Legislature as part of their respective annual financial aid reports the dollar amount of each DREAM loan awarded and number of students for whom a DREAM loan was awarded that academic year, and require each participating campus to annually report the total amount of funding in the institution's DREAM revolving fund, the annual amount contributed by the state, and the annual amount contributed by the institution to the institution's DREAM revolving fund, and the annual administrative costs of the DREAM Program at the institution. The bill would require a participating campus to determine a student's eligibility for a DREAM loan, award DREAM loans to students, and establish mechanisms for recording the annual amount of the DREAM loan borrowed by each recipient, and the aggregate amount of DREAM loans borrowed by each recipient. The bill would require the trustees and request the regents to adopt regulations providing for the withholding of institutional services from current and former students who have been notified in writing that they are in default on DREAM loans. The bill would provide that each participating campus is entitled to an administrative cost allowance to equal a specified amount for an award year if the campus advances funds through the DREAM Program to students that academic year. The bill would provide that, if a state court finds that a specified provision of this program or similar provision adopted by the Regents of the University of California is unlawful, the court may order, as equitable relief, that the participating campus subject to the lawsuit terminate all loans awarded pursuant to that provision without money damages, loans, or other retroactive relief being awarded, and that the California State University and the University of California are immune from any imposition of money damages, loans, or other retroactive relief for actions taken under this program.

Land Use and Transportation

AB 471 *Local government: redevelopment: successor agencies to redevelopment agencies*
Atkins (1) Existing law authorizes the creation of infrastructure financing districts, as defined, for the sole purpose of financing public facilities, subject to adoption of a resolution by the legislative body and affected taxing entities proposed to be subject to the division of taxes and voter approval requirements. Existing law prohibits an infrastructure financing district from including any portion of a redevelopment project area. This bill would delete that prohibition and would authorize a district to finance a project or portion of a project that is located in, or overlaps with, a redevelopment project area or former redevelopment project area, as specified. (2) Existing law requires a successor agency to submit a Recognized Obligation Payment Schedule to the Department of Finance, and requires the successor agency to make payments pursuant to that schedule. This bill would authorize the successor agency to schedule Recognized Obligation Payment Schedule payments beyond the existing Recognized Obligation Payment Schedule cycle upon a showing that a lender requires cash on hand beyond the Recognized Obligation Payment Schedule cycle, or when a payment is shown to be due during the Recognized Obligation Payment Schedule period. The bill would authorize the successor agency to utilize reasonable estimates and projections to support payment amounts where a payment is shown to be due during the Recognized Obligation Payment Schedule period but an invoice or other billing document has not been received, if the successor agency submits appropriate supporting documentation for the basis of the estimate or projection to the department and the auditor-controller. The bill would provide that a Recognized Obligation Payment Schedule may also include appropriation of moneys from bonds subject to passage during the Recognized Obligation Payment Schedule cycle when an enforceable obligation requires the agency to issue the bonds and use the proceeds to pay for project expenditures. (3) Existing law requires the county auditor-controller to determine the amount of property taxes that would have been allocated to each redevelopment agency if it had not been dissolved and to deposit this amount in a Redevelopment Property Tax Trust Fund in the county. Existing law requires the conducting of a due diligence review to determine the unobligated balances available for transfer to affected taxing entities. Existing law requires the county auditor-controller for each fiscal year to allocate moneys in the Redevelopment Property Tax Trust Fund for passthrough payment obligations, enforceable obligations of the dissolved redevelopment agency, and administrative costs, as specified. Any remaining moneys in the Redevelopment Property Tax Trust Fund are required to be distributed as local property tax revenues to local agencies and school entities, as specified. This bill would require that, under specified conditions, on July 1, 2014, and twice yearly thereafter until July 1, 2018, funds be allocated to cover the housing entity administrative cost allowance of a local housing authority that has assumed the housing duties of the former redevelopment agency, as specified, before remaining moneys are distributed to local agencies and school entities. The bill would define "housing entity administrative cost allowance" for these purposes. This bill would also exclude from the calculation of the amount distributed to taxing entities during the 2012-13 base year the amounts distributed to taxing entities pursuant to the due diligence review process. By imposing additional duties upon local public officials, the bill would create a state-mandated local program. (4) Existing law requires a successor agency to prepare a long-range property management plan that addresses the disposition and use of the real properties of a former redevelopment agency and requires a transfer of the property to the city, county, or city and county if the plan directs the use or liquidation of the property for a project identified in an approved redevelopment plan, as specified. This bill would specify that the term "identified in an approved redevelopment plan" includes properties listed in a community plan or a 5-year implementation plan. (5) This bill would declare that it is to take effect immediately as an urgency statute.

- AB 745
Levine *Regional park and open-space districts: general manager: powers*
Existing law authorizes the general manager of any park or open-space district, with district board approval, to bind the district, in accordance with board policy, and without advertising, for the payment of amounts not exceeding \$10,000 for supplies, materials, labor, or other valuable consideration for any purpose other than new construction of a building, structure, or improvement, and for the payment for supplies, materials, or labor for new construction of a building, structure, or improvement, in amounts not exceeding \$25,000, as specified. Existing law authorizes the general manager of 3 identified park and open-space districts to make payments for supplies, materials, labor, or other valuable consideration in amounts not exceeding \$25,000, without advertising, for any purpose. This bill would permit the general manager of any park or open-space district to make these payments for supplies, materials, labor, or other valuable consideration, without advertising, for any purpose, in amounts not exceeding \$25,000.
- AB 1193
Ting *Bikeways*
(1) Existing law defines "bikeway" for certain purposes to mean all facilities that provide primarily for bicycle travel. Existing law categorizes bikeways into 3 classes of facilities. This bill would additionally categorize cycle tracks or separated bikeways, as specified, as Class IV bikeways. (2) Existing law requires the Department of Transportation, in cooperation with county and city governments, to establish and update minimum safety design criteria for the planning and construction of bikeways, and requires the department to establish uniform specifications and symbols regarding bicycle travel and bicycle traffic related matters. Existing law requires all city, county, regional, and other local agencies responsible for the development or operation of bikeways or roadways where bicycle travel is permitted to utilize all of those minimum safety design criteria and uniform specifications and symbols. This bill would revise these provisions to require the department, in cooperation with local agencies and in consultation with the existing advisory committee of the department dedicated to improve access for persons with disabilities, to establish minimum safety design criteria for each type of bikeway with consideration for the safety of vulnerable populations, as specified, and would require the department to publish the new criteria by January 1, 2016. The bill would authorize a local agency to utilize other minimum safety criteria that meet specified conditions if adopted by resolution at a public meeting, as specified. (3) Existing law requires the Department of Transportation to establish, by June 30, 2013, procedures for cities, counties, and local agencies to be granted exceptions from the requirement to use design criteria and uniform specifications for purposes of research, experimentation, testing, evaluation, or verification. Existing law requires the department, by November 1, 2014, to report to the transportation policy committees of both houses of the Legislature the steps that the department has taken to implement those requirements, including, but not limited to, information regarding requests received and granted by the department from July 1, 2013, to June 30, 2014, inclusive, for those exceptions, and the reasons the department rejected any requests for those exceptions. This bill would repeal those requirements.
- AB 1963
Atkins *Redevelopment*
(1) The Community Redevelopment Law authorized the establishment of redevelopment agencies in communities to address the effects of blight, as defined. Existing law dissolved redevelopment agencies as of February 1, 2012, and provides for the designation of successor agencies, as defined. Existing law requires successor agencies to wind down the affairs of the dissolved redevelopment agencies, subject to review by oversight boards. The oversight board is required to direct a successor agency to, and a successor agency is required to, among other things, dispose of assets and properties of the former redevelopment agency as directed by the oversight board. Existing law suspends this requirement, except as it applies to the transfer or assets and properties for governmental use, until the Department of Finance has approved a long-range property management plan, as specified. Upon approval of a long-range property

management plan, the plan governs and supersedes all other provisions relating to the disposition and use of the real property assets of the former redevelopment agency. If the department has not approved a long-range property management plan by January 1, 2015, existing law requires the property of a former redevelopment agency to be disposed of according to law. This bill would instead require the property of a former redevelopment agency to be disposed of according to law if the department has not approved a long-range property management plan by January 1, 2016. (2) Existing law requires the Controller to review the activities of successor agencies in the state to determine if an asset transfer has occurred after January 31, 2012, between the successor agency and the city, county, or city and county that created a redevelopment agency, or any other public agency, that was not made pursuant to an enforceable obligation on an approved and valid Recognized Obligation Payment Schedule, and if so, to order the return of the asset, except as specified. Existing law further requires an affected local agency, upon receiving such an order from the Controller, to reverse the transfer and return the applicable assets to the successor agency. This bill would repeal those requirements and make a conforming change. (3) This bill would declare that it is to take effect immediately as an urgency statute.

AB 2008 *Transit village plans: goods movement*

Quirk Existing law authorizes a city or county to prepare a transit village plan for a transit village development district that addresses specified characteristics, including, among other things, demonstrable public benefits beyond the increase in transit usage that include any 5 specified benefits. This bill would require the transit village plan to address demonstrable public benefits beyond the increase in transit usage including any 6 specified benefits. The bill would add as a public benefit the minimization of the impact of goods movement on air quality, traffic, and public safety through the provision of dedicated loading and unloading facilities for commercial space.

AB 2752 *Transportation*

Committee on Transportation (1) Existing law provides for the adoption of the state transportation improvement program by the California Transportation Commission and for the adoption of a congestion management program by specified local agencies. Existing law specifies the duties of the Secretary of Transportation with regard to these programs. This bill would correct obsolete references in these provisions. (2) Existing law establishes contracting procedures for local agencies to follow when engaged in public works projects, with different procedures applicable to contracts depending on the value of the contract. Existing law provides that competitive bidding may be dispensed with on certain types of lower value contracts, where work may be awarded under what are commonly known as force account or day labor provisions. Existing law imposes an annual limit on the amount of contracting for new road construction and reconstruction work that may be done by day labor under certain force account provisions. This bill would revise the provisions governing new county road construction and reconstruction work done by day labor under force account provisions to exclude from the annual limit force account work necessary to administer private contracts, while including force account work necessary to administer work performed by county employees. The bill would make other related changes. (3) Existing law establishes the State Highway System and designates state highway routes from Route 1 to Route 980, unless otherwise specified by name, and authorizes the California Transportation Commission to relinquish all or a portion of designated state highway routes to specified local agencies, including the City of Oxnard and City of Newport Beach, if certain conditions are met. Portions of state highways that have been relinquished are not state highways and become ineligible for future adoption as a part of the State Highway System. This bill would acknowledge the relinquishment of specific portions of Routes 1, 34, and 232, to the City of Oxnard and the relinquishment of a specific portion of Route 55 to the City of Newport Beach, and would make other technical changes. (4) Existing law requires the Department of Motor Vehicles to establish the California Legacy License Plate Program, under which license plates

are issued that replicate the look of license plates from the state's past. Existing law provides for payment of certain fees by an applicant for various services related to issuance of these plates, in addition to regular vehicle registration fees. This bill would allow an applicant for legacy plates, upon payment of associated fees, to request that the plate contain a particular combination of letters or numbers, or both. The bill would require payment of a fee of \$38 when the holder of a legacy plate containing a particular combination retains the plate but does not renew a vehicle's registration. (5) Existing law authorizes a county, upon the adoption of a resolution by its board of supervisors, to impose a fee of \$1 on all motor vehicles, except as provided, in addition to other fees imposed for the registration of a vehicle, and an additional service fee of \$2 on specified commercial motor vehicles. After specified deductions are made, existing law continuously appropriates money collected from these fees for disbursement by the Controller to each county that has adopted a resolution to fund local programs relating to vehicle theft crimes. Existing law requires the Controller to annually prepare and submit to the Legislature a revenue and expenditure summary for each participating county. This bill would require the Controller to post the annual revenue and expenditure summary on the Controller's Internet Web Site instead of submitting the annual revenue and expenditure summary to the Legislature. (6) Existing law requires the Department of the California Highway Patrol to regulate the safe operation of certain classes of vehicles, including certain trucks and buses. Existing law includes within these responsibilities a truck or a combination of a truck and any other vehicle when transporting hazardous materials. This bill would instead refer to any vehicle or combination of vehicles transporting hazardous materials. (7) Existing law exempts a driver employed by an electrical corporation, a gas corporation, a telephone corporation, a water corporation, or a public water district from hours-of-service regulations while operating a public utility or public water district vehicle. This bill would also exempt a driver employed by a local publicly owned electric utility, as defined, from those hours-of-service regulations. The bill would exempt a driver hired directly as a contractor by one of the above-described exempted entities or by a local publicly owned electric utility, and a driver hired directly as a subcontractor by the original contractor, from hours-of-service regulations while operating a vehicle for the purpose of restoring utility service during an emergency, as defined, on behalf of the exempted entity. (8) Existing law prohibits a person from operating, transporting, or leaving standing certain off-highway motor vehicles if the vehicle is not registered with the Department of Motor Vehicles or identified under certain provisions relating to off-highway vehicles, unless identified, as specified. This bill would delete the transportation of certain off-highway motor vehicles from the prohibition described above.

SB 486

DeSaulnier

Department of Transportation: goals and performance measures

Existing law provides that the Department of Transportation shall have full possession and control of the state highway system and specifies the duties and responsibilities of the department on various other transportation matters. Existing law requires the department to prepare the interregional transportation improvement program which, along with the regional transportation improvement programs adopted by regional transportation agencies, becomes part of the state transportation improvement program and identifies most transportation capital improvements to be undertaken over a multiyear period with state and federal funds. Existing law also requires the department to separately prepare the state highway operation and protection program, which identifies capital projects limited to maintenance, safety, and rehabilitation work necessary to preserve and protect the state highway system. Existing law requires the California Transportation Commission to, among other things, adopt the state transportation improvement program and approve the state highway operation and protection program, and further provides for the commission to allocate transportation capital funds to specific projects contained in the state transportation improvement program, but not the state highway operation and protection program, which is managed by the department. This bill would authorize the commission to prescribe study areas for analysis and evaluation by the department and to establish guidelines for updates to the California Transportation Plan,

commencing with the plan required to be updated by December 31, 2020. The bill would require the department, on or before June 30, 2015, to submit to the commission for approval an interregional transportation strategic plan directed at achieving a high functioning and balanced interregional transportation system. The bill would revise the procedures for the development of the interregional transportation improvement program by requiring the department to submit a draft 5-year interregional transportation improvement program to the commission by October 15 of each odd-numbered year. The bill would require projects included in the draft interregional transportation improvement program to be consistent with the interregional transportation strategic plan. The bill would require the commission to hold public hearings by November 15 of each odd-numbered year regarding the draft program and to attempt to reconcile any objections. The department would be required to consider the input received at the hearings and develop and submit a final interregional transportation improvement program to the commission for approval not later than December 15 of each odd-numbered year. The bill would require the department, in consultation with the commission, to prepare a robust asset management plan to guide selection of projects for the state highway operation and protection, which plan would be subject to approval by the commission. The bill would require the department to specify, for each project in the program, a capital and support budget and projected delivery date for various components of the project. The bill would specifically authorize the commission to decline to adopt the program if it determines that the program is not sufficiently consistent with the asset management plan. This bill would require the department to report quarterly to the commission on the approved capital and support budgets compared to expenditures at contract construction acceptance for each major state highway operation and protection program project completed in the previous quarter. Existing law requires the department, by June 30, 1994, to apply for federal funding to be used for conversion of data pertaining to the state highway system from paper storage to intelligent computer information, and to commence implementation of the conversion process within 6 months of receiving federal funding approval. This bill would repeal these provisions. The bill would also make legislative findings and declarations.

SB 674
Corbett

California Environmental Quality Act: exemption: residential infill projects

The California Environmental Quality Act, commonly referred to as CEQA, requires a lead agency, as defined, to prepare, or cause to be prepared, and certify the completion of, an environmental impact report 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. CEQA exempts from these requirements residential infill projects meeting specified criteria, including, among other things, that a community-level environmental review was adopted or certified within 5 years of the date that the application for the project is deemed complete and the project promotes higher density infill housing. For the purposes of this exemption, CEQA defines "residential" to include a use consisting of residential units and primarily neighborhood-serving goods, services, or retail uses that do not exceed 15% of the total floor area of the project. This bill would instead exempt as "residential" a use consisting of residential units and primarily neighborhood-serving goods, services, or retail uses that do not exceed 25% of the total building square footage of the project.

SB 1134
Knight

Vehicles: public transit buses: illuminated

Existing law authorizes a bus operated by a publicly owned transit system on regularly scheduled service to be equipped with illuminated signs that display information directly related to public service and include, among other things, destination signs, route-number signs, run-number signs, public service announcement signs, or a combination of those signs, visible from any direction of the vehicle, that emit any light color, other than the color red emitted from forward-facing signs, pursuant to specified conditions. Existing law authorizes, until January 1,

2017, a pilot program that allows up to 25 buses operated by the City of Santa Monica's publicly owned transit system for the first 2 years of the pilot program, and up to 30 buses thereafter, to be equipped with illuminated signs that display advertising subject to certain conditions, including a display area of not greater than 4,464 square inches. Existing law also authorizes, until January 1, 2019, the University of California, Irvine (university), to implement a similar pilot program if the university determines, on or before March 1, 2014, that the City of Santa Monica has less than 12 transit buses equipped with illuminated signs that are operational pursuant to the city's pilot program. This bill would authorize, until July 1, 2020, the Antelope Valley Transit Authority to implement a similar pilot program if the authority determines, on or before March 1, 2015, that the university has less than 12 transit buses equipped with illuminated signs that are operational pursuant to the university's pilot program. The bill would require the authority, if the pilot program is implemented, to submit a specified report to the Legislature and the Department of the California Highway Patrol by January 1, 2020, on the incidence of adverse impacts, if any. The bill would make legislative findings and declarations concerning the need for special legislation.

SB 1183 *Vehicle registration fees: surcharge for bicycle infrastructure*

DeSaulnier Existing law provides for the imposition of registration fees on motor vehicles, including additional, specified fees imposed by local agencies for transportation-related purposes. This bill would authorize a city, county, or regional park district to impose and collect, as a special tax, a motor vehicle registration surcharge of not more than \$5 for bicycle infrastructure purposes until January 1, 2025. The bill would require the Department of Motor Vehicles to administer the surcharge and to transmit the net revenues from the surcharge to the local agency. The bill would require the local agency to use these revenues for improvements to paved and natural surface trails and bikeways, including existing and new trails and bikeways and other bicycle facilities, and for associated maintenance purposes. The bill would limit to 5% the amount of net revenues that may be used by the local agency for its administrative expenses in implementing these provisions. The bill would require a local agency that imposes the \$5 surcharge to submit an annual fiscal year-end report to the Legislature that includes, among other things, the total net revenues received and expended during the previous fiscal year and a summary of the infrastructure and projects funded by the surcharge.

SB 1433 *Local Agency Public Construction Act: transit design-build contracts*

Hill The Local Agency Public Construction Act until January 1, 2015, authorizes a transit operator, as defined, to enter into a design-build contract, as specified. Existing law requires certain information submitted in this regard to be provided under penalty of perjury. This bill would extend the authorization for a transit operator to enter into a design-build contract until January 1, 2017.