

Public Health Legislation from the 2016 California Legislative Session

Prepared by Pam Willow, December, 2016

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 2016 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, climate change, and immigration). One new section was added this year – Voting and Elections. 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, 2017.

Legislative Council

This document was prepared under the auspices of the Alameda County Health Care Services Agency 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.

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Health Care Services Agency

AB 72
Bonta

Health care coverage: out-of-network coverage

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. A willful violation of the act is a crime. Existing law requires a health care service plan to reimburse providers for emergency services and care provided to its enrollees, until the care results in stabilization of the enrollee. Existing law prohibits a health care service plan from requiring a provider to obtain authorization prior to the provision of emergency services and care necessary to stabilize the enrollee's emergency medical care, as specified. Existing law also provides for the regulation of health insurers by the Insurance Commissioner. Existing law requires a health insurance policy issued, amended, or renewed on or after January 1, 2014, that provides or covers benefits with respect to services in an emergency department of a hospital to cover emergency services without the need for prior authorization, regardless of whether the provider is a participating provider, and subject to the same cost sharing required if the services were provided by a participating provider, as specified. This bill would require a health care service plan contract or health insurance policy issued, amended, or renewed on or after July 1, 2017, to provide that if an enrollee or insured receives covered services from a contracting health facility, as defined, at which, or as a result of which, the enrollee or insured receives covered services provided by a noncontracting individual health professional, as defined, the enrollee or insured would be required to pay the noncontracting individual health professional only the same cost sharing required if the services were provided by a contracting individual health professional, which would be referred to as the "in-network cost-sharing amount." The bill would prohibit an enrollee or insured from owing the noncontracting individual health professional at the contracting health facility more than the in-network cost-sharing amount if the noncontracting individual health professional receives reimbursement for services provided to the enrollee or insured at a contracting health facility from the health care service plan or health insurer. However, the bill would make an exception from this prohibition if the enrollee or insured provides written consent that satisfies specified criteria. The bill would require a noncontracting individual health professional who collects more than the in-network cost-sharing amount from the enrollee or insured to refund any overpayment to the enrollee or insured, as specified, and would provide that interest on any amount not refunded to the enrollee or insured shall accrue at 15% per annum, as specified. Existing law requires a contract between a health care service plan and a provider, or a contract between an insurer and a provider, to contain provisions requiring a fast, fair, and cost-effective dispute resolution mechanism under which providers may submit disputes to the plan or insurer. Existing law requires that dispute resolution mechanism also be made accessible to a noncontracting provider for the purpose of resolving billing and claims disputes. This bill would require the department and the commissioner to each establish, by September 1, 2017, an independent dispute resolution process that would allow a noncontracting individual health professional who rendered services at a contracting health facility, or a plan or insurer, to appeal a claim payment dispute, as specified. The bill would authorize the department and the commissioner to contract with one or more independent dispute resolution organizations to conduct the independent dispute resolution process, as specified. Contracts entered into pursuant to these provisions would be exempt from specified statutory provisions and related state agency review and approval requirements. The bill would provide that the decision of the organization would be binding on the parties. The bill would require a plan or insurer to base reimbursement for covered services on the amount the individual health professional would have been reimbursed by Medicare for the same or similar services in the general geographic area in which the services were rendered pursuant to a specified methodology and would specify, among other responsibilities, the duties of health care service plans, their delegated entities, and health insurers in identifying and calculating the applicable reimbursement rates, as well as various related duties of the department and the commissioner. The bill would require the department and the commissioner to report on the data

and information provided in the independent dispute resolution process to the Governor and other specified recipients by January 1, 2019. The bill would require a noncontracting individual health professional, health care service plan or delegated entity, or health insurer that disputes that claim reimbursement to utilize the independent dispute resolution process. The bill would provide that these provisions do not apply to emergency services and care, as defined. 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 635 *Medical interpretation services*

Atkins

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 provides for increased administrative funding for translation and interpretation services provided in connection with the enrollment, retention, and use of services under the Medicaid program. This bill would require the department to work with stakeholders to conduct a study to identify current requirements for medical interpretation services as well as education, training, and licensure requirements, analyze other state Medicaid programs, make recommendations on strategies that may be employed regarding the provision of medical interpretation services for Medi-Cal beneficiaries who are limited English proficient, and establish a pilot project in up to 4 separate sites to evaluate a mechanism to provide and improve medical interpretation services for those individuals. The bill would authorize the department to expend specified funds for the support of activities relating to medical interpreters for a pilot project, study, or both. The bill also would require the department to seek any available federal funding for the purposes of the bill and would make expenditure of all of the described funds contingent on approval by the Department of Finance, as specified. The bill would require the department, commencing in 2017, to provide an annual update to the budget committees of the Legislature on the implementation of the bill, as specified. The provisions of the bill would become inoperative on July 1, 2020.

AB 1069 *Prescription drugs: collection and distribution program*

Gordon

Existing law authorizes a county to establish a repository and distribution program under which a pharmacy, including 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, and that includes lot numbers and expiration dates, is eligible for donation to the program. Existing law prohibits medication that does not meet the requirements for donation and distribution from being sold, dispensed, or otherwise transferred to any other entity. Existing law requires medication donated to the repository and distribution program to be maintained in the donated packaging units. This bill would authorize a pharmacy that exists solely to operate the repository and distribution program to repackage a reasonable quantity of donated medicine in anticipation of dispensing the medicine to its patient population. The bill would require a pharmacy that repackages medication to have repackaging policies and procedures in place for identifying and recalling medications, and to label the repackaged medicine with the earliest expiration date.

AB 1114 *Medi-Cal: pharmacist services*

Eggman

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 provides for a schedule of benefits covered by the Medi-Cal program, including the purchase of prescribed drugs subject to the Medi-Cal list of contract drugs and

utilization controls. Existing law requires a pharmacy provider under the Medi-Cal program to submit his or her usual and customary charge, as defined, when billing the Medi-Cal program for prescribed drugs. The Pharmacy Law specifies the functions a pharmacist is authorized to perform, including furnishing nicotine replacement products and administering immunizations, as specified. This bill would add to the schedule of benefits pharmacist services, as specified, subject to department protocols and utilization controls. The bill would require the rate of reimbursement for pharmacist services to be at 85% of the fee schedule for physician services under the Medi-Cal program and would require the department to establish a fee schedule. The bill would authorize the department to implement these provisions by means of all-county letters, plan letters, plan or provider bulletins, or similar instructions, without taking regulatory action, until regulations are adopted, and would require the department to adopt those regulations by July 1, 2021. Commencing July 1, 2017, the bill would require the department to provide a status report to the Legislature on a semiannual basis until regulations have been adopted. The bill would require these provisions to be implemented only to the extent that federal financial participation is available and the necessary federal approvals are obtained. This bill would declare that it is to take effect immediately as an urgency statute.

AB 1568
Bonta

Medi-Cal: demonstration project

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 and services. The Medi-Cal program is, in part, governed and funded by federal Medicaid Program provisions. Existing law provides for a demonstration project, known as California's "Bridge to Reform" Medicaid demonstration project, under the Medi-Cal program until October 31, 2015, to implement specified objectives, including better care coordination for seniors and persons with disabilities and maximization of opportunities to reduce the number of uninsured individuals. Existing law requires the department to seek a subsequent demonstration project to implement specified objectives, including maximizing federal Medicaid funding for county public hospitals health systems and components that maintain a comparable level of support for delivery system reform in the county public hospital health systems as was provided under California's "Bridge to Reform" Medicaid demonstration project. SB 815 of the 2015–16 Regular Session, if enacted, would establish the Medi-Cal 2020 Demonstration Project Act, under which the department is required to implement specified components of the subsequent demonstration project, referred to as California's Medi-Cal 2020 demonstration project, consistent with the Special Terms and Conditions approved by the federal Centers for Medicare and Medicaid Services. This bill would require the department to establish and operate the Whole Person Care pilot program, a component of the Medi-Cal 2020 demonstration project, under which counties, Medi-Cal managed care plans, and community providers that elect to participate in the pilot program are provided an opportunity to establish a new model for integrated care delivery that incorporates health care needs, behavioral needs, and social support, including housing and other supportive services, for the state's most high-risk, high-utilizing populations. The bill would establish the Whole Person Care Pilot Special Fund in the State Treasury, which would consist of moneys that a participating governmental agency or entity elects to transfer to the department as a condition of participation in the pilot program. The bill would provide that these funds shall be continuously appropriated, thereby making an appropriation, to the department to be used to fund the nonfederal share of any payments of Whole Person Care pilot payments authorized under California's Medi-Cal 2020 demonstration project. The bill would require the department to implement the Dental Transformation Initiative (DTI), a component of the Medi-Cal 2020 demonstration project, under which DTI incentive payments, as defined, within specified domain categories would be made available to qualified providers who meet achievements within one or more of the project domains. The bill would provide that providers in either the dental fee-for-service or dental managed care Medi-Cal delivery systems would be eligible to participate in the DTI. The bill would require the department to conduct, or arrange to have conducted, any study, report, assessment, evaluation, or other similar demonstration project activity required under the Special Terms and Conditions.

The bill would become operative only if SB 815 of the 2015–16 Regular Session is enacted and takes effect on or before January 1, 2017. This bill would declare that it is to take effect immediately as an urgency statute.

- AB 1797
Lackey *In-home supportive services: application*
Existing law provides for the county-administered In-Home Supportive Services program, 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 requires the application for in-home supportive services to contain a notice to the recipient that his or her provider or providers will be given written notice of the recipient’s authorized services and full number of services hours allotted to the recipient. Existing law also requires the application to inform recipients of the Medi-Cal toll-free telephone fraud hotline and Internet Web site for reporting suspected fraud or abuse in the provision or receipt of supportive services. This bill would require the county, upon receipt of an application for in-home supportive services, to provide the applicant with a confirmation number, as specified
- AB 2024
Wood *Critical access hospitals: employment*
Existing law, the Medical Practice Act, restricts the employment of physicians and surgeons or doctors of podiatric medicine by a corporation or other artificial legal entity to entities that do not charge for professional services rendered to patients and are approved by the Medical Board of California, subject to specified exemptions. Existing law establishes the Office of Statewide Health Planning and Development, which succeeds to and is vested with all the duties, powers, responsibilities, and jurisdiction of the State Department of Public Health relating to health planning and research development. This bill, until January 1, 2024, would also authorize a federally certified critical access hospital to employ those medical professionals and charge for professional services rendered by those medical professionals if the medical staff concur by an affirmative vote that the professional’s employment is in the best interest of the communities served by the hospital and the hospital does not direct or interfere with the professional judgment of a physician and surgeon, as specified. The bill would require the office, on or before July 1, 2023, to provide a report to the Legislature containing data on the impact of this authorization on federally certified critical access hospitals and their ability to recruit and retain physicians and surgeons, as specified. The bill would, on and after July 1, 2017, and until July 1, 2023, require a federally critical access hospital employing those medical professionals under this authorization to submit a report, on or before July 1 of each year, to the office as specified.
- AB 2053
Gonzalez *Primary care clinics*
Under existing law, the State Department of Public Health licenses and regulates primary care clinics, as defined. A violation of those provisions is a crime under existing law. Existing law authorizes a clinic corporation, on behalf of a primary care clinic that has held a valid, unrevoked, and unsuspended license for at least the immediately preceding 5 years, with no demonstrated history of repeated or uncorrected violations of specified provisions that pose immediate jeopardy to a patient, and that has no pending action to suspend or revoke its license, to file an affiliate clinic application to establish a primary care clinic at an additional site. Existing law provides that no application for licensure is required if a licensed primary care clinic adds a service that is not a special service, as defined, or remodels or modifies an existing primary care clinic site, but requires the clinic to notify the department of these events, as specified. This bill would, among other things, expand that exception from licensure, and that notice requirement, to include a licensed primary care clinic or affiliate clinic that adds an additional physical plant maintained and operated on separate premises. The bill would require the department, upon written notification by a primary care clinic or affiliate clinic of its intent to add an additional physical plant maintained and operated on separate premises and upon payment of a licensing fee for each additional physical plant added, to review the information provided in the notification, and if the information submitted is in compliance with specified

requirements, require the department to approve the additional physical plant within 30 days of all information being submitted, and to amend the primary care clinic or affiliate clinic's license to include the additional physical plant as part of a single consolidated license.

AB 2105 *Workforce development: allied health professions*

Rodriguez Existing law establishes the California Workforce Development Board as the body 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 requires the board, among other things, to prepare and submit to the appropriate policy committees of the Legislature a report on the board's findings and recommendations regarding expanding job training and employment for allied health professions. This bill would require the Department of Consumer Affairs, by January 1, 2020, to engage in a stakeholder process to update policies and remove barriers to facilitate the development of earn and learn training programs in the allied health professions, including barriers identified in the report described above, as specified.

AB 2308 *Health care coverage: information to students*

Hernández Existing law establishes the California State University, under the administration of the Trustees of the California State University, and the California Community Colleges, under the administration of the Board of Governors of the California Community Colleges, as 2 of the 3 segments of public postsecondary education in this state. Existing law establishes community college districts throughout the state and authorizes them to provide instruction to students at community college campuses. 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, has minimum essential health care coverage. This bill would establish the California Health Care Coverage Act of 2016, which would require the California State University and the California Community Colleges to provide their students information about insurance affordability programs commencing with the 2017–18 academic year. The act would authorize each campus of the California State University and the California Community Colleges to meet this requirement by developing an informational item or amending an existing enrollment form or Internet Web site to provide students information about insurance affordability programs, as specified. The act would authorize each campus to also meet this requirement by including a factsheet with its enrollment forms explaining basic information about insurance affordability programs for students. The bill would repeal these new provisions on January 1, 2021. By requiring community colleges to perform additional duties, this bill would impose a state-mandated local program. Existing law requires 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, as specified. Existing law authorizes a school to also include a factsheet with its enrollment forms. Existing law requires the State Department of Education to, among other things, develop a standardized template for the factsheet and the informational item or amendment and make those templates available on its Internet Web site on or before August 1, 2015. Existing law repeals these provisions on January 1, 2019. This bill would make the repeal date for these provisions January 1, 2021, and thereby extend these requirements until that date.

AB 2394 *Medi-Cal: nonmedical transportation*

Eduardo Garcia 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 provides for a schedule of benefits under the Medi-Cal program, which includes medical transportation services, subject to utilization controls. This bill, commencing

July 1, 2017, would add to the schedule of benefits nonmedical transportation, as defined, subject to utilization controls and permissible time and distance standards, for a beneficiary to obtain covered Medi-Cal services. The bill would require these provisions to be implemented only to the extent that federal financial participation is available, and not otherwise jeopardized, and any necessary federal approvals are obtained. The bill would specify that these provisions shall not be interpreted to add a new benefit to the Medi-Cal program, except as provided. The bill would require the department to adopt regulations by July 1, 2018. Commencing January 1, 2018, the bill would require the department to provide a status report to the Legislature on a semiannual basis until regulations have been adopted.

AB 2568
Atkins

County integrated health and human services program

Existing law authorizes the Counties of Humboldt, Mendocino, and Alameda to implement a program for the funding and delivery of services and benefits through an integrated and comprehensive county health and human services system, subject to certain limitations. This bill would authorize the County of San Diego, upon approval of the county board of supervisors and the California Health and Human Services Agency, to operate an integrated and comprehensive county health and human services system, as specified. Existing law establishes the Local Revenue Fund 2011 to provide funding to counties for public safety services, including mental health and foster care services, among others. Existing law directs each county to establish a County Local Revenue Fund 2011 for receipt of funds allocated from the Local Revenue Fund 2011, and further directs the county to establish various accounts and subaccounts within the County Local Revenue Fund 2011, including a Protective Services Subaccount and a Behavioral Health Subaccount. Existing law provides that a county authorized to operate an integrated and comprehensive county health and human services system may reallocate money between the Protective Services Subaccount and the Behavioral Health Subaccount, consistent with specified provisions. This bill would provide that a county's reallocation of funds between the Protective Services Subaccount and the Behavioral Health Subaccount remains in effect for only the fiscal year in which the reallocation is made, and would require the county to report the reallocation to the Department of Finance and the Secretary of California Health and Human Services, as specified.

AB 2737
Bonta

Nonprovider health care districts

The Local Health Care District Law provides for local health care districts that govern certain health care facilities. Each health care district has specific duties and powers respecting the creation, administration, and maintenance of the districts, including the authority to purchase, receive, take, hold, lease, use, and enjoy property of every kind and description within and without the limits of the district. This bill would require a nonprovider health care district, as defined, to spend at least 80% of its annual budget on community grants awarded to organizations that provide direct health services and not more than 20% of its annual budget on administrative expenses, as defined. The bill would require a nonprovider health care district to pay any amount required to be paid in the district's annual budget year by a final judgment, court order, or arbitration award before payment of those grants or administrative expenses, as specified.

AB 482
Lara

Controlled substances: CURES database

Existing law classifies certain controlled substances into designated schedules. Existing law requires the Department of Justice to maintain the Controlled Substance Utilization Review and Evaluation System (CURES) for the electronic monitoring of the prescribing and dispensing of Schedule II, Schedule III, and Schedule IV controlled substances by all practitioners authorized to prescribe, administer, furnish, or dispense these controlled substances. Existing law requires dispensing pharmacies and clinics to report specified information for each prescription of a Schedule II, Schedule III, or Schedule IV controlled substance to the department. This bill would require a health care practitioner authorized to prescribe, order, administer, or furnish a

controlled substance to consult the CURES database to review a patient's controlled substance history no earlier than 24 hours, or the previous business day, before prescribing a Schedule II, Schedule III, or Schedule IV controlled substance to the patient for the first time and at least once every 4 months thereafter if the substance remains part of the treatment of the patient. The bill would exempt a veterinarian and a pharmacist from this requirement. The bill would also exempt a health care practitioner from this requirement under specified circumstances, including, among others, if prescribing, ordering, administering, or furnishing a controlled substance to a patient receiving hospice care, to a patient admitted to a specified facility for use while on facility premises, or to a patient as part of a treatment for a surgical procedure in a specified facility if the quantity of the controlled substance does not exceed a nonrefillable 5-day supply of the controlled substance that is to be used in accordance with the directions for use. The bill would require, if a health care practitioner authorized to prescribe, order, administer, or furnish a controlled substance is not required to consult the CURES database the first time he or she prescribes, orders, administers, or furnishes a controlled substance to a patient pursuant to one of those exemptions, the health care practitioner to consult the CURES database before subsequently prescribing a Schedule II, Schedule III, or Schedule IV controlled substance to the patient and at least once every 4 months thereafter if the substance remains part of the treatment of the patient. This bill would provide that a health care practitioner who fails to consult the CURES database is required to be referred to the appropriate state professional licensing board solely for administrative sanctions, as deemed appropriate by that board. The bill would make the above-mentioned provisions operative 6 months after the Department of Justice certifies that the CURES database is ready for statewide use and that the department has adequate staff, user support, and education, as specified. This bill would also exempt a health care practitioner, pharmacist, and any person acting on behalf of a health care practitioner or pharmacist, when acting with reasonable care and in good faith, from civil or administrative liability arising from any false, incomplete, inaccurate, or misattributed information submitted to, reported by, or relied upon in the CURES database or for any resulting failure of the CURES database to accurately or timely report that information. Existing law requires the operation of the CURES database to comply with all applicable federal and state privacy and security laws and regulations. Existing law authorizes the disclosure of data obtained from the CURES database to agencies and entities only for specified purposes and requires the Department of Justice to establish policies, procedures, and regulations regarding the use, access, disclosure, and security of the information within the CURES database. This bill would authorize a health care practitioner to provide a patient with a copy of the patient's CURES patient activity report if no additional CURES data is provided. The bill would also prohibit a regulatory board whose licensees do not prescribe, order, administer, furnish, or dispense controlled substances from obtaining data from the CURES database.

AB 514 *California Health Benefit Exchange*

Anderson Existing federal law, the federal Patient Protection and Affordable Care Act (PPACA), enacts various health care coverage market reforms that took effect 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 also requires each state to 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) 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, among other things, to determine the criteria and process for eligibility, enrollment, and disenrollment of enrollees and potential enrollees in the Exchange and coordinate that process with state and local government entities administering other specified health care coverage programs, as specified. This bill would prohibit the Exchange from disclosing personal information that was

obtained from the application for health care coverage to a certified insurance agent or certified enrollment counselor without the consent of the applicant. The bill would provide that these provisions do not preclude the Exchange from sharing the information of current enrollees or applicants with the same certified enrollment counselor or certified insurance agent of record that provided the applicant assistance with an existing application, or their successor or authorized staff, as specified. The bill would define the term “personal information” for these purposes. This bill would declare that it is to take effect immediately as an urgency statute.

AB 815 *Medi-Cal: demonstration project*

Hernandez

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 and services. The Medi-Cal program is, in part, governed and funded by federal Medicaid program provisions. Existing law provides for a demonstration project, known as California’s “Bridge to Reform” Medicaid demonstration project, under the Medi-Cal program until October 31, 2015, to implement specified objectives, including better care coordination for seniors and persons with disabilities and maximization of opportunities to reduce the number of uninsured individuals. Existing law establishes the Medi-Cal Hospital/Uninsured Care Demonstration Project Act, which revises hospital supplemental payment methodologies under the Medi-Cal program in order to maximize the use of federal funds consistent with federal Medicaid law and to stabilize the distribution of funding for hospitals that provide care to Medi-Cal beneficiaries and uninsured patients. This act provides for funding, in supplementation of Medi-Cal reimbursement, to various hospitals, including designated public hospitals, nondesignated public hospitals, and private hospitals, as defined, in accordance with certain provisions relating to disproportionate share hospitals. Existing law establishes both of the following continuously appropriated funds to be expended by the department: (1) The Demonstration Disproportionate Share Hospital Fund, which consists of federal funds claimed and received by the department as federal financial participation with respect to certified public expenditures. (2) The Public Hospital Investment, Improvement, and Incentive Fund, which consists of moneys that a county, other political subdivision of the state, or other governmental entity in the state elects to transfer to the department for use as the nonfederal share of investment, improvement, and incentive payments to participating designated public hospitals, nondesignated public hospitals, and the governmental entities with which they are affiliated, that provide intergovernmental transfers for deposit into the fund. Existing law requires the department to seek a subsequent demonstration project to implement specified objectives, including maximizing federal Medicaid funding for county public hospitals health systems and components that maintain a comparable level of support for delivery system reform in the county public hospital health systems as was provided under California’s “Bridge to Reform” Medicaid demonstration project. This bill would establish the Medi-Cal 2020 Demonstration Project Act, under which the department is required to implement specified components of the subsequent demonstration project, referred to as California’s Medi-Cal 2020 demonstration project, consistent with the Special Terms and Conditions approved by the federal Centers for Medicare and Medicaid Services. The bill would distinguish which payment methodologies and requirements under the Medi-Cal Hospital/Uninsured Care Demonstration Project Act apply to the Medi-Cal 2020 Demonstration Project Act. The bill would, in this regard, retain the continuously appropriated Demonstration Disproportionate Share Hospital Fund, which will continue to consist of all federal funds received by the department as federal financial participation with respect to certified public expenditures, and would require moneys in this fund to be continuously appropriated, thereby making an appropriation, to the department for disbursement to eligible designated public hospitals. The bill would provide for a reconciliation process for disproportionate share hospital payment allocations and safety net care pool payment allocations that were paid to certain designated public hospitals, as specified. The bill would require the department to implement the Global Payment Program (GPP), under which GPP systems, as defined, would be eligible to receive global payments that are calculated using a value-based point methodology, to be developed by the department, based on the health care

they provide to the uninsured. The bill would provide that these global payments payable to GPP systems are in lieu of the traditional disproportionate share hospital payments and the safety net care pool payments previously made available under the Medi-Cal Hospital/Uninsured Care Demonstration Project Act. The bill would establish the Global Payment Program Special Fund in the State Treasury, which would consist of moneys that a designated public hospital or affiliated governmental agency or entity elects to transfer to the department for deposit into the fund as a condition of participation in the program. The bill would provide that these funds shall be continuously appropriated, thereby making an appropriation, to the department to be used as the nonfederal share of global payment program payments authorized under California's Medi-Cal 2020 demonstration project. The bill would require the department to establish and operate the Public Hospital Redesign and Incentives in Medi-Cal (PRIME) program, under which participating PRIME entities, as defined, would be eligible to earn incentive payments by undertaking specified projects set forth in the Special Terms and Conditions, for which there are required project metrics and targets. The bill would require the department to provide participating PRIME entities the opportunity to earn the maximum amount of funds authorized for the PRIME program under the demonstration project. The bill would retain the continuously appropriated Public Hospital Investment, Improvement, and Incentive Fund for purposes of making PRIME payments to participating PRIME entities. The Public Hospital Investment, Improvement, and Incentive Fund would consist of moneys that a designated public hospital or affiliated governmental agency or entity, or a district and municipal public hospital-affiliated governmental agency or entity, elects to transfer to the department for deposit into the fund. The bill would provide that these funds are continuously appropriated, thereby making an appropriation, to the department to be used as the nonfederal share of PRIME program payments authorized under California's Medi-Cal 2020 demonstration project. The bill would require the department to amend its contract with its external quality review organization to complete an access assessment to, among other things, evaluate primary, core specialty, and facility access to care for managed care beneficiaries, as specified. The bill would require the department to establish an advisory committee to provide input into the structure of the access assessment, which would be comprised of specified stakeholders, including representatives from consumer advocacy organizations. The bill would provide that these provisions shall be implemented only to the extent that any necessary federal approvals are obtained and federal financial participation is available and is not otherwise jeopardized. The bill would require the department to seek any federal approvals it deems necessary to implement these provisions during the course of the demonstration term. The bill would authorize the department to implement the Medi-Cal 2020 Demonstration Project Act by means of all-county letters, provider bulletins, or other similar instructions without taking regulatory action. This bill would become operative only if AB 1568 of the 2015–16 Regular Session is enacted and takes effect on or before January 1, 2017. This bill would declare that it is to take effect immediately as an urgency statute.

AB 908 *Health care coverage: premium rate change: notice other health coverage*
Hernandez (1) 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 its provisions a crime. Existing law provides for the licensure and regulation of health insurers by the Department of Insurance. Existing law prohibits, among other things, a change in premium rates for group health care service plan contracts and group health insurance policies from becoming effective unless a written notice is delivered, as specified. This bill would require, if the Department of Managed Health Care or the Department of Insurance determines that a small group rate is unreasonable or not justified, the contractholder or policyholder of a small group health care service plan contract or health insurance policy to be notified by the health care service plan or health insurer in writing of that determination. The bill would require the notification to be developed by the Department of Managed Health Care and the Department of Insurance, as specified. Existing law prohibits, among other things, a change in premium rates for individual health care service plan contracts

and individual health insurance policies from becoming effective unless a written notice is delivered at least 15 days prior to the start of the annual enrollment period applicable to the contract or 60 days prior to the effective date of the contract renewal, whichever occurs earlier in the calendar year. This bill would require, if the Department of Managed Health Care or the Department of Insurance determines that an individual rate is unreasonable or not justified, the contractholder or policyholder to be notified by the health care service plan or health insurer in writing of that determination. The bill would require the notification to be developed by the Department of Managed Health Care and the Department of Insurance, as specified. The bill would instead prohibit a change in premium rates for individual health care service plan contracts and individual health insurance policies from becoming effective unless a written notice is provided at least 10 days prior to the start of the annual enrollment period applicable to the contract or 60 days prior to the effective date of the contract renewal, whichever occurs earlier in the calendar year. (2) 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 any rate change and requires that the information include a certification by an independent actuary that the rate increase is reasonable or unreasonable. Existing law authorizes the Department of Managed Health Care and the Department of Insurance to review these filings to, among other things, make a determination that an unreasonable rate increase is not justified. This bill would instead require, for grandfathered individual and grandfathered and nongrandfathered small group health care service plan contracts or health insurance policies, a health care service plan or health insurer to file rate information at least 120 days prior to implementing any rate change. The bill would require, for nongrandfathered individual health care service plan contracts or health insurance policies, a health care service plan or health insurer to file rate information either 100 days before the first day of the applicable open enrollment period for the preceding policy year, as defined, or on the date specified in federal guidance issued pursuant to a specified federal regulation, whichever date is earlier. The bill would require a health care service plan or health insurer to respond to any request for additional rate information necessary for the Department of Managed Health Care or the Department of Insurance to complete its review of the rate filing for products in the individual or small group market within 5 business days of the request and would require, except as provided, the Department of Managed Health Care and the Department of Insurance to review these filings and make its determination no later than 60 days following receipt of the rate information. The bill would require, for nongrandfathered individual health care service plan contracts and health insurance policies, the respective department to make its determination no later than the 15 days before the first day of the applicable open enrollment period for the preceding policy year, as defined, and would authorize the Department of Managed Health Care and the Department of Insurance, respectively, to determine that a plan's or health insurer's rate increase is unreasonable or not justified if the plan or health insurer fails to provide all the information necessary for the respective department to complete its review. The bill would require, if the respective department determines that a plan's or health insurer's rate increase for an individual or small group market product is unreasonable or not justified, the health care service plan or health insurer to provide notice of that determination to any individual or small group applicant, as specified.

SB 923 *Health care coverage: cost-sharing changes*

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 and makes a willful violation of the act a crime. Existing law provides for the regulation of health insurers by the Department of Insurance. Existing law prohibits, except as specified, a health care service plan or a health insurer, with regard to a group contract or policy, from changing the premium rates or applicable copayments or coinsurances or deductibles during the term of a group plan contract or policy during specified time periods. This bill would prohibit, for grandfathered plan contracts and policies and nongrandfathered plan contracts and policies in

the individual and small group markets, a health care service plan contract or health insurance policy that is issued, amended, or renewed on or after January 1, 2017, from changing the cost-sharing design, as defined, during the plan year or policy year, except when required by state or federal law.

SB 955
Beall

State hospital commitment: compassionate release

Existing law requires, when a defendant pleads not guilty by reason of insanity, that a jury determine whether the defendant was sane or insane at the time the offense was committed. Under existing law, if a defendant is found to be not guilty by reason of insanity, the court is required to commit the person to a state hospital, or a public or private treatment facility, or place him or her on outpatient status, as specified. Existing law, subject to exceptions, authorizes the release of a prisoner from state prison if the court finds that the prisoner is terminally ill with an incurable condition caused by an illness or disease that would produce death within 6 months, as determined by a physician employed by the department, and that conditions under which the prisoner would be released or receive treatment do not pose a threat to public safety. This bill would establish similar compassionate release provisions for a defendant who has been committed to a state hospital because, among other reasons, the defendant is incompetent to stand trial or to be adjudged to punishment, or the defendant is a mentally disordered offender, including a person who has been found not guilty by reason of insanity. The bill would make additional conforming changes and would authorize the director to adopt emergency regulations to implement these provisions.

SB 1135
Monning

Health care coverage: notice of timely access to care

Existing law, the Knox-Keene Health Care Service Plan Act of 1975, provides for the licensure and regulation of health care service plans by the Department of Managed Health Care 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 each department to develop and adopt regulations to ensure that enrollees have access to needed health care services in a timely manner. 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 each prepaid health plan to establish a grievance procedure under which enrollees may submit their grievances. This bill would require a health care service plan contract or a health insurance policy that provides benefits through contracts with providers for alternative rates that is issued, renewed, or amended on or after July 1, 2017, to provide information to enrollees and insureds regarding the standards for timely access to health care services and other specified health care access information, including information related to receipt of interpreter services in a timely manner, no less than annually, and would make these provisions applicable to Medi-Cal managed care plans. The bill would also require a health care service plan or a health insurer that contracts with providers for alternative rates of payment to provide a contracting health care provider with specified information relating to the provision of referrals or health care services in a timely manner.

SB 1365
Hernandez

Hospitals

Under existing law, health facilities, including general acute care hospitals, are licensed and regulated by the State Department of Public Health. Existing law prohibits a health facility from charging, billing, or otherwise soliciting payment from a patient on behalf of, or referring a patient to, another health facility in which the health facility has a significant beneficial interest, except as provided. A violation of these provisions is a crime. This bill would require a general acute care hospital, except as specified, to provide a delineated notice to each patient scheduled for a service in a hospital-based outpatient clinic, as defined, when that service is available in a nonhospital-based location.

SBX2 2 *Medi-Cal: managed care organization tax*

Hernandez (1) Existing law establishes the Medi-Cal program, administered by the State Department of Health Care Services, under which health care services are provided to qualified low-income persons. 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. Existing law, until July 1, 2016, imposes a sales tax on sellers of Medi-Cal managed care plans. This bill, on July 1, 2016, and until July 1, 2019, would establish a new managed care organization provider tax, to be administered by the State Department of Health Care Services. The tax would be assessed by the department on licensed health care service plans, managed care plans contracted with the department to provide Medi-Cal services, and alternate health care service plans (AHCSPP), as defined, except as excluded by the bill. The bill would require the department to determine for each health plan using the base data source, as defined, specified enrollment information for the base year. By October 14, 2016, or within 10 business days following the date upon which the department receives approval for federal financial participation, whichever is later, the bill would require the department to commence notification to the health plans of the assessed tax amount due for each fiscal year and the dates on which the installment tax payments are due for each fiscal year. This bill would establish applicable taxing tiers and per enrollee amounts for the 2016–17, 2017–18, and 2018–19 fiscal years, respectively, for Medi-Cal enrollees, AHCSPP enrollees, and all other enrollees, as defined. The bill would require the department to request approval from the federal Centers for Medicare and Medicaid Services as necessary to implement this bill. The bill would authorize the department to implement its provisions by means of provider bulletins, all-plan letters, or similar instructions, and to notify the Legislature of this action. This bill would establish the Health and Human Services Special Fund in the State Treasury, into which all revenues, less refunds, derived from the taxes imposed by the bill would be deposited into the State Treasury to the credit of the fund. Interest and dividends earned on moneys in the fund would be retained in the fund, as specified. The bill would continuously appropriate the moneys in the fund to the State Department of Health Care Services for purposes of funding the nonfederal share of Medi-Cal managed care rates for health care services furnished to specified persons, thereby making an appropriation. (2) Existing law imposes a gross premiums tax of 2.35% on all insurers, as defined, doing business in this state, as set forth in the California Constitution. For purposes of the Corporation Tax Law, existing law sets forth items specifically excluded from gross income. This bill would provide that the qualified health care service plan income, as defined, of health plans that are subject to the managed care organization provider tax would be excluded from the definition of gross income for purposes of taxation under the above provisions, as specified. The bill would reduce the gross premiums tax rate from 2.35% to 0% for those premiums received on or after July 1, 2016, and on or before June 30, 2019, for the provision of health insurance paid by health insurers providing health insurance that has a corporate affiliate, as defined, that is a health care service plan or health plan that is subject to the managed care organization provider tax imposed under the bill, as specified. The bill would require the State Department of Health Care Services to annually report specified information to the Franchise Tax Board with regard to these provisions. The bill would authorize the board to implement these provisions and would exempt the board from the administrative rulemaking process. Existing law provides that when the laws of another state or foreign country impose certain taxes or other amounts on California insurers, or their agents or representatives, the same taxes or other amounts are imposed in this state upon the insurers, or their agents or representatives, of the other state or country doing business in this state. The bill would prohibit the Insurance Commissioner from considering the reduction of the gross premiums tax rate under this bill in any determination to impose or enforce a tax under those retaliatory tax provisions. The bill would provide that these provisions become operative on the later of July 1, 2016, or on the date the Director of Health Care Services certifies in writing that federal approval necessary for receipt of federal financial participation has been obtained.

Behavioral Health Care Services

- AB 38
Eggman *Mental health: Early Diagnosis and Preventive Treatment Program*
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. This bill would establish the Early Diagnosis and Preventive Treatment (EDAPT) Program Fund in the State Treasury to provide funding to the Regents of the University of California for the purpose of providing reimbursement to an EDAPT program that would utilize integrated systems of care to provide early intervention, assessment, diagnosis, a treatment plan, and necessary services for individuals with severe mental illness and children with severe emotional disturbance, as specified. The bill would authorize moneys from private or other sources to be deposited into the fund and used for purposes of the bill. The bill would require, when the Department of Finance has determined that the total amount of the moneys in the fund has reached or exceeded \$1,200,000, the Controller to distribute all of the moneys in the fund to the Regents of the University of California for the purpose of providing reimbursement to an EDAPT program for services provided to persons who are referred to that program, but whose private health benefit plan, as defined, does not cover the full range of required services, thereby making an appropriation. The bill would require the Regents of the University of California, if the regents accept the money, or if the regents accept federal funding distributed by the State Department of Health Care Services for the purpose of supporting an EDAPT program, as specified, to report, on or after January 1, 2022, but prior to January 1, 2023, specified information to the health committees of both houses of the Legislature. The bill would repeal the program as of January 1, 2023.
- AB 59
Waldron *Mental health services: assisted outpatient treatment*
Existing law, the Assisted Outpatient Treatment Demonstration Project Act of 2002, known as Laura’s Law, until January 1, 2017, grants each county the authority to offer certain assisted outpatient treatment services for their residents by adoption of a resolution or through the county budget process and by making a finding that no mental health program, as specified, may be reduced as a result of implementation. Under that law, participating counties are required to provide prescribed assisted outpatient services, including a service planning and delivery process, that are client-directed and employ psychosocial rehabilitation and recovery principles. Existing law authorizes participating counties to pay for the services provided from moneys distributed to the counties from various continuously appropriated funds, including the Local Revenue Fund and the Mental Health Services Fund when included in a county plan, as specified. Existing law requires the State Department of Health Care Services to submit a report and evaluation of all counties implementing any component of these provisions to the Governor and the Legislature by July 1, 2015. This bill would extend the operation of the program until January 1, 2022, and would delete that reporting requirement. By extending the authorization to pay for the services using moneys from various continuously appropriated funds, the bill would make an appropriation. Existing law requires a county that operates an assisted outpatient treatment program pursuant to these provisions to provide data to the department, and requires the department to report to the Legislature on or before May 1 of each year based on that data, as specified. This bill would additionally require the department to report that information to the Governor.
- AB 168
Maiendchein *Mental health: community-based services*
Existing law provides for the Medi-Cal program, which is administered by the State Department of Health Care Services and under which qualified low-income persons receive health care benefits. The Medi-Cal program is, in part, governed and funded by federal Medicaid provisions. Existing law provides for a schedule of benefits under the Medi-Cal program and provides for specified services, including various mental health services. Existing federal law,

the Protecting Access to Medicare Act of 2014, requires the United States Secretary of Health and Human Services to, among other things, no later than September 1, 2017, select from among those states awarded a planning grant, the states that may participate in a time-limited demonstration program that is designed to improve access to community mental health and substance use treatment services provided by certified community behavioral health clinics. Existing law requires the department to develop a proposal for the United States Secretary of Health and Human Services to be selected as a participating state in this time-limited demonstration program, as specified. This bill would require the department to provide an update to the Legislature by March 1, 2017, to include specified information if the state is selected as a participating state in this time-limited demonstration program.

AB 847
Mullin

Mental health: community-based services

Existing law, the Mental Health Services Act, an initiative measure enacted by the voters as Proposition 63 at the November 2, 2004, statewide general election, establishes the continuously appropriated Mental Health Services Fund to fund various county mental health programs. The act provides that it may be amended by the Legislature by a 2/3 vote of each house as long as the amendment is consistent with and furthers the intent of the act, and that the Legislature may clarify procedures and terms of the act by majority vote. Existing law provides for the Medi-Cal program, which is administered by the State Department of Health Care Services and under which qualified low-income persons receive health care benefits. The Medi-Cal program is, in part, governed and funded by federal Medicaid provisions. Existing law provides for a schedule of benefits under the Medi-Cal program and provides for specified services, including various mental health services. Existing federal law, the Protecting Access to Medicare Act of 2014, requires the United States Secretary of Health and Human Services to, among other things, no later than September 1, 2017, select from among those states awarded a planning grant, the states that may participate in a time-limited demonstration program that is designed to improve access to community mental health and substance use treatment services provided by certified community behavioral health clinics. This bill would require the department to develop a proposal for the United States Secretary of Health and Human Services to be selected as a participating state in the time-limited demonstration program described above to receive enhanced federal matching funds for mental health services provided by certified community behavioral health clinics to Medi-Cal beneficiaries. The bill would appropriate \$1,000,000 from the Mental Health Services Act Fund to the State Department of Health Care Services to develop that proposal. The bill would make findings and declarations of the Legislature, including that the changes the bill would make are consistent with and further the intent of the act. This bill would declare that it is to take effect immediately as an urgency statute.

AB 1299
Ridley-
Thomas

Medi-Cal: specialty mental health services

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 provides that specialty mental health services and Early and Periodic Screening, Diagnosis, and Treatment (EPSDT) for any individual under 21 years of age are covered under Medi-Cal, consistent with the requirements of federal law. Federal law defines EPSDT to include screening services, vision services, dental services, hearing services, and other necessary services to correct or ameliorate defects and physical and mental illnesses and conditions discovered by the screening services, whether or not the services are covered under the state plan. Existing law provides that specialty mental health services include EPSDT services provided to eligible Medi-Cal beneficiaries under 21 years of age. Existing law requires each local mental health plan to establish a procedure to ensure access to outpatient specialty mental health services, as required by the EPSDT program standards, for children in foster care who have been placed outside their county of adjudication. Existing law includes standardized contracts, procedures, documents, and forms, to facilitate the receipt of medically necessary specialty mental health services by a foster child who is placed outside his or her county of

original jurisdiction. This bill would declare the intent of the Legislature to ensure that foster children who are placed outside of their county of original jurisdiction, are able to access mental health services in a timely manner consistent with their individualized strengths and needs and the requirements of EPSDT program standards and requirements. The bill would require the department to issue policy guidance that establishes the conditions for and exceptions to presumptive transfer of responsibility for providing or arranging for mental health services to a foster child from the county of original jurisdiction to the county in which the foster child resides, as prescribed. The bill would define presumptive transfer for these purposes. The bill would authorize any interested party who owes a legal duty to the child involving the child's health or welfare to seek a waiver of presumptive transfer and would provide that the county probation agency or child welfare services agency with responsibility for the care and placement of the child is responsible for determining whether presumptive transfer is appropriate under specified conditions, including when a determination is made that the transfer of mental health services would disrupt continuity of care or timely access to services, as specified. The bill would require the mental health plan in the host county to assume responsibility for the authorization and provision of mental health services, and payments for services, upon the presumptive transfer. By increasing the responsibilities of county probation agencies or child welfare services agencies with respect to determining whether presumptive transfer is appropriate, the bill would impose a state-mandated local program. This bill would require the department to seek approval from the United States Department of Health and Human Services, federal Centers for Medicare and Medicaid Services (CMS) prior to implementing these provisions if the department determines that approval is necessary. The bill would authorize the department and the State Department of Social Services to adopt regulations to implement these provisions by July 1, 2019, as specified.

AB 1808
Wood

Minors: mental health treatment or counseling services

Existing law authorizes a minor who is 12 years of age or older to consent to outpatient mental health treatment or counseling services, notwithstanding any provision of law to the contrary, if, in the opinion of the attending professional person, the minor is mature enough to participate intelligently in those services. Existing law defines "professional person," for the purposes of those provisions, to include, among others, a marriage and family therapist, a marriage and family therapist intern, a professional clinical counselor, a clinical counselor intern, a clinical psychologist, and a clinical social worker, as specified. This bill would additionally authorize a marriage and family therapist trainee, a clinical counselor trainee, a registered psychologist, a registered psychological assistant, a psychology trainee, an associate clinical social worker, and a social work intern, while working under the supervision of certain licensed professionals, respectively, to provide those services. The bill would require the marriage and family therapist trainee, the clinical counselor trainee, the psychology trainee, or the social work intern to notify his or her supervisor or an on-call supervisor, as specified, at the site where the trainee or intern volunteers or is employed within 24 hours of treating or counseling a minor. The bill would require the trainee or intern, if upon the initial assessment of the minor the trainee or intern believes that the minor is a danger to self or to others, to notify the supervisor, as specified, immediately after the treatment or counseling session.

AB 1836
Maienschein

Mental health: referral of conservatees

Existing law provides a procedure for the appointment of a conservator for a person who is determined to be gravely disabled as a result of a mental disorder or an impairment by chronic alcoholism. Existing law authorizes certain persons to recommend conservatorship of an individual under his or her care to the officer providing conservatorship investigation in the county of the individual's residence, as specified. Existing law also provides for the establishment of a conservatorship for a person who is unable to properly provide for his or her personal needs or is substantially unable to manage his or her finances. This bill would authorize the court, if a conservatorship has already been established under the Probate Code, to refer the conservatee for an assessment by the local mental health system or plan to determine if the

conservatee has a treatable mental illness, including whether the conservatee is gravely disabled as a result of a mental disorder or impairment by chronic alcoholism, and is unwilling to accept, or is incapable of accepting, treatment voluntarily. The bill would also require the court to appoint counsel to a conservatee if he or she cannot afford counsel. The bill would require the local mental health system or plan to file a copy of the assessment with the court that made the referral.

AB 1917 *Mental health care professionals: qualifications*

Obernolte

(1) Under existing law, the Board of Behavioral Sciences licenses and regulates marriage and family therapists and professional clinical counselors. Existing law requires the board to accept specified education an applicant gained while the applicant resided outside of California as satisfying certain educational requirements for licensure as a marriage therapist or as a professional clinical counselor. This bill would, instead, require the board to accept specified education an applicant gained from an out-of-state school. (2) Existing law requires an applicant seeking licensure as a professional clinical counselor or a marriage and family therapist to possess a degree that contains a practicum coursework requirement that may be satisfied by conducting face-to-face counseling. This bill would specify that the face-to-face counseling requirement of the practicum coursework be face-to-face counseling of individuals, couples, families, or groups. This bill would require that this counseling be supervised for applicants seeking licensure as a professional clinical counselor. (3) Existing law requires, with specified exceptions, an applicant seeking licensure as a professional clinical counselor to pass a licensure examination. Existing law requires these applicants to meet specified qualifications to be eligible to take the licensure examination, including possessing a degree that is counseling or psychotherapy in content, and that contains specified coursework. Existing law requires this degree to include supervised practicum or field study experience, as specified. This bill would require that the degree's practicum and field study experience involve direct client contact. (4) Existing law requires an applicant seeking licensure as a professional clinical counselor to possess a degree that is counseling or psychotherapy in content, and that contains specified coursework. Existing law allows remediation of a limited number of required core content coursework areas if they are missing from an applicant's degree program. This bill would prohibit remediation of the core content area of assessment, appraisal, and testing of individuals, as specified. The bill also would prohibit the remediation of the core content area of the principles of the diagnostic process and the use of diagnostic tools, as specified.

AB 2191 *Board of Behavioral Sciences*

Salas

Existing law provides for the licensure and regulation of educational psychologists, clinical social workers, marriage and family therapists, and professional clinical counselors by the Board of Behavioral Sciences within the Department of Consumer Affairs. Existing law specifies the composition of the board and requires the board to employ an executive officer. Existing law repeals these provisions on January 1, 2017. Under existing law, the repeal of the provision establishing the board renders the board subject to review by the appropriate policy committees of the Legislature. This bill would extend the operation of these provisions until January 1, 2021, and would make nonsubstantive changes.

SB 884 *Special education: mental health services*

Beall

Existing law requires the Superintendent of Public Instruction to administer the special education provisions of the Education Code and ensure provision of, and supervise, education and related services to individuals with exceptional needs, as required pursuant to the federal Individuals with Disabilities Education Act. Existing law provides for the establishment of Family Empowerment Centers on Disability to, among other things, ensure that children and young adults with disabilities receive the necessary educational support and services they need to complete their education. Existing law separately requires the Controller, in consultation with the Department of Finance, the State Department of Education, and specified other entities, to

propose the content of an audit guide for purposes of carrying out financial and compliance audits for local educational agencies. This bill would require the audit guide to include audit procedures to review whether specified funding, which the bill would subject to existing state and federal audit requirements, for educationally related mental health services required by an individualized education program received by local educational agencies was used for its intended purpose in the 2016–17 fiscal year, and would require these audit procedures to be included in future fiscal years if recommended by the Controller, as specified. The bill would require the State Department of Education to include a link on the sample procedural safeguards maintained on its Internet Web site to the page on its Internet Web site that lists family empowerment centers and to include the link on specified forms. The bill would require the department to submit 2 reports, as specified, relating to the provision of mental health services to pupils through an individualized education program to the appropriate fiscal and policy committees of the Legislature by June 30, 2017.

SB 1291
Beall

Medi-Cal: specialty mental health: minor and nonminor dependents

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 specialty mental health services. The Medi-Cal program is, in part, governed and funded by federal Medicaid program provisions. Under existing law, specialty mental health services are provided by mental health plans and the department is responsible for conducting investigations and audits of claims and reimbursements for expenditures for specialty mental health services provided by mental health plans to Medi-Cal eligible individuals. This bill would require annual mental health plan reviews to be conducted by an external quality review organization (EQRO) and, commencing July 1, 2018, would require those reviews to include specific data for Medi-Cal eligible minor and nonminor dependents in foster care, including the number of Medi-Cal eligible minor and nonminor dependents in foster care served each year. The bill would require the department to share data with county boards of supervisors, including data that will assist in the development of mental health service plans and performance outcome system data and metrics, as specified. This bill would require the department to post any corrective action plan prepared by the mental health plan to address deficiencies identified by the EQRO review and the EQRO data on its Internet Web site, as specified. The bill would also require the department to notify the mental health plan of any deficiencies and would require the mental health plan to provide a written corrective action plan to the department.

Environmental Health Services

- AB 551 *Rental property: bed bugs*
Nazarian Existing law imposes various obligations on landlords who rent out residential dwelling units, including the general requirement that the building be in a fit condition for human occupation. Among other responsibilities, existing law requires a landlord of a residential dwelling unit to provide each new tenant who occupies the unit with a copy of the notice provided by a registered structural pest control company, as specified, if a contract for periodic pest control service has been executed. This bill would prescribe the duties of landlords and tenants with regard to the treatment and control of bed bugs. The bill would require a landlord to provide a prospective tenant, on and after July 1, 2017, and to all other tenants by January 1, 2018, information about bed bugs, as specified. The bill would require that the landlord provide notice to the tenants of those units inspected by the pest control operator of the pest control operator's findings within 2 business days, as specified. The bill would prohibit a landlord from showing, renting, or leasing a vacant dwelling unit that the landlord knows has a bed bug infestation, as specified. This bill would incorporate additional changes to Section 1942.5 of the Civil Code, proposed by AB 2881, that would become operative only if this bill and AB 2881 are chaptered and become effective on or before January 1, 2017, and this bill is chaptered last.
- AB 1103 *Solid waste disposal: self-haulers*
Dodd The California Integrated Waste Management Act of 1989, administered by the Department of Resources Recycling and Recovery, generally regulates the disposal, management, and recycling of solid waste. Existing law requires exporters, brokers, and transporters of recyclables or compost to submit periodic information to the department on the types, quantities, and destinations of materials that are disposed of, sold, or transferred. This bill would additionally require a self-hauler to submit that information to the department and would require the department to develop regulations that define "self-hauler" to include specified persons and entities.
- AB 1419 *Hazardous waste: cathode ray tube glass*
Eggman Existing law prohibits the management of hazardous waste, except in accordance with the hazardous waste laws. Existing law requires the Department of Toxic Substances Control to regulate the management and disposal of hazardous waste. Under existing regulations, the department classifies a waste as hazardous waste if the waste exceeds certain total threshold limitation concentrations, which are established by the department for various substances, including barium. A violation of the hazardous waste laws is a crime. This bill, except as specified, would provide that used, broken cathode ray tube (CRT) panel glass and processed CRT panel glass that exceeds the total threshold limit concentration only for barium is not a waste and is not subject to regulation by the department if that panel glass meets certain requirements. The bill would provide that used, broken CRT panel glass and processed CRT panel glass that is recycled is not subject to the department's regulations on the export of materials. The bill would prohibit the use of that CRT panel glass except in specified end uses.
- AB 1817 *Solid waste: garbage and refuse disposal districts: board of directors*
Mark Existing law authorizes the formation of garbage and refuse disposal districts under certain
Stone conditions, and requires that a board of directors of not less than 3 members be appointed for each district. Existing law authorizes members of the board of directors to receive not more than \$50 per diem for each day of actual attendance at the meetings of the board, up to \$100 in a calendar month. This bill would authorize a district board to provide, by ordinance or resolution, compensation to a member of the board in an amount not to exceed \$100 per day for each day of attendance at a meeting of the board or for each day of service rendered as director by request of the board, and would authorize a member of a district board to receive that compensation for no more than 6 days in a calendar month.

- AB 1842 *Water: pollution: fines*
Levine Existing law imposes a maximum civil penalty of \$25,000 on a person who discharges various pollutants or other designated materials into the waters of the state. This bill would impose an additional civil penalty of not more than \$10 for each gallon or pound of material discharged. The bill would require that the civil penalty be reduced for every gallon or pound of the illegally discharged material that is recovered and properly disposed of by the responsible party. The Lempert-Keene-Seastrand Oil Spill Prevention and Response Act establishes various civil penalties for conduct in connection with the intentional or negligent discharging of oil into waters of the state. Existing law requires civil and criminal penalties provided in the act to be separate from, and in addition to, and to not supersede or limit, any and all other remedies, civil or criminal. This bill would prohibit a person from being subject to both a civil penalty described above and a civil penalty imposed pursuant to the Lempert-Keene-Seastrand Oil Spill Prevention and Response Act for the same act or failure to act.
- AB 1874 *Structural pest control*
Wood Existing law defines, licenses, and regulates structural pest control operators and creates the Structural Pest Control Board in the Department of Consumers Affairs to administer these provisions. Existing law defines a registered company to be specified types of business organizations registered with the board to engage in the practice of structural pest control, and defines a “qualifying manager” as the licensed operator or operators designated by a registered company to supervise the daily business of the company and to be available to supervise and assist the company’s employees. Existing law prescribes 3 different classifications of structural pest control licenses, which are termed branches, based on the types of pest control work permitted. Existing law makes a violation of provisions regulating structural pest control operators a misdemeanor. This bill would revise the definition of “qualifying manager” to require that the licensed operator be physically present at the principal office or branch office location for a minimum of 9 days every 3 consecutive calendar months, and to require that these days be documented and provided to the board upon request.
- AB 2125 *Healthy Nail Salon Recognition Program*
Chiu Existing law regulates the existence and disclosure of specified chemicals and components in consumer products, including phthalates and bisphenol A. Existing law also provides for the licensing and regulation of nail salons and manicurists by the State Board of Barbering and Cosmetology within the Department of Consumer Affairs. This bill would require the Department of Toxic Substances Control to publish guidelines for cities, counties, and cities and counties to voluntarily implement local healthy nail salon recognition (HNSR) programs. The bill would allow the guidelines to include, but not be limited to, specified criteria, such as the potential for exposure of nail salon workers and customers to chemicals. The bill would also require the department to develop a consumer education program, present the guidelines to local health officers, local environmental health departments, and other local agencies, and post specified information on its Internet Web site.
- AB 2153 *The Lead-Acid Battery Recycling Act of 2016*
Cristina Garcia Existing law prohibits a person from disposing, or attempting to dispose, of a lead-acid battery at a solid waste facility or on or in any land, surface waters, watercourses, or marine waters, but authorizes a person to dispose of a lead-acid battery at certain locations. Existing law requires a dealer to accept, when offered at the point of transfer, a lead-acid battery from a consumer in exchange for the new lead-acid battery purchased by that consumer from the dealer. A violation of these provisions is a misdemeanor. This bill, the Lead-Acid Battery Recycling Act of 2016, would, as of January 1, 2017, revise these provisions to require a dealer to accept, at the point of transfer, specified types of used lead-acid batteries and would prohibit the dealer from charging any fee to accept these used lead-acid batteries. The bill, on and after April 1, 2017, would require a dealer to collect a refundable deposit for each new lead-acid battery of these types

from a person who purchases the battery and who does not simultaneously provide a used lead-acid battery of the same size and type, and would require the dealer to refund the deposit to the person if, within 45 days of the sale of that lead-acid battery, the person presents a used lead-acid battery of the same type and size. The bill would require a dealer to post a specified notice or include specified information on the purchaser's receipt for one of these lead-acid batteries with regard to these provisions. The bill would allow the dealer to keep any lead-acid battery refundable deposit that is not properly claimed within 45 days after the date of sale of the new lead-acid battery. This bill, on and after April 1, 2017, until March 31, 2022, would require a California battery fee in the amount of \$1 to be imposed on a person, except as specified, for each replacement lead-acid battery purchased that is of one of the specified types. The bill would authorize the dealer to retain 1 1/2% of the fee as reimbursement for any costs associated with the collection of the fee and would require the dealer to remit the remainder to the State Board of Equalization (state board) for deposit into the Lead-Acid Battery Cleanup Fund, except as specified. On and after April 1, 2022, the bill would increase the California battery fee to \$2. This bill, on and after April 1, 2017, until March 31, 2022, would require a manufacturer battery fee of \$1 to be imposed on a manufacturer of lead-acid batteries for each lead-acid battery it sells at retail to a person in California, or that it sells to a dealer, wholesaler, distributor, or other person for retail sale in California, for deposit into the Lead-Acid Battery Cleanup Fund. The bill would require manufacturer battery fees remitted pursuant to these provisions to be credited against amounts owed by the manufacturer to the state under a judgment or determination of liability under specific hazardous materials provisions or any other law for removal, remediation, or other response costs relating to a release of a hazardous substance from a lead-acid battery recycling facility. The bill would require that the amount paid by a manufacturer for a manufacturer battery fee be considered to reduce the manufacturer's share of liability in the allocation of costs among potentially responsible parties in a contribution action brought by a private party related to a release of hazardous substances from a lead-acid battery recycling facility. Of moneys collected pursuant to this act, the bill would require the board to retain moneys necessary for the payment of refunds and to reimburse the board for expenses in the collection of the California battery fee and the manufacturer battery fee. The bill would require that the remaining moneys be deposited into the Lead-Acid Battery Cleanup Fund, which would be created by the bill, and would make the moneys available upon appropriation by the Legislature for purposes of response actions at any area of the state that is reasonably suspected to have been contaminated by the operation of a lead-acid battery recycling facility, administration of the fund, the department's administration and implementation of the act's provisions, and reimbursement of certain loans for lead cleanup. The bill would make the reimbursement money available for further loans, as specified. The bill would require \$1,200,000 be loaned from the California Tire Recycling Management Fund to the board for implementing the collection of the California battery fee and the manufacturer battery fee and would require that the loan be repaid before October 1, 2017. This bill would require, on and after July 1, 2017, a manufacturer to place a recycling symbol, as specified, and other information on all replacement lead-acid batteries sold in California. This bill would require, by February 1, 2018, and annually thereafter, the department to report to the Legislature on the status of the Lead-Acid Battery Cleanup Fund and on the department's progress in implementing these provisions. This bill would authorize the board to adopt regulations to implement these lead-acid battery management provisions. Because a violation of these regulations would be a crime, this bill would impose a state-mandated local program. This bill would require, on or before January 1, 2017, manufacturers to notify distributors, wholesalers, and dealers of the lead-acid batteries it manufactures of the bill's requirements, as specified.

AB 2362

Common interest developments: pesticide application

Chu

Existing law, the Davis-Stirling Common Interest Development Act, regulates the creation and governance of common interest developments, which are managed by associations. Existing law generally provides that an association is responsible for maintaining common areas in the development and owners of separate interests are responsible for their interests. Existing law

permits an association to require the removal of an occupant of a separate interest for those times and periods as may be necessary for the effective treatment of wood-destroying pests. Existing law generally requires a landlord or his or her authorized agent to provide notice to tenants, and under certain circumstances tenants of adjacent units, of the use of pesticides at the tenant's dwelling unit or in common areas if the landlord or authorized agent applies any pesticide without a licensed pest control operator. This bill would require a common interest development association or its authorized agent to provide notice to an owner and, if applicable, a tenant of a separate interest, and under certain circumstances to owners and, if applicable, tenants of adjacent separate interests, if pesticide is to be applied without a licensed pest control operator to a separate interest or to a common area. The bill would prescribe the contents of the notice and how it is to be provided. The bill would authorize an owner or tenant to agree to immediate pesticide application and would prescribe a revised notification procedure in this instance. The bill would also permit the notice to be posted, as specified, after the pesticide application if the pest poses an imminent threat to health and safety.

AB 2396
McCarty

Solid waste: annual reports

The California Integrated Waste Management Act of 1989, which is administered by the Department of Resources Recycling and Recovery, establishes an integrated waste management program. Existing law requires each state agency to submit an annual report to the department summarizing its progress in reducing solid waste that is due on or before May 1 of each year. This bill would require each state agency to include in that annual report a summary of the state agency's compliance with specified requirements relating to recycling commercial solid waste and organic waste. This bill would incorporate additional changes in Section 42926 of the Public Resources Code proposed by AB 2812 that would become operative only if AB 2812 and this bill are both chaptered and become effective on or before January 1, 2017, and this bill is chaptered last.

AB 2529
Linder

Structural pest control

Existing law defines, licenses, and regulates structural pest control operators and creates the Structural Pest Control Board in the Department of Consumers Affairs to administer these provisions. Existing law defines a registered company to be any of specified types of business organizations registered with the board to engage in the practice of structural pest control and defines operators, field representatives, and applicators as specified classes of individuals licensed by the board to practice structural pest control. Existing law prescribes 3 different classifications of structural pest control licenses based on the types of pest control work permitted, which are termed branches. Existing law makes a violation of these provisions a misdemeanor, punishable by a fine of not less than \$100 and not more \$1,000, or 6 months in jail, or both. Existing law authorizes a company registered with the board to engage in the practice of structural pest control to hire or employ individuals who are unlicensed to perform contracts covering wood destroying organisms only after an operator or field representative completes the negotiation or signing of the contract covering the job. This bill would specify that the registered company may hire or employ unlicensed individuals to perform work on contracts or service agreements, as defined, covering Branch 1, 2, or 3, or combinations thereof. Existing law designates the county agricultural commissioner as the lead agency for inspections and routine investigations of pesticide use by the board licensees and registered companies. Existing law prescribes the circumstances under which an employer may be cited by the commissioner if, during an inspection or investigation, an employee is found not wearing personal protective clothing required by regulation. The bill would recast these provisions to permit referral for statewide disciplinary action against the employer, suspension of the employer, the assessment of an administrative fine against both the employer and the employee not to exceed \$5,000 if the employee is found to not wear personal protective equipment required by label or regulation. The bill would, if disciplinary action is not taken against the employer and the employer is not assessed an administrative fine, permit an administrative fine to be assessed against the employee if an employer provides evidence of specified employer

practices and would also include, in this regard, the requirement that the employer has not been disciplined or assessed an administrative fine for a violation of the requirement for the previous 2 years.

AB 2616
Burke

California Coastal Commission: environmental justice

Existing law, the California Coastal Act of 1976, establishes the California Coastal Commission and prescribes the membership and functions and duties of the commission. Existing law provides that the commission consists of 15 members. This bill would require one of the members of the commission appointed by the Governor to reside in, and work directly with, communities in the state that are disproportionately burdened by, and vulnerable to, high levels of pollution and issues of environmental justice, as defined. The bill would require that the Governor appoint a member who meets these qualifications to a vacant position from the appointments available no later than the fourth appointment available after January 1, 2017. Existing law requires any person, as defined, wishing to perform or undertake any development, as defined, in the coastal zone to obtain a permit, except as provided. Existing law prescribes a process for the certification of local coastal programs in the state and requires, after certification of the local coastal program, a coastal development permit to be issued if the issuing agency, or the commission on appeal, finds that the proposed development is in conformity with the certified local coastal program. This bill would authorize the issuing agency, or the commission on appeal, to consider environmental justice, as defined, or the equitable distribution of environmental benefits in communities throughout the state, when acting on a coastal development permit.

AB 2812
Gordon

Solid waste: recycling: state agencies and large state facilities

Existing law requires the Department of Resources Recycling and Recovery to develop and adopt requirements relating to adequate areas for collecting, storing, and loading recyclable materials in state buildings. Existing law requires each state agency or large state facility, when entering into a new lease, or renewing an existing lease, to ensure that adequate areas are provided for, and adequate personnel are available to oversee, the collection, storage, and loading of recyclable materials in compliance with those requirements. This bill would require the department, on or before July 1, 2017, to develop guidance for collecting and recycling recyclable materials in office buildings of state agencies and large state facilities, except buildings and facilities of community college districts or their campuses. The bill would require that a covered state agency and large state facility, on and after July 1, 2018, provide adequate receptacles, signage, education, and staffing, and arrange for recycling services consistent with specified law, for each office building of the state agency or large state facility. The bill would require, at least once per year, a covered state agency and large state facility to review the adequacy and condition of receptacles for recyclable material and of associated signage, education, and staffing. Existing law requires each state agency to submit an annual report to the department summarizing its progress in reducing solid waste, as specified. This bill would require that report to include a summary of the state agency's compliance with this act. This bill would incorporate additional changes in Section 42926 of the Public Resources Code proposed by AB 2396 that would become operative only if AB 2396 and this bill are both chaptered and become effective on or before January 1, 2017, and this bill is chaptered last.

AB 2890
Committee on
Environmental
Safety and
Toxic
Materials

Drinking water and wastewater operator certification programs

(1) Existing law requires the State Water Resources Control Board to examine and certify persons as to their qualifications to supervise or operate water treatment plants and water distribution systems. Existing law requires the certification to indicate the classification of water treatment plant or water distribution system that the person is qualified to supervise or operate. This bill would require the board to appoint an advisory committee to assist it in carrying out its responsibilities to examine and certify people to operate water treatment plants and water distribution systems. This bill would require the advisory committee to review all proposed

regulations and make recommendations to the board. Existing law provides for water treatment operators-in-training, meaning people who do not yet meet the experience requirements for a specific water treatment operator grade. This bill would eliminate the category of a water treatment operator-in-training. Existing law authorizes the board to suspend, revoke, or refuse to grant or renew any water treatment operator certificate or water treatment operator-in-training certificate to operate or supervise the operation of a water treatment plant or to place on probation or reprimand the certificate holder upon any reasonable grounds. This bill would include willful or negligent acts that cause or allow the violation of certain laws as reasonable grounds for those purposes and would specify the rules for a board hearing prior to suspension or revocation of a valid operator certificate. This bill would provide that a person who submits to the board false or misleading information on an application or examination for a water treatment operator certificate or water distribution operator certificate may be liable civilly in an amount not to exceed \$5,000 for each violation. This bill would make a person who operates or is in responsible charge and allows the employment of a person who operates a water treatment plant or water distribution system that does not hold a valid, unexpired certificate of the appropriate grade guilty of a misdemeanor and would provide that civil liability may be imposed in an amount not to exceed \$100 for each day of violation. By expanding the definition of a crime, this bill would impose a state-mandated local program. Existing law requires the board to establish fee schedules for the issuance, replacement, reinstatement, continuing education, and renewal of certificates to provide revenues that do not exceed the amount necessary, but are sufficient, to recover all costs incurred in the administration of these certification provisions. Existing law establishes the Drinking Water Operator Certification Special Account in the State Treasury and provides that fees collected by the board to recover the costs of the certification provisions are to be deposited in the account. This bill would specify that the moneys in the account are available, upon appropriation by the Legislature. This bill would require the board to adopt, by emergency regulations, a schedule of fees to recover costs incurred for the purposes of these certification provisions, as prescribed. This bill would require the board to review and revise the fees, as necessary, each fiscal year. Existing law requires the board to evaluate the water distribution operator certification program of the California-Nevada Section of the American Water Works Association and issue an appropriate water distribution operator certificate for those certified operators that have satisfied the provisions regulating water distribution system operators. Existing law requires the board to recognize as valid and sufficient certificates issued by certification programs of other states, as specified. This bill would repeal these provisions and instead would require the board to issue a water treatment operator certificate and water distribution operator certificate by reciprocity to any person holding a valid, unexpired, comparable certification issued by another state, the United States, prescribed territories or tribal governments, or a unit of any of these. (2) Existing law requires the State Water Resources Control Board to classify types of wastewater treatment plants for the purpose of determining the levels of competence necessary to operate them. Existing law requires supervisors and operators of wastewater treatment plants to possess a certificate of appropriate grade. Existing law authorizes the board to exempt from these requirements certain facilities. This bill would require a person who operates a nonexempt wastewater treatment plant to possess a valid, unexpired wastewater certificate or water treatment operator certificate of the appropriate grade. The bill would require the board to prescribe the procedures and requirements for designation of a chief plant operator and the duties of a chief plant operator. Existing law authorizes the board to suspend, revoke, or refuse to grant or renew any certificate issued by the board to operate a wastewater treatment plant or to place on probation or reprimand the certificate holder upon any reasonable grounds. This bill would include willful or negligent acts that cause or allow the violation of the Porter-Cologne Water Quality Control Act as reasonable grounds for these purposes. Under existing law, any person who submits to the board false or misleading information on an application for a certificate to operate a wastewater treatment plant or on an application for registration may be liable civilly in an amount not to exceed \$5,000 for each violation. This bill would add that any person who submits to the board false or misleading information on an application for an examination for a wastewater certificate may be

liable civilly in that amount. Under existing law, operating, owning, or allowing the employment of a person who operates a wastewater treatment plant that does not hold a valid, unexpired certificate of the appropriate grade is a misdemeanor and civil liability may be imposed in an amount not to exceed \$100 for each day of violation. This bill would make a person who operates a wastewater treatment plant without a wastewater certificate or a water recycling treatment plant without a wastewater certificate or water treatment operator certificate, as prescribed, guilty of a misdemeanor and provides that civil liability may be imposed. This bill would make employing such a person subject to the same penalties. By expanding the definition of a crime, this bill would impose a state-mandated local program. Existing law requires certificates to be renewed biennially. This bill would require a wastewater certificate issued or renewed on or after January 1, 2017, to be renewed triennially. Existing law authorizes the board to impose fees to cover the costs of the wastewater treatment plant operator certification program, and requires the fees to be deposited in the Wastewater Operator Certification Fund. Existing law authorizes the board to expend the moneys in the fund, upon appropriation by the Legislature, for purposes of administering the program. This bill would require the board to establish a fee schedule to provide revenues that do not exceed the amount necessary, but are sufficient, to recover all the costs of the program. This bill would require the board to adopt, by emergency regulations, a schedule of fees to recover costs incurred for the purposes of this program, as prescribed. This bill would require the board to review and revise the fees, as necessary, each fiscal year. Existing law requires any operator employed at certain privately owned facilities used primarily in the treatment or reclamation of sewage to pass any written examination administered by the board and to be credited with one year of experience for purposes of operator certification. Existing law authorizes the board to charge a reasonable fee for administering these provisions. This bill would eliminate these provisions. Existing law authorizes the board to approve courses of instruction at higher educational institutions that will qualify operators for each grade of certification and approve courses of instruction given by professional associations, nonprofit private agencies, or public agencies that are deemed equivalent. This bill would eliminate the requirement that the private agencies be nonprofit. Existing law requires the board to appoint an advisory committee to assist it in carrying out its wastewater treatment plant classification and operator certification responsibilities. Existing law provides that the advisory committee consists of 9 persons. This bill would add a 10th person to the advisory committee, a person employed as an operator at a water recycling treatment plant.

AB 2891
Committee
on
Environmental Safety and
Toxic
Materials

Hazardous waste: funding

Existing law, the Carpenter-Presley-Tanner Hazardous Substance Account Act (California Superfund Act), imposes liability for hazardous substance removal or remedial actions and authorizes moneys in the Toxic Substances Control Account in the General Fund to be expended by the Department of Toxic Substances Control to pay, among other things, all costs of removal or remedial actions incurred by the state and for the state's share of the costs of removal or remedial actions mandated by the federal Comprehensive Environmental Response, Compensation, and Liability Act of 1980, commonly known as the Federal Superfund Act. Existing law expresses the intent of the Legislature that the funds deposited in the account be appropriated in the annual Budget Act each year in a specified manner, including not less than \$6,750,000 to the Site Remediation Account in the General Fund for direct site remediation costs, as defined. Existing law defines orphan sites as those with no reasonably identifiable responsible parties. This bill would instead express the intent of the Legislature that the funds deposited in the account be appropriated in the annual Budget Act each year to the Site Remediation Account in an amount that is sufficient to pay for estimated costs for direct site remediation at both federal Superfund orphan sites and at state orphan sites, and that not less than \$10,750,000 be appropriated in the annual Budget Act each year to the Site Remediation Account for direct site remediation costs. The bill would require the department to include those estimated costs in a report submitted to the Legislature with the Governor's Budget each year. Existing law requires the department to provide the State Board of Equalization with a schedule of codes identifying the types of organizations that use, generate, store, or conduct activities in

this state related to hazardous materials. Each organization type identified in the schedule is required to pay an annual fee, which is deposited in the Toxic Substances Control Account. Existing law expresses the intent that those organization fee rates are intended to provide sufficient revenue to fund, among other things, appropriations in any given fiscal year of \$3,300,000 to fund the state's clean-up obligation under the Federal Superfund Act. If the department determines that the state's obligation under the Federal Superfund Act will exceed \$3,300,000 in any fiscal year, existing law requires the department to report that determination to the Legislature in the Governor's Budget. This bill would repeal that expression of legislative intent and a related requirement that the Legislature specify in the annual Budget Act changes to those rates necessary to fund the state's increased obligation under the Federal Superfund Act. The bill would instead express the intent of the Legislature that those rates are intended to provide sufficient revenue to fund appropriations in any given fiscal year to fund the state's obligation under the Federal Superfund Act.

AB 2892
Committee
on
Environmental Safety and
Toxic
Materials

Pesticide poisoning

Existing law, until January 1, 2017, requires, among other things, any laboratory that performs cholinesterase testing on human blood for an employer to enable the employer to satisfy his or her responsibilities for medical supervision of his or her employees who regularly handle pesticides pursuant to specified regulations or to respond to alleged exposure to cholinesterase inhibitors or known exposure to the inhibitors that resulted in illness, to electronically report specified information in its possession on every person tested to the Department of Pesticide Regulation. The department is required to share the information in an electronic format with the Office of Environmental Health Hazard Assessment (OEHHA) and the State Department of Public Health on an ongoing basis, as specified. This bill would extend these requirements until January 1, 2021. The bill would require that an employer satisfying his or her responsibilities for medical supervision of employees who regularly handle pesticides contract with a medical supervisor registered with the OEHHA. The bill would require the OEHHA to establish a procedure for registering and deregistering medical supervisors and to establish requirements for their performance. The bill would additionally make specified changes to the information a laboratory is required to report to the Department of Pesticide Regulation.

AB 2893
Committee
on
Environmental Safety and
Toxic
Materials

Department of Toxic Substances Control: enforcement

(1) The Hazardous Waste Control Law authorizes the Department of Toxic Substances Control and authorized local enforcement officers and agencies to require specified persons to furnish and transmit certain information relating to the person's ability to pay for or perform a response action, and further authorizes those entities to require any person who has information regarding another person's activities that relate to the ability of the person to pay for or perform a response action to also furnish and transmit the information. Existing law makes those provisions applicable only if there is a reasonable basis to believe that there has been or may be a release or threatened release of a hazardous substance and only for the purpose of determining how to finance a response action or otherwise for the purpose of enforcing the Hazardous Waste Control Law. A violation of the Hazardous Waste Control Law is a crime. This bill would make those provisions applicable also if there is a reasonable basis to believe that there has been or may be a release or threatened release of hazardous wastes or hazardous material and also for the purpose of determining how to finance a corrective action. (2) Existing law authorizes an officer or employee of the department and specified other persons to require any person who has or may have information relevant to specified matters relating to the release of hazardous substances to furnish and transmit that information. Existing law authorizes the department to disclose trade secrets received by the department pursuant to the Hazardous Waste Control Law only under specified circumstances. This bill would require the person required to furnish and transmit the information to pay for any costs of photocopying and transmitting the information. The bill would limit the disclosure by the department of information, including trade secrets, received by the department pursuant to these provisions of the Hazardous Waste Control Law, specifying the parties to whom that disclosure is proper and requiring the disclosures be in

connection with the department's responsibilities under that law. The bill would require this information to be made available to governmental agencies for use in making studies and for use in judicial review or enforcement proceedings involving the person furnishing the information.

SB 423

Surplus household consumer product waste: management

Bates

Existing law requires the Department of Resources Recycling and Recovery, in consultation with the Department of Toxic Substances Control, to develop and implement a public information program to provide uniform and consistent information on the proper disposal of hazardous substances found in and around homes. Existing law provides for regulation of the disposition of hazardous waste by the Department of Toxic Substances Control. This bill would require the Department of Toxic Substances Control to convene a Retail Waste Working Group, as prescribed, to consider and make findings and recommendations relating to requirements for the management of surplus household consumer products, waste reduction opportunities for those products, and waste management requirements, as specified. The bill would require the working group to report these findings and recommendations to the Legislature by June 1, 2017.

SB 820

Hazardous materials: California Land Reuse and Revitalization Act of 2004

Hertzberg

The California Land Reuse and Revitalization Act of 2004 provides, among other things, that an innocent landowner, bona fide purchaser, or contiguous property owner, as defined, qualifies for immunity from liability from certain state statutory and common laws for pollution conditions caused by a release or threatened release of a hazardous material if specified conditions are met, including entering into an agreement for a specified site assessment and response plan. The act prohibits the Department of Toxic Substances Control, the State Water Resources Control Board, and a California regional water quality control board from requiring one of those persons to take a response action under certain state laws, except as specified. Existing law repeals the act on January 1, 2017. Existing law provides that a person who qualifies for immunity under the act before January 1, 2017, shall continue to have that immunity on and after January 1, 2017, if the person continues to be in compliance with the requirements of the former act. This bill would extend the repeal date of the act to January 1, 2027, and would provide that a person who qualifies for immunity under the act before January 1, 2027, shall continue to have that immunity on and after January 1, 2027, if the person continues to be in compliance with the requirements of the former act.

SB 970

Greenhouse Gas Reduction Fund: grant program recyclable materials

Leyva

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 market-based compliance mechanism to be deposited in the Greenhouse Gas Reduction Fund and to be available upon appropriation by the Legislature. Existing law requires certain moneys appropriated by the Legislature from the Greenhouse Gas Reduction Fund to be used by the Department of Resources Recycling and Recovery for a grant program to provide financial assistance to reduce greenhouse gas emissions by promoting in-state development of infrastructure to process organic and other recyclable materials into new, value-added products. This bill would require the department, in awarding a grant for organics composting or anaerobic digestion under the program, to consider, among other things, the amount of greenhouse gas emissions reductions that may result from the project and the amount of organic material that may be diverted from landfills as a result of the project. This bill would also permit the department, to the degree that funds are available, to provide larger grant awards for large-scale regional integrated projects that provide cost-effective organic waste diversion and maximize environmental benefits.

- SB 1229
Jackson *Home-generated pharmaceutical waste: secure drug take-back bins*
Under existing law, the Medical Waste Management Act, the State Department of Public Health regulates the management and handling of medical waste, including pharmaceutical waste, as defined. The act generally prohibits a person from transporting, storing, treating, disposing, or causing the treatment of medical waste in a manner not authorized by the act. A violation of that provision is a crime. Under existing law, everyone is generally responsible, not only for the result of his or her willful acts, but also for an injury occasioned to another by his or her want of ordinary care or skill in the management of his or her property or person, except so far as the latter, has willfully or by want of ordinary care, brought the injury upon himself or herself. This bill would provide that a collector, as defined, is not liable for civil damages, or subject to criminal prosecution, for any injury or harm that results from the collector maintaining a secure drug take-back bin on its premises provided that the collector, not for compensation, acts in good faith to take specified steps, including that the collector regularly inspects the area surrounding the secure drug take-back bin for potential tampering or diversion, to ensure the health and safety of consumers and employees and the proper disposal in the waste stream of home-generated pharmaceutical waste, as defined, contained in the bins.
- SB 1325
De León *Hazardous waste: facilities: postclosure plans*
Existing law requires the owner or operator of a hazardous waste facility to submit hazardous waste facility closure and postclosure plans to the Department of Toxic Substances Control and to the California regional water quality control board for the region in which the facility is located. Existing law requires the department to review those plans and to approve a plan if it finds that the plan complies with the regulations adopted by the department and all other applicable state and federal regulations. Existing law requires the department to impose the requirements of a hazardous waste facility postclosure plan on the owner or operator of a facility through the issuance of a postclosure permit, or, only until January 1, 2009, through an enforcement order or an enforceable agreement, except as specified. This bill would restore the authority of the department to impose those requirements through an enforcement order or an enforceable agreement and would require the department, on or before January 1, 2018, to adopt regulations to impose postclosure plan requirements. This bill would incorporate additional changes to Section 25247 of the Health and Safety Code proposed by AB 1611 and SB 839 that would become operative if this bill and one or both of those bills are enacted and this bill is chaptered last.
- SB 1456
Galgani *Safe Drinking Water State Revolving Fund Law of 1997: water systems: financing*
Existing law establishes the Safe Drinking Water State Revolving Fund, and moneys in the fund are continuously appropriated to the State Water Resources Control Board for the provision of grants and revolving fund loans to provide for the design and construction of projects for public water systems that will enable suppliers to meet safe drinking water standards. Existing law, for community public water systems and not-for-profit noncommunity public water systems, allows planning and preliminary engineering studies, project design, and construction costs incurred by those public water systems to be funded by loans and other repayable financing. Existing law additionally allows, if those public water systems are owned by public agencies or not-for-profit water companies, those specified costs to be funded by grants, principal forgiveness, or a combination of grants and loans or other financial assistance. Existing law requires the board to determine what portion of the full costs the public agency or private not-for-profit water company is capable of repaying and requires the board to authorize a grant or principal forgiveness only to the extent the board finds the public agency or private not-for-profit water company is unable to repay the full costs of the financing. This bill would authorize the above-described costs to be funded by loans or other repayable financing, grants, principal forgiveness, or a combination of grants and loans or other financial assistance, regardless of whether the community water system or not-for-profit noncommunity water system is owned by a public agency or private not-for-profit water company. By expanding the use of moneys in a

continuously appropriated fund, this bill would make an appropriation. The bill would only authorize a grant or principal forgiveness to a community water system or not-for-profit noncommunity water system that serves a disadvantaged community. The bill, for a water system that is a water corporation regulated by the Public Utilities Commission, would limit the principal forgiveness to capital improvements made by the water system serving disadvantaged communities with fewer than 3,300 service connections. Existing law deems a public agency or private not-for-profit water company serving a severely disadvantaged community with fewer than 200 service connections and that owns a small community water system or nontransient community water system to have no ability to repay any financing for a project serving the severely disadvantaged community. This bill would apply this finding to a community water system or not-for-profit noncommunity water system that is not a water corporation regulated by the Public Utilities Commission and that serves a severely disadvantaged community with fewer than 200 service connections.

Community Health Services

- AB 1322 *Alcoholic beverages: licenses: beauty salons and barber shops*
Daly Existing law makes it unlawful for any person other than a licensee of the Department of Alcoholic Beverage Control to sell, manufacture, or import alcoholic beverages in this state. Existing law allows the serving of alcohol without a license or permit in a limousine or as part of a hot air balloon ride service, provided there is no extra charge or fee for the alcoholic beverages. This bill would additionally allow the serving of beer or wine without a license as part of a beauty salon or barber shop service if specified requirements are met, including that there be no extra charge or fee for the beer or wine, the license of the establishment providing the service is in good standing, and the servings are limited to specified amounts.
- AB 1554 *Powdered alcohol*
Irwin The Alcoholic Beverage Control Act contains various provisions regulating the application for, the issuance of, the suspension of, and the conditions imposed upon alcoholic beverage licenses by the Department of Alcoholic Beverage Control. That act imposes additional regulations on the sale of alcoholic beverages and creates penalties for violations of those regulations. This bill would prohibit the department from issuing a license to manufacture, distribute, or sell powdered alcohol, as defined. This bill would prohibit the possession, purchase, sale, offer for sale, distribution, manufacture, or use of powdered alcohol and would make the specified violation of these provisions punishable as an infraction.
- AB 1558 *Alcoholic beverages: licenses*
Mathis The Alcoholic Beverage Control Act, administered by the Department of Alcoholic Beverage Control, regulates the sale and distribution of alcoholic beverages and the granting of licenses for the manufacture, distribution, and sale of alcoholic beverages within the state. The act also provides for a limitation on the amount of on-sale general licenses that may be issued by the department based on the population of the county in which the licensed premises are located, as provided. This bill would provide an exception to this limitation for the County of Inyo, as specified.
- AB 1567 *Before and after school programs: enrollment: fees: homeless and foster youth: snacks or meals*
Campos The After School Education and Safety Program Act of 2002, enacted by initiative statute, establishes the After School Education and Safety Program to serve pupils in kindergarten and grades 1 to 9, inclusive, at participating public elementary, middle, junior high, and charter schools. The act gives priority enrollment in after school programs and before school programs to pupils in middle school or junior high school who attend daily. This bill, beginning July 1, 2017, would instead give first priority enrollment to pupils who are identified by the program as homeless youth, as defined, and pupils who are identified by the program as being in foster care, and 2nd priority enrollment, for programs serving middle and junior high school pupils, to pupils who attend the program daily. The bill, beginning July 1, 2017, would require an after school program or a before school program to inform the parent or caregiver of a pupil of the right of homeless children and foster children to receive priority enrollment and how to request priority enrollment. The bill, beginning July 1, 2017, would require the administrators of a program to allow self-certification of the pupil as a homeless youth or a foster youth, and would authorize administrators to obtain this information through the school district liaison designated for homeless children, as specified. The act provides that an after school program or a before school program is not required to charge family fees or conduct individual eligibility determinations based on need or income. This bill, beginning July 1, 2017, would prohibit a program that charges family fees from charging a fee to a family for a child if the program knows that the child is a homeless youth or for a child who the program knows is in foster care. This bill would incorporate additional changes to Sections 8482.6, 8483, and 8483.1 of the

Education Code proposed by AB 2615 that would become operative if this bill and AB 2615 are both enacted on or before January 1, 2017, and this bill is enacted last. The act authorizes the Legislature to amend certain of its provisions to further its purposes by majority vote of each house. The bill would set forth a legislative finding and declaration that it furthers the purposes of the act.

AB 1577
Eggman

CalFood Program: CalFood Account

Existing law requires the State Department of Social Services to establish and administer the State Emergency Food Assistance Program (SEFAP), to provide food and funding for the provision of emergency food to food banks, as provided. Existing law creates the State Emergency Food Assistance Program Account and, upon appropriation by the Legislature, allocates the moneys in the account to SEFAP and requires that those moneys be used for the purchase, storage, and transportation of food grown or produced in California and for the department's administrative costs. This bill would rename the State Emergency Food Assistance Program as the CalFood Program and would rename the State Emergency Food Assistance Program Account as the CalFood Account. The bill would make other conforming changes in this regard. This bill would incorporate additional changes to Section 18995 of the Welfare and Institutions Code proposed by AB 1747 that would become operative if this bill and AB 1747 are both enacted and this bill is enacted last.

AB 1696
Holden

Medi-Cal: tobacco cessation services

Existing law provides for the Medi-Cal program, administered by the State Department of Health Care Services, under which basic health care services are provided to qualified low-income persons. The Medi-Cal program is, in part, governed and funded by federal Medicaid provisions. Existing law provides for a schedule of benefits under the Medi-Cal program. Existing law requires that preventive services assigned a grade of A or B by the United States Preventive Services Task Force be provided to Medi-Cal beneficiaries without any cost sharing by the beneficiary in order for the state to receive increased federal contributions for those services, as specified. This bill would provide that, only to the extent that federal financial participation is available and not otherwise jeopardized, and any necessary federal approvals have been obtained, tobacco cessation services are covered benefits, subject to utilization controls, under the Medi-Cal program and would require those services to include all intervention recommendations, as periodically updated, assigned a grade A or B by the United States Preventive Services Task Force, and include quit attempts based upon medical necessity, as specified. The bill also would require, only to the extent consistent with the recommendations of the United States Preventive Services Task Force, tobacco cessation services to include at least 4 counseling sessions per quit attempt and a treatment regimen of any medication approved by the federal Food and Drug Administration and that is a covered Medi-Cal benefit for tobacco cessation. The bill would require the department to seek any federal approvals necessary to implement its provisions.

AB 1747
Weber

Food assistance: higher education students

(1) Existing federal law provides for the Supplemental Nutrition Assistance Program (SNAP), known in California as CalFresh, under which supplemental nutrition assistance benefits allocated to the state by the federal government are distributed to eligible individuals by each county. Existing state law authorizes a county to deliver CalFresh benefits through the use of an electronic benefits transfer (EBT) system. Existing federal law authorizes counties to participate in the Restaurant Meals Program. This bill would require each public and private postsecondary educational institution that is located in a county that participates in the Restaurant Meals Program to apply to become an approved food vendor for the program, if the institution operates any qualifying food facilities on campus, or to provide contracting food vendors with specified information about the program. By imposing these requirements on community colleges, this bill would impose a state-mandated local program. (2) Existing law requires the State

Department of Social Services, if private nonprofit organizations are successful in raising money for CalFresh outreach activities and have secured a local governmental agency to serve as the contracting agency, upon request and subject to approval by the United States Department of Agriculture, to act as their state entity for the receipt of matching funds. This bill would additionally require the department to act as the state entity for the receipt of federal reimbursement for CalFresh outreach activities on behalf of state educational institutions or other state or local agencies, subject to certain conditions. (3) Existing law requires the State Department of Social Services to establish and administer the State Emergency Food Assistance Program, to provide food and funding for the provision of emergency food to food banks, as provided. Existing law creates the State Emergency Food Assistance Program Account within the Emergency Food Assistance Program Fund and requires that moneys in the account, upon appropriation by the Legislature, be used by the program for the purchase, storage, and transportation of food grown or produced in California and for the department's administrative costs. This bill would establish the Public Higher Education Pantry Assistance Program Account in the Emergency Food Assistance Program Fund, and would require that moneys in the account, upon appropriation by the Legislature, be allocated to the department for allocation to food banks that support on-campus pantry and hunger relief efforts serving low-income students, as specified.

AB 1829
Levine

Vessels: operation under the influence of alcohol or drugs: chemical testing
Existing law makes it unlawful for any person to operate a vessel or water-related device while under the influence of an alcoholic beverage or any drug, or both. Existing law directs the administration of a chemical test that is used to analyze an individual's breath, blood, or urine for evidence of drug or alcohol use when the individual is arrested for these actions. Existing law requires the arrested individual to be informed that a refusal to submit to, or failure to complete, the required chemical testing may be used against the person in court and that the court, upon convicting the arrested individual, may impose increased penalties for his or her refusal or failure. This bill would instead require the arrested individual to be advised that a criminal complaint may be filed against him or her for operating a vessel or water-related device while under the influence of an alcoholic beverage or any drug, or both; that he or she has a right to refuse chemical testing; and that the officer has the authority to seek a search warrant compelling him or her to submit a blood sample.

AB 1901
Quirk

Taxation: cigarettes: unaffixed stamps
The Cigarette and Tobacco Products Tax Law imposes a tax on distributors of cigarettes at the rate of \$0.87 per package of 20 cigarettes. That law requires that tax be paid through the use of stamps or meter impressions, and requires that these stamps or meter impressions be affixed to each package of cigarettes distributed. That law also imposes a fine of up to \$50,000, as specified, or imprisonment not to exceed one year in county jail, or both, for possessing, selling, or buying false or fraudulent cigarette tax stamps or meter impressions, and requires the destruction by the State Board of Equalization of any stamps seized. Existing law requires any fines assessed to be deposited in the Cigarette and Tobacco Products Compliance Fund, amounts in which are available for specified expenditure upon appropriation by the Legislature. This bill would extend those penalties for possessing, selling, or buying unaffixed cigarette tax stamps, and would require any fines assessed to be deposited in the Cigarette and Tobacco Products Compliance Fund. This bill would require the board to destroy any unaffixed cigarette tax stamps.

- AB 2057 *CalFresh: victims of domestic violence*
Mark Stone Existing federal law provides for the federal 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. Existing federal law authorizes a resident of a shelter for battered women and children, as defined, who is currently included in a certified household that also contains the abuser, to apply and, if otherwise eligible, receive an additional allotment of benefits as a separate household. Existing federal law requires a county human services agency to provide CalFresh expedited services to certain households. This bill would, to the extent permitted by federal law, regulations, waivers, and directives, authorize a resident of, or an individual on a waiting list to get into, a shelter for battered women and children who is currently included in a certified household that also contains the abuser, to apply for, and, if otherwise eligible, would provide that the resident or individual is entitled to, expedited services of an additional allotment of CalFresh benefits as a separate household. By imposing additional duties on local officials, this bill would impose a state-mandated local program. Existing law requires the State Department of Social Services to develop and make available to homeless shelters, among other locations, CalFresh information on expedited services targeted to the homeless population. Existing law requires each county welfare department, upon request, to provide homeless shelters with a supply of CalFresh applications used to request expedited CalFresh services, as specified. This bill would additionally require the department to develop and make available to domestic violence shelters CalFresh information on expedited services targeted to victims of domestic violence. The bill would also require a county human services agency, upon request, to provide domestic violence shelters with a supply of CalFresh applications used to request expedited CalFresh services, as specified. By imposing additional duties on local officials, this bill would impose a state-mandated local program. Existing law authorizes counties to participate in the CalFresh Employment and Training program (CalFresh E&T), established by federal law, and requires participating counties to screen CalFresh work registrants to determine whether they will participate in, or be deferred from, CalFresh E&T. Existing law defers from mandatory placement in CalFresh E&T specified individuals, including an individual who is a veteran who has been honorably discharged from the United States Army. This bill would additionally defer from mandatory placement in CalFresh E&T, an individual who is a victim of domestic violence.
- AB 2135 *Alcoholic beverages: revenue sharing*
Levine Existing law, the Alcoholic Beverage Control Act, which is administrated by the Department of Alcoholic Beverage Control, regulates the application, issuance, and suspension of alcoholic beverage licenses. Existing law establishes specified types of alcoholic beverage licenses and prescribes the rights and duties of the respective licensees. Existing law prohibits a person from exercising a privilege or performing any act for which a license is required, and a violation of this prohibition a misdemeanor or a felony, as specified. This bill would specify that a written agreement regarding the sharing or splitting of gross revenue from the sale of alcoholic beverages between a licensee and a district agricultural association, the California Exposition and State Fair, a county fair, or a citrus fruit fair, in connection with the sale of alcoholic beverages during a state or county fair is not the exercise of a license privilege or performance of an act for which a license is required, except as specified.
- AB 2207 *Medi-Cal: dental program*
Wood 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 program provisions. Existing law provides that certain optional benefits, including, among others, certain adult dental services, are excluded from coverage under the Medi-Cal program. Existing law, beginning May 1, 2014, or the effective date of any necessary federal approvals, whichever is

later, provides that only specified adult dental services are a covered Medi-Cal benefit for persons 21 years of age or older. This bill would require the department to undertake specified activities for the purpose of improving the Medi-Cal Dental Program, such as expediting provider enrollment and monitoring dental service access and utilization. The bill would require a Medi-Cal managed care health plan to provide dental health screenings for eligible beneficiaries and refer them to appropriate Medi-Cal dental providers. This bill would provide that those provisions shall only be implemented to the extent that the department obtains any necessary federal approvals and federal matching funds. Existing law requires the department to establish a list of performance measures to ensure the dental fee-for-service program meets quality and access criteria required by the department. Existing law requires the department to annually post on October 1 the list of performance measures and data of the dental fee-for-service program for the previous calendar year on its Internet Web site. Existing law also requires the department to establish a list of performance measures to ensure dental health plans meet quality criteria required by the department. Existing law requires the department to post, on a quarterly basis, the list of performance measures and each plan's performance on the department's Internet Web site. This bill would add performance measures to the lists for both the dental fee-for-service program and dental health plans described above, as specified. The bill would, as of October 31, 2016, eliminate the requirement that the department annually post the performance measures and program data relating to the dental fee-for-service program for the previous calendar year on October 1 and instead would require the department, commencing January 31, 2017, to post that information for the previous fiscal year on its Internet Web site on or before January 31 of each year. The bill, commencing April 30, 2017, and on specified dates thereafter, would require the department to post dental fee-for-service program performance data, the dental health plan performance measures, and each dental health plan's performance on a quarterly basis for the preceding fiscal quarter on its Internet Web site. The bill would require the department to ensure, to the greatest degree possible, that the categories of data and performance measures selected for the dental fee-for-service program and for dental health plans are consistent with one another. The bill would require the department, no sooner than July 1, 2019, to annually publish specified utilization data for both the dental fee-for-service and dental managed care programs from the preceding calendar year and to make this information available on its Internet Web site. Existing law establishes the Medi-Cal 2020 Demonstration Project Act, under which the department is required to implement specified components of a Medicaid 1115(a) demonstration project, referred to as California's Medi-Cal 2020 demonstration project, consistent with the Special Terms and Conditions approved by the federal Centers for Medicare and Medicaid Services (CMS). Existing law requires the department to implement the Dental Transformation Initiative (DTI), a component of the Medi-Cal 2020 demonstration project, under which DTI incentive payments, as defined, within specified domain categories would be made available to qualified providers who meet achievements within one or more of the project domains, and would require the department to evaluate the DTI as required under the Special Terms and Conditions. This bill would require, consistent with the Special Terms and Conditions and the evaluation requirement described above, the department's reports of data and quality measures submitted to CMS and made publicly available for each of the domain areas under the DTI to include specified information.

AB 2235
Thurmond

Board of Dentistry: pediatric anesthesia: committee

The Dental Practice Act provides for the licensure and regulation of dentists by the Dental Board of California. That act authorizes a committee of the board to evaluate all suggestions or requests for regulatory changes related to the committee and to hold informational hearings in order to report and make appropriate recommendations to the board, after consultation with departmental legal counsel and the board's chief executive officer. The act requires a committee to include in any report regarding a proposed regulatory change, at a minimum, the specific language or the proposed change or changes and the reasons therefor, and any facts supporting the need for the change. The act governs the use of general anesthesia, conscious sedation, and oral conscious sedation for pediatric and adult patients. The act makes it unprofessional conduct

for a licensee to fail to report the death of a patient, or removal of a patient to a hospital or emergency center for medical treatment, that is related to a dental procedure, as specified. The act also makes it unprofessional conduct for any dentist to fail to obtain the written informed consent of a patient prior to administering general anesthesia or conscious sedation. In the case of a minor, the act requires that the consent be obtained from the child's parent or guardian. This bill, which would be known as "Caleb's Law," would require the board, on or before January 1, 2017, to provide to the Legislature a report on whether current statutes and regulations for the administration and monitoring of pediatric anesthesia in dentistry provide adequate protection for pediatric dental patients and would require the board to make the report publicly available on the board's Internet Web site. The bill also would require the board to provide a report on pediatric deaths related to general anesthesia in dentistry at the time of its sunset review by the appropriate policy committees of the Legislature. This bill would require that the report of the death of a patient, or removal of a patient to a hospital or emergency center for medical treatment, be on a form or forms approved by the board and that the report include specified information. The bill authorizes the board to assess a penalty on any licensee who fails to make the required report. This bill, with regard to obtaining written informed consent for general anesthesia or conscious sedation in the case of a minor, would require that the written informed consent include specified information regarding anesthesia, as provided.

AB 2324
Eggman

Certified farmers' markets

Existing law provides for the regulation of certified farmers' markets and authorizes the Secretary of Food and Agriculture to adopt regulations to encourage the direct sale by farmers to the public of all types of California agricultural products. This bill would specify the Legislature's intent that the secretary, in adopting those regulations, endeavor to keep costs incurred by farmers and certified farmers' market operators at a minimum, would authorize the secretary to adopt regulations clarifying the certified farmers' market provisions, and would revise the term "agricultural product" for purposes of the certified farmers' market provisions to include raw sheared wool. The bill would also add a provision specifying that nothing in the certified farmers' market provisions shall be interpreted to preclude a certified farmers' market operator from creating and keeping additional information or requiring a vendor to provide additional information, as specified.

AB 2331
Dababneh

Dentistry: applicants to practice

The Dental Practice Act provides for the licensure and regulation of dentists and associated professions by the Dental Board of California within the Department of Consumer Affairs. The act requires each applicant for a license to practice dentistry to successfully complete specified examinations, including receiving a passing score on either a portfolio examination, as specified, or a clinical and written examination administered by the Western Regional Examining Board, which determines the passing score for that examination. This bill would additionally allow an applicant to satisfy that examination requirement by receiving a passing score on the clinical and written examination developed by the American Board of Dental Examiners, Inc., subject to prior review and approval of the examination by the Office of Professional Examination Services, as provided, delivery of this review to the Dental Board of California, and payment of specified expenses incurred by the board. Existing law authorizes the Director of Finance to accept on behalf of the state any gift of real or personal property whenever he or she deems the gift and the terms and conditions thereof to be in the best interest of the state. Existing law establishes the Special Deposit Fund, a continuously appropriated fund, which consists of money that is paid into it in trust pursuant to law when no other fund has been created to receive that money. This bill would authorize the Department of Finance to accept funds for the purposes of reviewing and analyzing the dental examination developed by the American Board of Dental Examiners, Inc., described above. Because these funds would be deposited in the Special Deposit Fund, a continuously appropriated fund, this bill would make an appropriation. This bill would incorporate additional changes to Section 1632 of the Business and Professions

Code proposed by SB 1478 that would become operative if this bill and SB 1478 are enacted and this bill is enacted last.

AB 2485
Santiago

Dental Corps Loan Repayment Program

Under the Dental Practice Act, the Dental Board of California is responsible for the licensure and regulation of dentists. Existing law establishes the Dental Corps Loan Repayment Program of 2002 to assist dentists who practice in an underserved area with loan repayment pursuant to an agreement between the board and the dentist, as specified. Existing law governs eligibility, application, selection, placement, and repayment for the program, and authorizes the board to adopt standards to implement the program relating to eligibility, placement, and termination. Existing law creates the Dentally Underserved Account within the State Dentistry Fund and moneys in the account are continuously appropriated for purposes of the program. This bill would require that the program be known as the California Dental Corps Loan Repayment Program and would revise program provisions regarding eligibility, application, selection, and placement. The bill would require the board to develop a process for repayment of loans or grants disbursed if the participant is terminated from the program or is not able to complete the required service obligation, as provided. This bill would declare that it is to take effect immediately as an urgency statute.

AB 2635
Committee
on
Agriculture

Public health: food access

Existing law, until July 1, 2017, creates the California Healthy Food Financing Initiative. The initiative required, by July 1, 2012, the Secretary of Food and Agriculture to prepare recommendations, to be presented upon request to the Legislature, regarding actions that need to be taken to promote food access in the state. The initiative establishes the California Healthy Food Financing Initiative Council and requires the council to implement the initiative, as specified. The initiative authorizes the secretary to establish an advisory group, as specified. The initiative creates the California Healthy Food Financing Initiative Fund in the State Treasury, comprised of federal, state, philanthropic, and private funds, for the purpose of expanding access to healthy foods in underserved communities and, to the extent practicable, to leverage other funding, as specified. Under existing law, moneys in the fund may be expended upon appropriation by the Legislature. This bill would extend the effectiveness of these provisions until July 1, 2023.

AB 2696
Beth
Gaines

Diabetes prevention and management

Existing law establishes the State Department of Public Health and sets forth its powers and duties pertaining to, among other things, protecting, preserving, and advancing public health, including disseminating information regarding diseases. This bill would require the State Department of Public Health to submit a report to the Legislature on or before January 1, 2019, that includes a summary and compilation of recommendations, as specified, on diabetes prevention and management from certain sources, including the University of California and the federal Centers for Disease Control and Prevention. The bill would require the department to, commencing July 1, 2017, annually post on its Internet Web site a summary of the amount and source of any funding directed to, and expenditures by, the department for programs and activities aimed at preventing or managing diabetes.

AB 2739
Chiu

Department of Alcoholic Beverage Control: special on-sale general license: for-profit theater

Under existing law, the Alcoholic Beverage Control Act is administered by the Department of Alcoholic Beverage Control through the Director of Alcoholic Beverage Control. Existing law authorizes the department to issue a special on-sale general license to the operator of any for-profit theater located within the City and County of San Francisco, as specified. Existing law prohibits that special on-sale general license from being issued until any existing licenses issued by the department to the operator for the premises of the for-profit theater are canceled. This bill

would delete that prohibition. This bill would declare that it is to take effect immediately as an urgency statute.

AB 2770
Nazarian

Cigarette and tobacco product licensing: fees and funding

The Cigarette and Tobacco Products Licensing Act of 2003 requires the State Board of Equalization to administer a statewide program to license manufacturers, importers, distributors, wholesalers, and retailers of cigarettes and tobacco products, and imposes various licensing fees. That act requires a retailer to have a license to engage in the sale of cigarette and tobacco products, and requires a separate license for each retail location. Existing law imposes a fee for each license and provides that the license is valid for a 12-month period. On and after January 1, 2017, existing law requires a license to be renewed annually and imposes a renewal fee. This bill would require a retailer that adds an additional retail location to renew the license for that location based on a 12-month period beginning in the month the retailer obtained its license for its first retail location. This bill would prohibit any license fee or renewal fee from being prorated. The Cigarette and Tobacco Products Licensing Act of 2003 requires the moneys collected pursuant to the act to be deposited in the Cigarette and Tobacco Products Compliance Fund, which are available for expenditure, upon appropriation by the Legislature, solely for the purpose of implementing, enforcing, and administering the licensing program under the act. The act requires the board to report to the Legislature no later than January 1, 2019, regarding the adequacy of funding for the licensing program. This bill would instead require the board to report to the Legislature, Governor, and Department of Finance on or before January 1, 2019, and on and before January 1 annually thereafter. The Cigarette and Tobacco Products Tax Law imposes a tax on distributors of cigarettes and tobacco products, and authorizes the reimbursement of the State Board of Equalization for expenses incurred in the administration and collection of the tax. This bill would prohibit, on or after July 1, 2019, the appropriation of revenues derived from the taxes imposed upon the distribution of cigarettes and tobacco products to the board for the purpose of implementing, enforcing, or administering the California Cigarette and Tobacco Products Licensing Act of 2003.

AB 2913
Committee on
Governmental
Organization

Alcoholic beverages: licenses: craft distillers: tied-house restrictions

(1) Existing law, the Craft Distillers Act of 2015, authorizes the Department of Alcoholic Beverage Control to issue a craft distiller’s license to manufacture distilled spirits, subject to specified conditions, including that the licensee manufacture no more than 100,000 gallons of distilled spirits per fiscal year, excluding brandy the craft distiller manufactures or has manufactured for them. Existing law allows these licensees to sell distilled spirits to specified consumers, to own interests in on-sale retail licenses, and to sell beer, wines, brandies, and distilled spirits to consumers for consumption on the premises of a bona fide eating place, as provided. This bill, among other things related to the craft distiller’s license, would define “manufacture” for the purposes of the license, allow these licensees to produce, as defined, distilled spirits, and require a specified percentage of the 100,000 allowed gallons to be manufactured or produced by the licensee. (2) The Alcoholic Beverage Control Act regulates the application for, the issuance of, the suspension of, and the conditions imposed upon, various alcoholic beverage licenses pursuant to which the licensees may exercise specified privileges in the state. The act authorizes licensees to sponsor or otherwise participate in an event conducted by, and for the benefit of, a nonprofit organization in which retail and nonretail licensees are involved as sponsors or participants, subject to specified conditions. The act authorizes a nonretail licensee to advertise or communicate sponsorship or participation in the event and provides that advertising or communication may include, but is not limited to, initiating, sharing, reposting, or otherwise forwarding a social media post by a permanent retail licensee or a nonretail licensee, as specified. This bill would delete the word “initiating” from that provision. The act also prohibits a retail licensee from receiving any advertising, sale, or promotional benefit from any permanent retail licensee in connection with the sponsorship or participation. This bill would instead prohibit a nonretail licensee from receiving that advertising, sale, or promotional benefit. (3) Existing law authorizes specified licensees, including distilled spirits

rectifiers, to purchase advertising space and time from, or on behalf of, an on-sale retail licensee, under certain conditions, if the on-sale retail licensee is the owner, manager, agent of the owner, assignee of the owner's advertising rights, or major tenant of specified facilities. Existing law makes it a crime for an on-sale licensee to coerce certain licensees to purchase advertising space or time, as specified. This bill would revise these authorizations to instead allow a rectifier to purchase the above-described advertising space and time and would include rectifiers as licensees subject to specified criminal provisions.

ABX2 7 *Smoking in the workplace*

Mark Stone Existing law prohibits smoking of tobacco products inside an enclosed space, as defined, at a place of employment. The violation of the prohibition against smoking in enclosed spaces of places of employment is an infraction punishable by a specified fine. This bill would expand the prohibition on smoking in a place of employment to include an owner-operated business, as defined. This bill would also eliminate most of the specified exemptions that permit smoking in certain work environments, such as hotel lobbies, bars and taverns, banquet rooms, warehouse facilities, and employee break rooms.

ABX2 9 *Tobacco use programs*

Thurmond Existing law establishes the Tobacco Education and Research Oversight Committee to provide advice to the State Department of Public Health and the State Department of Education with respect to policy development, integration, and evaluation of tobacco education programs. Existing law requires the State Department of Education to allocate funds to county offices of education for tobacco use prevention, intervention, and cessation activities. Existing law also requires that all school districts and county offices of education that receive funding, as specified, adopt and enforce a tobacco-free campus policy, no later than July of each fiscal year, prohibiting the use of tobacco products, any time, in district-owned or leased buildings, on district property and in district vehicles. This bill would expand eligibility for funding for the tobacco use prevention program to include charter schools. The bill would require the State Department of Education to require that all school districts, charter schools, and county offices of education receiving funding under the program adopt and enforce a tobacco-free campus policy prohibiting the use of products containing tobacco and nicotine, as specified, in and on the properties described above and would, in addition, prohibit the use of tobacco and nicotine products in a county office of education, charter school or school district-owned or leased building, on school or district property, and in school or district vehicles without regard to whether those entities receive funding. The bill would also require school districts, charter schools, and county offices of education to prominently display signs at all entrances to school property stating "Tobacco use is prohibited."

ABX2 11 *Cigarette and tobacco product licensing: fees and funding*

Nazarian The Cigarette and Tobacco Products Licensing Act of 2003 requires the State Board of Equalization to administer a statewide program to license manufacturers, importers, distributors, wholesalers, and retailers of cigarettes and tobacco products. That act requires retailers of cigarettes and tobacco products to obtain a separate license for each retail location from the board, which is issued upon receipt of a completed application and payment of a one-time fee, unless specified conditions apply. This bill would require a fee of \$265 to be submitted with each license application, as described above. The bill would require, for calendar years beginning on and after January 1, 2017, a retailer to file an application for renewal of a retailer's license accompanied with a fee of \$265 per retail location, in the form and manner prescribed by the board. The Cigarette and Tobacco Products Licensing Act of 2003 requires a wholesaler or distributor that commences business selling or distributing cigarettes or tobacco products, or that commences doing so at a new or different place of business in the state, to apply for a license accompanied by a required fee of \$1,000 for each location. The act also requires a wholesaler or distributor to file an application for a license renewal accompanied by a required fee of \$1,000

for each location where cigarettes and tobacco products are sold. The bill would raise the fees described above to \$1,200. The bill would require the board to report to the Legislature no later than January 1, 2019, regarding the adequacy of funding for the Cigarette and Tobacco Licensing Act of 2003, as specified.

SB 683
Wolk

Alcoholic beverage licenses: nonprofit sales license

Existing law, the Alcoholic Beverage Control Act, regulates the application for, the issuance of, the suspension of, and the conditions imposed upon, various alcoholic beverage licenses pursuant to which the licensees may exercise specified privileges in the state. Existing law authorizes the specified licenses to nonprofit organizations, as provided. Existing law also provides for various annual fees for the issuance of alcoholic beverage licenses depending upon the type of license issued. This bill would authorize the Department of Alcoholic Beverage Control to issue a special nonprofit sales license to a nonprofit mutual benefit corporation, as described, that would authorize the licensee to, among other things, accept the transfer of, and take title to, up to 20,000 gallons of wine per year produced by the public university, as described, and sell transferred wine to consumers and licensees, as provided. The bill would impose an original fee and an annual renewal fee for the license, which would be deposited in the Alcohol Beverage Control Fund. This bill would make legislative findings and declarations as to the necessity of a special statute for a county of the 28th class.

SB 819
Huff

Powdered alcohol

The Alcoholic Beverage Control Act contains various provisions regulating the application for, the issuance of, the suspension of, and the conditions imposed upon alcoholic beverage licenses by the Department of Alcoholic Beverage Control. That act imposes additional regulations on the sale of alcoholic beverages and creates penalties for violations of those regulations. This bill would require the department to revoke the license of any licensee who manufactures, distributes, or sells powdered alcohol, as provided. This bill would prohibit the possession, purchase, sale, offer for sale, distribution, manufacture, or use of powdered alcohol and would make the specified violation of these provisions punishable as an infraction.

SB 905
Bates

Alcoholic beverage control: club licenses

The Alcoholic Beverage Control Act, administered by the Department of Alcoholic Beverage Control, defines and regulates the issuance of various types of licenses authorizing the sale of alcoholic beverages, including a club license. Existing law authorizes the holder of a club license to exercise the rights of an on-sale general licensee, but limits sale and service of alcoholic beverages to members of the club and their guests. Existing law defines different clubs in this context. This bill would define a club, for the purposes described above, to also include a nonprofit umbrella organization established to provide a central meeting location, resources, and services for veterans, including those on active duty, and that owns or leases, operates, and maintains a facility for these purposes. The bill would require the organization to serve at least 6 veteran organizations, as specified.

SB 977
Pan

Tobacco: youth sports events

Existing law prohibits the smoking of a cigarette, cigar, or other tobacco product, and the disposal of tobacco-related waste, within 25 feet of any playground or tot lot sandbox area, as defined. Existing law prohibits a person from intimidating or retaliating against another person seeking compliance with these prohibitions. These prohibitions do not apply to the use of tobacco on private property. A violation of these prohibitions is an infraction, punishable by a fine of \$250 for each violation. Existing law expressly does not preempt the authority of any county, city, or city and county to regulate smoking around playgrounds or tot lot sandbox areas. This bill would prohibit a person located in the same park or facility where a youth sports event is taking place from using a tobacco product, as defined, within 250 feet of the youth sports

event, as defined, and make a violation an infraction punishable by a fine of \$250 for each violation. The bill would make the use of tobacco on private property subject to those prohibitions. The bill would state that its provisions do not preempt the authority of any county, city, or city and county to regulate the use of tobacco products around a youth sports event.

SB 1032
Galgiani

Alcoholic beverages: coupons

Existing law, the Alcoholic Beverage Control Act, prohibits a beer manufacturer or a beer wholesaler from offering, funding, producing, sponsoring, promoting, furnishing, or redeeming any type of coupon and 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. Existing law makes a violation of any of its provisions, for which another penalty or punishment is not specifically provided, a misdemeanor. This bill would expand this provision to prohibit a nonretail licensee, as defined, from offering, funding, producing, sponsoring, promoting, furnishing, or redeeming any type of coupon and 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 nonretail licensee. The bill would revise the definition of “coupon” for these purposes.

SB 1046
Hill

Driving under the influence: ignition interlock device

Existing law requires the Department of Motor Vehicles to immediately suspend a person’s privilege to operate a motor vehicle for a specified period of time if the person has been convicted of driving a motor vehicle when the person had a certain blood-alcohol concentration. Existing law authorizes certain individuals, whose privilege is suspended pursuant to that provision to receive a restricted driver’s license if specified requirements are met, including the elapse of specified periods of license suspension or revocation. Existing law also requires the department to immediately suspend or revoke a person’s privilege to operate a motor vehicle if the person has been convicted of violating specified provisions prohibiting driving a motor vehicle under the influence of an alcoholic beverage or drug or the combined influence of an alcoholic beverage and drug, or with 0.08% or more, by weight, of alcohol in his or her blood or while addicted to the use of any drug, with or without bodily injury to another. Existing law authorizes certain individuals whose privilege is suspended or revoked pursuant to that provision to receive a restricted driver’s license if specified requirements are met, including the elapse of specified periods of license suspension or revocation and, in some instances, the installation of an ignition interlock device on the person’s vehicle. Existing law does not permit a person who has been convicted of a first offense of driving a motor vehicle under the influence, with injury, to receive a restricted driver’s license. Existing law also requires the Department of Motor Vehicles to establish a pilot program from July 1, 2010, to July 1, 2017, inclusive, in the Counties of Alameda, Los Angeles, Sacramento, and Tulare that requires, as a condition of being issued a restricted driver’s license, being reissued a driver’s license, or having the privilege to operate a motor vehicle reinstated subsequent to a conviction for any violation of the above offenses, a person to install for a specified period of time an ignition interlock device on all vehicles he or she owns or operates. Under existing law, the amount of time the ignition interlock device is required to be installed is based upon the number of prior convictions suffered by the individual, as prescribed. This bill would extend the pilot program in those counties until January 1, 2019. Effective January 1, 2019, and until January 1, 2026, the bill would make an individual whose license has been suspended for driving a motor vehicle when he or she has a certain blood-alcohol concentration and who is eligible for a restricted driver’s license eligible for a restricted driver’s license without serving any period of the suspension if the person meets all other eligibility requirements and the person installs an ignition interlock device. The bill would authorize that individual to install an ignition interlock device prior to the effective date of the suspension and would require the individual to receive credit towards the mandatory term to install an ignition interlock device, as specified. The bill would require the

department to immediately reinstate the suspension of the privilege to operate a motor vehicle upon receipt of notification that a person has engaged in certain activities, including, among others, attempted to remove, bypass, or tamper with the ignition interlock device. The bill would also require, commencing January 1, 2019, and until January 1, 2026, a person who has been convicted of driving a motor vehicle under the influence of an alcoholic beverage, as specified, to install for a specified period of time an ignition interlock device on the vehicle, as ordered by the court, that is the vehicle that he or she operates. The bill would, commencing January 1, 2019, and until January 1, 2026, also authorize a person convicted of driving a motor vehicle under the influence, including a person who was convicted of a first offense of driving a motor vehicle under the influence, with injury, if all other requirements are satisfied, including the installation of an ignition interlock device, to apply for a restricted driver's license without completing a period of license suspension or revocation. The bill would require the department to, if a person maintains an ignition interlock device for the specified required time, reinstate the person's privilege to operate a motor vehicle at the time the other reinstatement requirements are satisfied. The bill would, commencing January 1, 2019, and until January 1, 2026, authorize a court to require a person convicted of a specified type of reckless driving to install a certified ignition interlock device on any vehicle that the person operates and prohibit that person from operating a motor vehicle unless that vehicle is equipped with a functioning, certified ignition interlock device for a specified period of time. The bill would require the Transportation Agency to issue a report to the Legislature by January 1, 2025, regarding the implementation and efficacy of these provisions. The bill would reinstate current law as described above as of January 1, 2026. The bill would also make conforming and clarifying changes. By specifying that certain crimes relating to ignition interlock devices apply when an ignition interlock device is installed pursuant to the provisions of this bill, this bill would impose a state-mandated local program. Existing law establishes the Bureau of Electronic and Appliance Repair, Home Furnishings, and Thermal Insulation under the supervision and control of the Director of Consumer Affairs and requires the director to administer and enforce provisions relating to the registration of electronic and appliance repair service dealers. Existing law authorizes the director to deny, suspend, revoke, or place on probation the registration of a service dealer for any of certain acts, as specified. Existing law authorizes a service dealer licensed under these provisions to install, calibrate, service, maintain, and monitor ignition interlock devices. A violation of these provisions is punishable as a misdemeanor. Existing law, the Automotive Repair Act, establishes the Bureau of Automotive Repair under the supervision and control of the Director of Consumer Affairs and provides for the registration and regulation of automotive repair dealers. Existing law requires the bureau to adopt standards for installation, maintenance, and servicing of ignition interlock devices by automotive repair dealers, and existing regulations authorizes automotive repair dealers to install, maintain, and service an ignition interlock device. Existing law authorizes the director to deny, suspend, revoke, or place on probation the registration of an automotive repair dealer for certain acts, as specified. A violation of the act is a crime. This bill would authorize the director to issue a citation to, or suspend, revoke, or place on probation the registration of an automotive repair dealer or service dealer who installs, calibrates, services, maintains, or monitors ignition interlock devices if the automotive repair dealer or service dealer is not in compliance with specified provisions relating to payment for the costs of an ignition interlock device and would require an automotive repair dealer or service dealer to provide that information to an individual receiving ignition interlock device services. By expanding the definition of a crime, the bill would impose a state-mandated local program. The bill would require, commencing January 1, 2019, until January 1, 2026, an ignition interlock device manufacturer to be in compliance with specified provisions relating to payment for the costs of an ignition interlock device and would require those manufacturers to provide information to an individual who is required to install an ignition interlock device pursuant to a restricted driver's license. The bill would make a violation of those requirements subject to a civil assessment not exceeding \$1,000, as specified.

- SB 1098 *Medi-Cal: dental services: utilization rate: report*
Cannella Existing law establishes the Medi-Cal program, administered by the State Department of Health Care Services, under which basic health care services are provided to qualified low-income persons. The Medi-Cal program is, in part, governed and funded by federal Medicaid provisions. Existing law provides coverage for certain dental services, as specified, to Medi-Cal beneficiaries 17 years of age and under through the Denti-Cal program. This bill would require the department to report to the Legislature, by October 1, 2017, on progress towards the goal of raising the Denti-Cal utilization rate among eligible child beneficiaries to 60% or greater and identify a date by which the department projects this utilization goal will be met. The bill would authorize the department to include in the report recommendations for legislative consideration that would assist the department to meet the goal by the specified date, as prescribed. The bill's provisions would be repealed on January 1, 2021, pursuant to specified law.
- SB 1169 *Pupil nutrition: competitive food service and standards*
McGuire (1) Existing federal law establishes nutritional standards for all food and beverages other than meals reimbursed under programs authorized by the Richard B. Russell National School Lunch Act and the Child Nutrition Act of 1966 available for sale to pupils on the school campus during the schoolday. Existing state law establishes nutritional standards for all food and beverages sold or served to pupils in elementary, middle, and high school. This bill would enact the Healthy Food, Healthy Student Act to update state law regarding school nutritional standards to conform to the federal standards. To the extent these changes would impose new duties on school districts and county offices of education, the bill would impose a state-mandated local program. (2) Existing law requires every public school to post the school district's nutrition and physical activity policies in public view within all school cafeterias or other central eating areas. This bill would, instead, require every public school to inform the public about the content of the school's local school wellness policy, thereby imposing a state-mandated local program.
- SB 1232 *CalWORKs and CalFresh: eligibility determinations*
Leno Existing federal law provides for the 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 federal law provides for the federal Supplemental Nutrition Assistance Program, under which nutrition assistance benefits are allocated to each state by the federal government. Under existing state law, the CalFresh program, California's federal allocation is distributed to eligible individuals by each county. Existing law requires that the eligibility of households be determined to the extent permitted by federal law, and requires the State Department of Social Services to establish a program of categorical eligibility for CalFresh in accordance with federal law. Existing law requires each county human services agency to carry out the local administrative responsibilities of this program, subject to the supervision of the department and to rules and regulations adopted by the department. This bill would require a county human services agency that elects to use information contained in a consumer credit report for the determination of CalWORKs or CalFresh eligibility or benefit level to obtain written authorization from the applicant or recipient prior to obtaining the credit report and, if the county takes an adverse action against an applicant or recipient, to provide the applicant or recipient with a specified notice indicating that the verification or eligibility determination was based, in whole or in part, upon the information contained in the consumer credit report. The bill would also prohibit the county from requiring the applicant or recipient to submit hard-copy documentation that is duplicative of the information it will verify using the credit report.

SBX2 5

Electronic cigarettes

Leno

Existing law, the Stop Tobacco Access to Kids Enforcement (STAKE) Act, prohibits a person from selling or otherwise furnishing tobacco products to a person under 18 years of age. Existing law permits enforcing agencies to assess various civil penalties for violations of the STAKE Act. Existing law makes it a crime to furnish tobacco products to a person under 18 years of age. Existing law also prohibits a person from selling or otherwise furnishing an electronic cigarette to a person under 18 years of age, and makes a violation punishable as an infraction. This bill would define the term “smoking” for purposes of the STAKE Act. The bill would also change the STAKE Act’s definition of “tobacco products” to include electronic devices, such as electronic cigarettes, that deliver nicotine or other vaporized liquids, and make furnishing the tobacco product to a minor a misdemeanor. Existing law, the Cigarette and Tobacco Products Tax Law, imposes a tax on the distribution of cigarettes and tobacco products at specified rates, and defines tobacco products for those purposes. Existing law, the Cigarette and Tobacco Products Licensing Act of 2003, requires the State Board of Equalization to administer a statewide program to license manufacturers, importers, distributors, wholesalers, and retailers of cigarettes and tobacco products, as defined. Under existing law, a violation of this act is a misdemeanor. Existing law requires a retailer to have in place and maintain a license to engage in the sale of cigarettes or tobacco products, as defined, and prescribes procedures for the issuance of and grounds for revocation or suspension of a license. Existing law requires a retailer who seeks to obtain a license to engage in the sale of cigarettes and tobacco products to pay a one-time license fee of \$100, as specified. Existing law authorizes the State Board of Equalization or a law enforcement agency that discovers that a retailer or other person possesses, stores, owns, or has made a retail sale of tobacco products on which a tax is due but has not been paid to seize those products, and deems those products forfeited, as specified. This bill would include in the definition of tobacco products for the purposes of those provisions relating to licenses for retailers the STAKE Act’s new definition of tobacco products. The bill would impose a specified fee on retailers, to be submitted with each license or renewal application for the sale or distribution of tobacco products that are not subject to a tax imposed by the Cigarette and Tobacco Products Tax Law, unless the retailer is already in possession of a valid license to sell cigarette and tobacco products that are subject to that tax. The bill would include the STAKE Act’s new definition of tobacco products in the provision authorizing seizure of tobacco products described above. The bill would make these provisions operative on January 1, 2017. Existing law makes it a crime for a person or entity to engage in the business of selling cigarettes or tobacco products without a valid license or after a license has been suspended or revoked, as specified. Existing law also makes it a crime for a person to continue selling or gifting cigarettes or tobacco products without a valid license or after a notification of suspension or revocation, as specified. This bill would include in the definition of tobacco products for the purposes of those provisions the STAKE Act’s new definition of tobacco products. The bill would require all cartridges for electronic cigarettes and solutions for filling or refilling an electronic cigarette to be in child-resistant packaging, as prescribed. The bill would make these provisions operative on October 1, 2016. Existing law prohibits the smoking of cigarettes and other tobacco products in a variety of specified areas. Under existing law, a violation of some of these prohibitions is punishable as an infraction. This bill would change the location restrictions for smoking cigarettes and other tobacco products to reflect the STAKE Act’s definitions of smoking and tobacco products. The bill would make the use of electronic cigarettes in some of these restricted locations a violation punishable as an infraction. Existing law prohibits the smoking of medical marijuana in any place where smoking is prohibited by law. This bill would declare that its provisions do not affect any law or regulation regarding medical marijuana. This bill would incorporate additional changes to Section 6404.5 of the Labor Code proposed by certain bills in the 2nd Extraordinary Session of the 2015–16 Legislative Session that would become operative if this bill and those bills are enacted, as specified, and this bill is enacted last. This bill would incorporate additional changes to Section 22958 of the Business and Professions Code and Section 308 of the Penal Code proposed by SB 7 and AB 8 of the 2015–16 2nd Extraordinary Session of the Legislature. Those other bills

would prohibit selling, advertising, or furnishing tobacco products to, or the purchasing of tobacco products by, persons under 21 years of age. If this bill and those bills are enacted, as specified, and this bill is enacted last, then this bill would prohibit selling, advertising, or furnishing an electronic device that delivers nicotine or other vaporized liquids, as specified, to persons under 21 years of age.

SBX2 7 *Tobacco products: minimum legal age*

Hernandez

Existing law, the Stop Tobacco Access to Kids Enforcement (STAKE) Act, establishes various requirements for distributors and retailers relating to tobacco sales to minors. Existing law prohibits the furnishing of tobacco products to, and the purchase of tobacco products by, a person under 18 years of age. Under existing law, a person is prohibited from making various promotional or advertising offers of smokeless tobacco products without taking actions to ensure that the product is not available to persons under 18 years of age. Existing law also requires the State Department of Public Health to conduct random, onsite sting inspections of tobacco product retailers with the assistance of persons under 18 years of age. Existing law, the STAKE Act, authorizes an enforcing agency to assess civil penalties against any person, firm, or corporation that sells, gives, or in any way furnishes to another person who is under 18 years of age, any tobacco, cigarette, cigarette papers, any other instrument or paraphernalia that is designed for the smoking or ingestion of tobacco, products prepared from tobacco, or any controlled substance, according to a specified schedule. Existing law also makes every person, firm, or corporation that knowingly or under circumstances in which it has knowledge, or should otherwise have grounds for knowledge, sells, gives, or in any way furnishes to another person who is under 18 years of age any tobacco, cigarette, cigarette papers, blunts wraps, or any other preparation of tobacco, or any other instrument or paraphernalia that is designed for the smoking or ingestion of tobacco, products prepared from tobacco, or any controlled substance, subject to either a criminal action for a misdemeanor or to a civil action brought by a city attorney, a county counsel, or a district attorney, punishable by a fine, as specified. This bill would extend the applicability of those provisions to persons under 21 years of age. The bill would authorize the State Department of Public Health to conduct random, onsite sting inspections of tobacco product retailers with the assistance of persons under 21 years of age. The bill would also provide that the STAKE Act does not invalidate existing local government ordinances or prohibit the adoption of local government ordinances requiring a more restrictive legal age to purchase or possess tobacco products. This bill would make the civil and criminal penalties described above inapplicable if the person being furnished the product is active duty military personnel who is 18 years of age or older, as confirmed by a military identification card. Existing law makes it a crime, punishable by a fine of \$75 or 30 hours of community service work, for a person under 18 years of age to purchase, receive, or possess certain tobacco products. Existing law requires 25% of certain fines to be paid to the city or county for the administration and cost of that community service work component. Existing law immunizes a person under 18 years of age from prosecution for those actions when they were taken while participating in specified enforcement activities. This bill would delete those provisions. This bill would incorporate additional changes to Section 22958 of the Business and Professions Code and Section 308 of the Penal Code proposed by SB 5 and AB 6 of the 2015–16 2nd Extraordinary Session of the Legislature. Those other bills would include an electronic device that delivers nicotine or other vaporized liquids in the definition of a tobacco product. If this bill and those bills are enacted, as specified, and this bill is enacted last, then this bill would prohibit selling, advertising, or furnishing an electronic device that delivers nicotine or other vaporized liquids, as specified, to persons under 21 years of age.

Division of Communicable Diseases

AB 2439 *HIV testing*

Nazarian Existing law requires that every patient who has blood drawn at a primary care clinic, as defined, and who has consented to the test to be offered an HIV test that is consistent with the United States Preventive Services Task Force recommendations for screening for HIV infection. Existing law specifies the manner in which the results of that test are provided. This bill would create a pilot project, administered by the State Department of Public Health, to assess and make recommendations regarding the effectiveness of the routine offering of an HIV test in the emergency department of a hospital. The bill would require the department to select 4 hospitals, or fewer under specified circumstances, that have emergency departments to voluntarily participate in the pilot project. The bill would require the participating hospitals to offer an HIV test to any patient in the hospital emergency department, as provided, to collect specified information, and to report the information to the department. The pilot project would commence on March 1, 2017, and end on February 28, 2019. The bill would require the department, by December 1, 2019, to complete a report to the Legislature on the findings of the hospitals in the pilot project and make recommendations about routine HIV testing in hospital emergency departments. This bill would require that these provisions be implemented only to the extent that the department identifies available funding for the purposes of these provisions.

AB 2640 *Public health: HIV*

Gipson Existing law requires a medical care provider or person administering a test for HIV to, after receiving results indicating no infection for a patient who is known to be at high risk for HIV infection, advise the patient of the need for periodic retesting and explain the limitations of current testing technology and the current window period for verification of results. This bill would instead require a medical care provider or person administering a test for HIV to provide patients who test negative for HIV infection and are determined to be at high risk for HIV infection by the medical provider or person administering the test with the above-described information and information about methods that prevent or reduce the risk of contracting HIV, including preexposure prophylaxis and postexposure prophylaxis, as specified.

Emergency Medical Services

AB 1386 *Emergency medical care: epinephrine auto-injectors*
Low (1) Existing law authorizes a prehospital emergency medical care person, first responder, or lay rescuer to use an epinephrine auto-injector to render emergency care to another person, as specified. Existing law requires the Emergency Medical Services Authority to approve authorized training providers and the minimum standards for training and the use and administration of epinephrine auto-injectors. The existing Pharmacy Law also authorizes a pharmacy to dispense epinephrine auto-injectors to a prehospital emergency medical care person, first responder, or lay rescuer for the purpose of rendering emergency care in accordance with these provisions. A violation of the Pharmacy Law is a crime. Existing law requires school districts, county offices of education, and charter schools to provide emergency epinephrine auto-injectors, as defined, to school nurses and trained personnel who have volunteered to use epinephrine auto-injectors under emergency circumstances, as specified, and authorizes 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. This bill would permit an “authorized entity,” as defined, to use an epinephrine auto-injector to render emergency care to another person in accordance with these provisions. The bill would also authorize a pharmacy to furnish epinephrine auto-injectors to an authorized entity, as provided. Because a violation of these provisions would be a crime, the bill would impose a state-mandated local program. The bill would require an authorized entity to create and maintain a specified operations plan relating to its use of epinephrine auto-injectors, and would require those entities to submit a report to the Emergency Medical Services Authority of each incident that involves the administration of an epinephrine auto-injector, not more than 30 days after each use. The bill would also require the authority to publish an annual report summarizing the reports submitted to the authority pursuant to the bill’s provisions. The bill would define the term “epinephrine auto-injector” for purposes of these provisions and other related provisions that authorize the use of epinephrine auto-injectors, as specified. (2) Under existing law, everyone is generally responsible, not only for the result of his or her willful acts, but also for an injury occasioned to another by his or her want of ordinary care or skill in the management of his or her property or person, except so far as the latter has, willfully or by want of ordinary care, brought the injury upon himself or herself. Existing law also provides that a prehospital emergency care person, first responder, or lay rescuer who administers an epinephrine auto-injector to another person who appears to be experiencing anaphylaxis at the scene of an emergency situation, in good faith and not for compensation, is not liable for any civil damages resulting from his or her acts or omissions in administering the epinephrine auto-injector, if that person has complied with specified certification and training requirements and standards. This bill would provide that an authorized entity is not liable for any civil damages resulting from any act or omission connected to the administration of an epinephrine auto-injector, as specified. The bill would also exempt an authorizing physician and surgeon from certain sanctions for the issuance of an epinephrine auto-injector under those provisions, except as specified.

AB 1564 *Emergency services: wireless 911 calls: routing*
Williams The Public Safety Communication Act of 2002, among other things, requires the Public Safety Radio Strategic Planning Committee to develop and implement a statewide integrated public safety communication system that facilitates interoperability among state public safety departments and other first response agencies and coordinate other shared uses of the public safety spectrum consistent with decisions and regulations of the Federal Communications Commission. This bill would require that a provider of commercial mobile radio service, as defined, provide access for end users of that service to the local emergency telephone systems described in the Warren-911-Emergency Assistance Act, that “911” be the primary access number for those services, and that user validation not be required. The bill would prohibit a provider of commercial mobile radio service from charging any airtime, access, or similar usage

charge for any “911” call placed from a commercial mobile radio service telecommunications device to a local emergency telephone system. The bill would authorize “911” calls from commercial mobile radio service telecommunications devices to be routed to a public safety answering point other than the Department of the California Highway Patrol (CHP) only if the alternate routing meets specified requirements. The bill would repeal similar provisions regarding wireless “911” calls in the Public Utilities Code. This bill would require the Office of Emergency Services to require the Public Safety Communications Division to work with wireless carriers to verify that all cell sector routing decisions for wireless “911” calls, made pursuant to these provisions, have been implemented. The bill would also require the Office of Emergency Services to maximize the efficiency of the wireless “911” emergency telephone system and to require the Public Safety Communications Division to work with the CHP and county coordinators to determine whether the most efficient routing of wireless “911” calls should be to a local public safety answering point or to a CHP center, using specified criteria, with a comprehensive statewide review and routing decisionmaking process to be completed annually. After completion of the comprehensive statewide review and routing decisionmaking process, the bill would authorize specified local entities to submit a written request for a review of a specific cell sector based on specified criteria to the Public Safety Communications Division.

AB 1719 *Pupil instruction: cardiopulmonary resuscitation*

Rodriguez

(1) 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 in accordance with specified guidelines. Existing law requires each pupil completing grade 12 to satisfy certain requirements as a condition of receiving a diploma of graduation from high school. These requirements include the completion of designated coursework in grades 9 to 12, inclusive. Existing law authorizes a governing board of a school district to adopt other coursework requirements. This bill would require, commencing with the 2018–19 school year, the governing board of a school district or the governing body of a charter school that requires a course in health education for graduation from high school to include instruction in performing compression-only cardiopulmonary resuscitation, as provided. The bill would encourage those entities to provide to pupils general information on the use and importance of an automated external defibrillator. The bill would require the State Department of Education to provide guidance on how to implement these provisions, including, but not limited to, who may provide instruction. (2) Existing law provides that no local agency, entity of state or local government, or other public or private organization that sponsors, authorizes, supports, finances, or supervises the training of citizens in cardiopulmonary resuscitation shall be liable for any civil damages alleged to result from such training programs. Existing law provides that no person who is certified to instruct in cardiopulmonary resuscitation by either the American Heart Association or the American Red Cross shall be liable for any civil damages alleged to result from the acts or omissions of an individual who received instruction on cardiopulmonary resuscitation by that certified instructor. This bill would provide that a local agency, entity of state or local government, or other public or private organization that sponsors, authorizes, supports, finances, or supervises, and a public employee who provides or facilitates, the instruction of pupils in compression-only cardiopulmonary resuscitation or the use of an automated external defibrillator pursuant to the bill shall not be liable for any civil damages alleged to result from the acts or omissions of an individual who received such instruction, except as provided.

AB 1769 *911 emergency system: nuisance communications*

Rodriguez

Existing law makes it an offense for a person to telephone the 911 emergency system with the intent to annoy or harass another person, and makes the offender liable for all reasonable costs incurred by any unnecessary emergency response. This bill would expand those provisions to include communicating with the 911 emergency system using an electronic communication device for those purposes. Existing law makes it an offense for a person to knowingly allow the

use or to use the 911 emergency system for any reason other than because of an emergency, and makes the parent or legal guardian having custody and control of an unemancipated minor who commits that offense jointly and severally liable with the minor for the fine imposed as punishment for that offense. This bill would expand those provisions to include making a communication from an electronic communication device to commit the offense.

AB 2311 *Emergency services: access and functional needs in emergencies*
Brown Existing law establishes the Office of Emergency Services within the office of the Governor and under the supervision of the Director of Emergency Services and makes the office responsible for the state's emergency and disaster response services for natural, technological, or manmade disasters and emergencies. Existing law defines the terms "political subdivision" and "emergency plan" for purposes of emergency services provided by local governments. Existing law requires the Office of Emergency Services to work with specified entities to improve communication with deaf and hearing-impaired persons during emergencies. This bill would require each county, including a city and county, to integrate access and functional needs, as defined, into its emergency plan, upon the next update to its emergency plan, as specified.

AB 2387 *Vehicle equipment: supplemental restraint system components and nonfunctional airbags*
Mullin Existing law makes it a misdemeanor for a person to (a) install, reinstall, rewire, tamper with, alter, or modify for compensation, a vehicle's computer system or supplemental restraint system, otherwise referred to as an airbag, so that it falsely indicates the supplemental restraint system is in proper working order; or (b) knowingly distribute or sell a previously deployed airbag or component that will no longer meet the original equipment manufacturing form or function for proper operation. This bill would repeal these provisions and instead make it a misdemeanor for any person to knowingly and intentionally manufacture, import, install, reinstall, distribute, sell, or offer for sale any device intended to replace a supplemental restraint system component, as defined, in any motor vehicle if the device is a counterfeit supplemental restraint system component or a nonfunctional airbag, as defined, or does not meet specified federal safety requirements. The bill would also make it a misdemeanor to knowingly and intentionally sell, install, or reinstall in a vehicle any device that causes the vehicle's diagnostic systems to fail to warn when the vehicle is equipped with a counterfeit supplemental restraint system component or nonfunctional airbag, or when no airbag is installed. The bill would provide that its provisions do not affect any duties, rights, or remedies otherwise available at law or preclude prosecution under any other law.

SB 438 *Earthquake safety: statewide earthquake early warning program and system*
Hill (1) The California Emergency Services Act requires the Office of Emergency Services, among other things, to develop in collaboration with specified entities a comprehensive statewide earthquake early warning system in California through a public-private partnership, as specified. The act requires the office to identify funding for the system through single or multiple sources of revenue, and requires those sources to exclude the General Fund and to be limited to federal funds, funds from revenue bonds, local funds, and funds from private sources. Under the act, the requirement that the office develop the system is not operative until funding is identified, and is repealed if funding is not identified by July 1, 2016. The act establishes the California Earthquake Safety Fund in the State Treasury to be used, upon appropriation by the Legislature, for seismic safety and earthquake-related programs, including the statewide earthquake early warning system. This bill would discontinue the requirement that the funding sources for the system exclude the General Fund and be limited to federal funds, funds from revenue bonds, local funds, and funds from private sources. The bill would delete the provisions providing for the repeal and the contingent operation of the requirement that the office develop the system. This bill would establish, within the office, the California Earthquake Early Warning Program and the California Earthquake Early Warning Advisory Board to support the development of the

statewide earthquake early warning system, as specified. The bill would require the board to include 7 voting members, as specified, and the Chancellor of the California State University, or his or her designee, who would serve as a nonvoting member. The bill would authorize the President of the University of California, or his or her designee, to serve as an additional nonvoting member of the board. The bill would require all members to serve without compensation, but would require reimbursement for actual and reasonable travel and meal expenses to attend board meetings. The bill would require the board to comply with existing state open meeting and public record disclosure laws and would prohibit the disclosure of any information in a public record that is a trade secret, as defined, of a private entity cooperating with the board or participating in the statewide earthquake early warning system or the program. The bill would make legislative findings in support of its provisions. (2) 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 867 *Emergency medical services*

Roth Existing law establishes the Maddy Emergency Medical Services (EMS) Fund, and authorizes each county to establish an emergency medical services fund for reimbursement of costs related to emergency medical services. Existing law, until January 1, 2017, authorizes county boards of supervisors to elect to levy an additional penalty, for deposit into the EMS Fund, in the amount of \$2 for every \$10 upon fines, penalties, and forfeitures collected for criminal offenses. Existing law, until January 1, 2017, requires 15% of the funds collected pursuant to that provision to be used to provide funding for pediatric trauma centers. This bill would extend the operative date of these provisions until January 1, 2027.

SB 1072 *Schoolbus safety: child safety alert system*

Mendoza Existing law requires the county superintendent of schools, the superintendent of a school district, or the owner or operator of a private school that provides transportation to or from a school or school activity to prepare a transportation safety plan containing procedures for school personnel to follow to ensure the safe transport of pupils, as prescribed. This bill would require that plan to include procedures to ensure that a pupil is not left unattended on a schoolbus, school pupil activity bus, or youth bus, and procedures and standards for designating an adult chaperone, other than the driver, to accompany pupils on a school pupil activity bus. The bill would additionally require a charter school to prepare this plan. Existing law authorizes the governing board of a school district to contract for the transportation of pupils attending schools within the district, as specified. This bill would require the governing board of a school district to require that any contract for the transportation of pupils includes the requirement that a pupil shall not be left unattended on a schoolbus, school pupil activity bus, or youth bus, as provided. Existing law requires applicants seeking to renew a certificate to drive a schoolbus or a school pupil activity bus to complete classroom instruction and training, as specified. This bill would require that classroom instruction to also cover the inspection procedures to ensure pupils are not left unattended on a schoolbus or school pupil activity bus. Existing law authorizes the Department of Motor Vehicles to refuse to issue or renew, and to revoke or suspend, a schoolbus, school pupil activity bus, or youth bus driver certificate under certain, listed conditions. This bill would require certain school officials to notify the department when a driver of such a bus has left a pupil unattended onboard after a specified school entity or the driver's employer has ordered and upheld disciplinary action against the driver for the driver's actions and has made a finding that the driver's actions constituted gross negligence, as defined. The bill would authorize the department to refuse to issue or renew, and to revoke or suspend, a bus driver certificate on these grounds. The bill would permit a former applicant or holder of a certificate whose certificate was revoked pursuant to these provisions to reapply for a certificate if the certificate revocation is reversed or dismissed by the department. Existing law requires all schoolbuses to be equipped with certain safety features, as specified. This bill would require, on

or before the beginning of the 2018–19 school year, schoolbuses, school pupil activity buses, except as provided, youth buses, and child care motor vehicles to be equipped with a “child safety alert system,” which is a device located at the interior rear of a vehicle that requires the driver to either manually contact or scan the device before exiting the vehicle, thereby prompting the driver to inspect the entirety of the interior of the vehicle before exiting.

Family Health Services

- AB 796 *Health care coverage: autism and pervasive developmental disorders*
Nazarian Existing law, 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 and their families. Existing law defines developmental disability for these purposes, to include, among other things, autism. Existing law provides for the licensure and regulation of health care service plans by the Department of Managed Health Care. A violation of those provisions is a crime. Existing law provides for the licensure and regulation of health insurers by the Department of Insurance. Existing law requires every health care service plan contract and health insurance policy to provide coverage for behavioral health treatment for pervasive developmental disorder or autism until January 1, 2017, and defines “behavioral health treatment” to mean specified services provided by, among others, a qualified autism service professional supervised and employed by a qualified autism service provider. For purposes of this provision, existing law defines a “qualified autism service professional” to mean a person who, among other requirements, is a behavioral service provider approved as a vendor by a California regional center to provide services as an associate behavior analyst, behavior analyst, behavior management assistant, behavior management consultant, or behavior management program pursuant to specified regulations adopted under the Lanterman Developmental Disabilities Services Act. This bill would delete the sunset date, thereby extending the operation of these provisions indefinitely.
- AB 1001 *Child abuse: reporting: foster family agencies*
Maienschein The Child Abuse and Neglect Reporting Act requires a mandated reporter, as defined and including an administrator or employee of a public or private organization whose duties require direct contact and supervision of children, to make a report to a specified agency whenever the mandated reporter, 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. Under existing law, the failure to make this report is a crime. Existing law also prohibits a supervisor or administrator from impeding or inhibiting the reporting duties, provides that a person making the report shall not be subject to any sanctions for making the report, and prohibits internal procedures to facilitate reporting from requiring any employee required to make reports to disclose his or her identity to the employer. Existing law, the California Community Care Facilities Act (the act), governs the licensing and regulation of community care facilities, as defined, including foster family agencies for children. Existing law vests responsibility for administering and enforcing laws and regulations governing those facilities in the State Department of Social Services. Existing law authorizes the department to prohibit a person from being a member of the board of directors, an executive director, or an officer of a licensee, or a licensee from employing, or continuing the employment of, or allowing in a licensed facility or certified family home, or allowing contact with clients of a licensed facility or certified family home by, any employee, prospective employee, or person who is not a client who has committed various acts or has been denied an exemption to work or to be present in a facility or certified family home, as specified. This bill would expand the definition of mandated reporter to include a board member of a public or private organization whose duties require direct contact and supervision of children, including a foster family agency. By imposing the reporting requirements on a new class of persons, for whom failure to report specified conduct is a crime, this bill would impose a state-mandated local program. The bill would also require the department to develop a notice regarding the reporting of complaints and would require the posting of that notice in all foster family agencies, as specified. The bill would require that if the department, as a condition of licensure, requires the chief executive officer or other authorized member of the board of directors and the administrator of a foster family agency to attend an orientation given by the licensing agency that outlines the applicable rules and regulations for operation of a foster family agency, that

orientation shall include a description of policies, procedures, or practices that violate the provisions described above governing mandated reporters. The bill would require the department to take reasonable action, including, among other things, prohibiting a person from being a member of the board of directors, upon a finding of a violation of the provisions described above governing mandated reporters.

AB 1067 *Foster children: rights*

Gipson

(1) Existing law provides that it is the policy of the state that all minors and nonminors in foster care have specified rights, including, among others, the right to be free of the administration of medication or chemical substances, unless authorized by a physician. This bill would require the State Department of Social Services to convene a working group regarding the specified rights of all minors and nonminors in foster care in order to educate them, foster care providers, and others, and would require the working group to be composed of, among others, the County Welfare Directors Association of California and foster children advocacy groups. The bill would provide the responsibilities of the working group, including making recommendations to the Legislature, by January 1, 2018, for revising the rights, and developing standardized information regarding the revised rights, by July 1, 2018, as specified. (2) Existing law requires, at least once every 6 months, at the time of a regularly scheduled placement agency contact with the foster child, a foster child's social worker or probation officer to inform the child of the above-mentioned rights. This bill would additionally require the social worker or probation officer to inform the care provider and child and family team, if applicable, of those rights, provide a written copy of the rights to the child, and document in the case plan that he or she has informed the child of, and has provided the child with a written copy of, his or her rights. By imposing duties on local officials, the bill would impose a state-mandated local program. (3) This bill would incorporate additional changes in Section 16501.1 of the Welfare and Institutions Code proposed by AB 1849 and AB 1997, 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, 2017, and this bill is chaptered last.

AB 1702 *Juveniles: dependent children: reunification services*

Mark
Stone

Existing law establishes the jurisdiction of the juvenile court, which may adjudge 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 generally requires the court to order the social worker to provide designated child welfare services, including family reunification services, to the child and the child's mother and statutorily presumed father or guardians. Existing law provides that reunification services need not be provided to a parent or guardian when the court finds, by clear and convincing evidence, that a specified event has occurred, including that the child has been adjudicated a dependent as a result of severe sexual abuse or the infliction of severe physical harm to the child, a sibling, or a half sibling by a parent or guardian, and the court makes a factual finding that it would not benefit the child to pursue reunification services with the offending parent or guardian. This bill would also provide that reunification services need not be provided when the court finds that the parent or guardian knowingly participated in, or permitted, the sexual exploitation of the child, as prescribed, except if the parent or guardian demonstrated by a preponderance of the evidence that he or she was coerced into permitting, or participating in, the sexual exploitation of the child. Existing law requires the court, if it does not order reunification services pursuant to specified provisions, to determine at the dispositional hearing if a hearing shall be set in order to determine the most appropriate plan for the child. This bill would require the court to make that determination if it does not order reunification services because it found that the parent or guardian knowingly participated in, or permitted, the sexual exploitation of the child, as prescribed.

- AB 1849
Gipson *Foster youth: transition to independent living: health insurance coverage*
Existing law establishes the jurisdiction of the juvenile court, which is permitted to adjudge certain children to be dependents of the court under certain circumstances, and prescribes various hearings and other procedures for these purposes. Existing law extends certain foster care benefits to youth up to 21 years of age, known as nonminor dependents, if specified conditions are met. Existing law requires a county social worker to develop a case plan for a minor or nonminor dependent that includes, among other things, when appropriate, for a child who is 16 years of age or older and for a nonminor dependent, a transitional independent living plan. During the 90-day period prior to the participant attaining 18 years of age or older, existing law requires a case worker or appropriate agency staff or probation officer and other representatives of the participant, as appropriate, to provide the youth or nonminor dependent with assistance and support in developing the written 90-day transition plan that is personalized at the direction of the child, and requires the plan to include, among other things, options regarding health insurance. This bill would require, for purposes of the 90-day transition plan, information provided regarding health insurance options to include verification that the eligible youth or nonminor is enrolled in Medi-Cal and a description of the steps that have been or will be taken by the youth's social worker or probation officer to ensure that the eligible youth or nonminor is transitioned into the Medi-Cal program upon case closure, as specified. Existing law prohibits the court from terminating dependency jurisdiction over a nonminor who has attained 18 years of age until a hearing is conducted and the county welfare department has submitted a report verifying that specified information, documents, and services have been provided to the nonminor, including the written 90-day transition plan, assistance in completing an application for Medi-Cal or assistance in obtaining other health insurance, and a letter prepared by the county welfare department that includes specified information. The bill would revise the list of information, services, and documents that are required to be provided to the nonminor to include, among other things, a Medi-Cal Benefits Identification Card and continued and uninterrupted enrollment in Medi-Cal for eligible nonminors up to 26 years of age pursuant to specified provisions of law.
- AB 1954
Burke *Health care coverage: reproductive health care services*
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 provides for the regulation of health insurers by the Department of Insurance. This bill would prohibit every health care service plan contract or health insurance policy issued, amended, renewed, or delivered on or after January 1, 2017, with exceptions, from requiring an enrollee or insured to receive a referral in order to receive reproductive or sexual health care services, as provided.
- AB 1997
Mark
Stone *Foster care*
(1) Existing law provides for the early implementation, by counties and foster family agencies, of the resource family approval process, which is a unified, family friendly, and child-centered approval process that replaces the multiple processes for licensing foster family homes, approving relatives and nonrelative extended family members as foster care providers, and approving adoptive families. Existing law requires the State Department of Social Services to implement the resource family approval process in all counties and with all foster family agencies by January 1, 2017. This bill would also specify that the resource family approval process replaces certification of foster homes by foster family agencies and the approval of guardians. The bill would make conforming statutory changes related to the statewide implementation of the resource family approval process, including prohibiting the department and counties from accepting applications to license foster family homes, and prohibiting foster family agencies from accepting applications to certify foster homes, on and after January 1, 2017. The bill would also make specified changes relating to resource families including by, among others, requiring the department to develop a basic rate that ensures that a child placed in

a licensed foster family home, a certified family home, or with a resource family approved by a county or foster family agency is eligible for the same basic rate, and would revise certain aspects of the resource family approval process, including by, among other things, requiring counties and foster family agencies to conduct annual, announced inspections of resource family homes and to inspect resource family homes as often as necessary to ensure the quality of care provided; authorizing counties to grant, deny, or rescind criminal records exemptions; and making it a misdemeanor to willfully and knowingly, with the intent to deceive, make a false statement or fail to disclose a material fact in a resource family application. By imposing additional duties on counties, by creating a new crime, and by expanding the duties of foster family agencies, for which the failure to comply is a crime, this bill would impose a state-mandated local program. (2) Existing law, the California Community Care Facilities Act, provides for the licensure of short-term residential treatment centers, which are residential facilities licensed by the State Department of Social Services and operated by any public agency or private organization that provides short-term, specialized, and intensive treatment, and 24-hour care and supervision to children. The act also provides for the licensure of foster family agencies, which are organizations engaged in the recruiting, certifying, and training of, and providing professional support to, foster parents, or in finding homes and other places for placement of children for temporary or permanent care who require that level of care. A violation of the act is a crime. This bill would instead identify “short-term residential treatment centers” as “short-term residential therapeutic programs” and would provide that they are facilities operated by a public agency or private organization and licensed by the department that provide an integrated program of specialized and intensive care and supervision, services and supports, treatment, and short-term, 24-hour care and supervision to children. The bill would make various changes relating to the licensing and operation of short-term residential therapeutic programs and foster family agencies, including by, among other things, requiring the department to establish rates for short-term residential therapeutic programs and foster family agencies that include an interim rate, provisional rate, and probationary rate, and providing for the implementation of those rates; specifying that a foster family agency licensed before January 1, 2017, has until December 31, 2018, to obtain accreditation, and that a foster family agency licensed on or after January 1, 2017, or a short-term residential therapeutic program has up to 24 months from the date of licensure to obtain accreditation; and requiring a private short-term residential therapeutic program to be organized and operated on a nonprofit basis. By expanding the scope of a crime, this bill would impose a state-mandated local program. (3) Existing federal law, the Adoption and Safe Families Act of 1997, among other provisions, establishes a permanent placement option for older children as an alternative to long-term foster care, referred to in the act as “another planned permanent living arrangement” (APPLA). Existing law declares the intent of the Legislature to conform state law to the federal act, as specified. Existing law generally provides a minor 16 years of age and older with another planned permanent living arrangement, as prescribed. This bill would make conforming changes by deleting references to long-term foster care and instead providing for placement in another planned permanent living arrangement. (4) This bill would require the State Department of Social Services and the State Department of Health Care Services to adopt regulations to implement its provisions, and to implement certain other provisions of existing law. The bill would authorize those departments to implement the provisions of this bill by all-county letter or similar written instructions until regulations are adopted. The bill would make other changes related to foster care and the placement of foster children.

AB 2083
Chu

Interagency child death review

Existing law authorizes a county to establish an interagency child death review team to assist local agencies in identifying and reviewing suspicious child deaths and facilitating communication among persons who perform autopsies and the various persons and agencies involved in child abuse or neglect cases. Existing law requires records that are exempt from disclosure to 3rd parties pursuant to state or federal law to remain exempt from disclosure when they are in the possession of a child death review team. This bill would authorize the voluntary

disclosure of specified information, including mental health records, criminal history information, and child abuse reports, by an individual or agency to an interagency child death review team. The bill would provide that written or oral information disclosed to a child death review team pursuant to these provisions would remain confidential, and would not be subject to disclosure or discovery by a 3rd party unless otherwise required by law. 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 2093 *Disability access*

Steinorth

Existing law requires the State Architect to establish and publicize a program for the voluntary certification by the state of any person who meets specified criteria as a Certified Access Specialist (CASp). Existing law requires a commercial property owner or lessor to state on every lease form or rental agreement executed on or after July 1, 2013, whether the property has been determined by a CASp to meet all applicable construction-related accessibility standards. This bill would require the commercial property owner or lessor to state on every lease form or rental agreement executed on or after January 1, 2017, whether or not the premises have been inspected by a CASp specialist. The bill would require a commercial property owner or lessor to provide the lessee or tenant with a current disability access inspection certificate and inspection report or a copy of a CASp inspection report, as specified, if the premises have been issued an inspection report indicating that they meet applicable standards. If the premises have not been issued a disability access inspection certificate, the bill would require a statement on the lease form or rental agreement stating that, upon request of the lessee or tenant, the property owner may not prohibit a CASp inspection of the subject premises and that the parties must mutually agree on the arrangements for the time and manner of the inspection, the payment of the associated fee, and the cost of making repairs, as specified. The bill would require a property owner or lessor of premises that have been subject to CASp inspection, and that remain unmodified or altered, as specified, since the date of the inspection and the lease or rental agreement with regard to construction-related accessibility standards, to provide a copy of the report that is to remain confidential except as necessary to make repairs and corrections, as specified. The bill would establish a presumption that making repairs or modifications necessary to correct violations of construction-related accessibility standards that are noted in a CASp report is the responsibility of the commercial property owner or lessor unless otherwise agreed upon by the parties to the lease or rental agreement. The bill would grant a prospective lessee or tenant the opportunity to review any CASp report prior to execution of the lease or rental agreement, and if the report is not provided at least 48 hours prior to execution of a lease or rental agreement, the bill would grant a prospective lessee or tenant the right to rescind the lease or agreement, based upon information in the report, for 72 hours after execution. This bill would declare that it is to take effect immediately as an urgency statute.

AB 2417 *Child abuse reporting*

Cooley

Existing law requires the Department of Justice to maintain an index of all reports of child abuse and severe neglect submitted by agencies mandated to make those reports. Existing law requires the Department of Justice to make relevant information contained in the index available to specified law enforcement agencies, county welfare departments, and other agencies that are conducting a child abuse investigation. Existing law authorizes a designated Court Appointed Special Advocate (CASA) program to submit to the department fingerprint images and related information of employment and volunteer candidates for the purpose of obtaining information as to the existence and nature of any record of child abuse investigations contained in the Child Abuse Central Index, state- or federal-level convictions, or state- or federal-level arrests for which the department establishes that the applicant was released on bail or on his or her own recognizance pending trial. Existing law requires the department to charge a fee sufficient to cover the cost of processing the requests for state- and federal-level criminal offender record

information. This bill would instead prohibit the department from charging a fee for state-level criminal offender record information.

AB 2656 *Pupils: diploma alternatives: fee waiver: foster youth*

O'Donnell

Existing law authorizes certain persons, including, among others, any person 16 years of age or older, to have his or her proficiency in basic skills taught in public high schools verified according to criteria established by the State Department of Education. Existing law requires the State Board of Education to award a certificate of proficiency to persons who demonstrate that proficiency. Existing law requires the department to develop standards of competency in basic skills taught in public high schools and to provide for the administration of examinations prepared by, or with the approval of, the department to verify competency. Existing law authorizes the department to charge a fee for each examination application in an amount sufficient to recover the costs of administering the requirements of these provisions but prohibits the fee from exceeding an amount equal to the cost of test renewal and administration per examination application. Existing law prohibits the department from charging the fee to an examinee who qualifies as a homeless child or youth and meets other specified criteria. This bill would additionally prohibit the department from charging the fee to a foster youth, as defined, who is under 25 years of age. Existing law separately requires the Superintendent of Public Instruction to issue a high school equivalency certificate and an official score report, or an official score report only, to a person who has not completed high school and who meets specified requirements, including, among others, having taken all or a portion of a general education development test that has been approved by the state board and administered by a testing center approved by the department, with a score determined by the state board to be equal to the standard of performance expected from high school graduates. Existing law authorizes the Superintendent to charge an examinee a one-time fee to pay costs related to administering these provisions and issuing a certificate, as specified. Existing law limits the amount of the fee to \$20 per person and requires each scoring contractor to forward that fee to the Superintendent. Existing law prohibits a scoring contractor or testing center that charges its own separate fee from charging that separate fee to an examinee who qualifies as a homeless child or youth, is under 25 years of age, and can verify his or her status as a homeless child or youth. This bill would additionally prohibit the scoring contractor or testing center from charging the fee to a foster youth, as defined, who is under 25 years of age. Existing law requires the Superintendent, on or before December 1, 2018, to submit 2 reports to the appropriate policy and fiscal committees of the Legislature, one relating to high school proficiency tests, and one relating to high school equivalency tests, that each include, among other things, the number of homeless youth that took a high school proficiency or equivalency test in each of the 2016, 2017, and 2018 calendar years, and the impact of the opportunity to take a high school proficiency or equivalency test at no cost on the number and percentage of homeless youth taking a high school proficiency or equivalency test. This bill would require the Superintendent to also incorporate data on high school proficiency or equivalency test examinees who are foster youth, as defined, into each report.

AB 2767 *Foster care: caregivers: information*

Lopez

Existing law states the findings and declarations of the Legislature that a caregiver of a foster child should have certain basic information in order to provide for the needs of children placed in his or her care, including the name, mailing address, telephone number, and facsimile number of the child's social worker, the social worker's supervisor, the child's attorney, and the court-appointed special advocate, if applicable. This bill would additionally provide that caregivers should also be provided with the email address of the child's social worker, the social worker's supervisor, the child's attorney, and the court-appointed special advocate, if applicable.

AB 2791 *Community colleges: disability services*

Medina

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 states the intent of the Legislature that the public postsecondary institutions request, and the state provide, through the state budget process, funds to cover the actual cost of providing services and instruction, consistent with specified principles, to disabled students in their respective postsecondary institutions. Existing law requires the board of governors to adopt rules and regulations for the administration and funding of educational programs and support services provided to disabled students by community college districts. Existing law defines “disabled students,” for these purposes, as persons with exceptional needs enrolled at a community college who meet specified criteria. This bill would expand that definition of “disabled students,” for these purposes, to include persons with exceptional needs who have applied to, but are not enrolled at, a community college and meet that criteria. Existing law requires the regulations adopted by the board of governors to provide for the apportionment of funds to each community college district to offset the direct excess cost of providing specialized support services or instruction, or both, to disabled students enrolled in state-supported educational programs or courses. This bill would require the regulations adopted by the board to provide funds to offset those costs of providing services or instruction, or both, to disabled students enrolled in state-supported disabled student services programs or courses, instead of state-supported educational programs or courses. The bill also would correct cross-references.

ABX2 1 *Developmental services: Medi-Cal: funding*

Thurmond

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. Under existing law, regional centers purchase needed services for individuals with developmental disabilities through approved service providers or arrange for those services through other publicly funded agencies. Existing law establishes specified rates and wages to be paid to certain service providers and the rates to be paid for certain developmental services. Existing law requires that rates to be paid to other developmental service providers either be set by the department or negotiated between the regional center and the service provider. Existing law establishes the Medi-Cal program, administered by the State Department of Health Care Services, under which basic health care services are provided to qualified low-income persons. The Medi-Cal program is, in part, governed and funded by federal Medicaid Program provisions. Existing law requires, except as otherwise provided, Medi-Cal provider payments to be reduced, as specified. This bill would appropriate a specified sum to the State Department of Developmental Services to, commencing July 1, 2016, among other things, increase rates and wages for certain developmental services providers and fund incentive payments for competitive integrated employment opportunities and internships for individuals with developmental disabilities. The bill would require the department to submit a rate study to specified committees of the Legislature on or before March 1, 2019, regarding community-based services for individuals with developmental disabilities. The bill would require each regional center to report specified information to the department regarding increased funding for regional center operations. The bill would, for dates of service on or after August 1, 2016, increase the payment rates for intermediate care facilities and skilled nursing facilities that provide services to developmentally disabled individuals under the Medi-Cal program, as specified. The bill would also prohibit the State Department of Health Care Services from seeking to retroactively implement certain Medi-Cal provider payment reductions and limitations with regards to reimbursements for services provided by skilled nursing facilities that are distinct parts of general acute care hospitals for dates of service on or after June 1, 2011, and on or before September 30, 2013, and from seeking to recoup overpayments, as specified. 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. Existing law requires each regional center to annually report to the department regarding the regional center’s implementation of these requirements, including whether the data

indicates a need to reduce disparities in the purchase of services among consumers in the regional center's catchment area and the regional center's recommendations and plan to promote equity, and reduce disparities, in the purchase of services. Existing law requires the department to consult with specified stakeholders to review the data, develop recommendations to help reduce disparities in purchase of service expenditures, and encourage development and expansion of culturally appropriate services, among other things, and to report the status of its efforts during the 2016–17 legislative budget subcommittee hearing process. The bill would also require the department, subject to available funding, to allocate funding to regional centers to assist in implementing specified recommendations and plans, including the recommendations and plans of the regional centers to promote equity, and reduce disparities, in the purchase of services. Existing law requires an entity that receives payments between \$250,000 and \$500,000 per year from one or more regional centers to obtain either an independent audit or an independent review report of its financial statements, and requires an entity that receives payments that are equal to or more than \$500,000 per year to obtain an independent audit. This bill would instead require an entity that receives payments between \$500,000 and \$2,000,000 from one or more regional centers to obtain an independent review report of its financial statements, and would authorize these entities to apply for, and require the regional center to grant, a 2-year exemption from this requirement if the regional center does not find issues in the independent review report that have an impact on regional center services. The bill would require an entity that receives payments from one or more regional centers that are equal to or more than \$2,000,000 to obtain an independent audit and would authorize these entities to apply for, and require the regional center to grant, a 2-year exemption from the audit requirement if the audit resulted in an unmodified opinion, an unmodified opinion with additional communication, or a qualified opinion with issues that are not material. The bill would require a regional center to annually report to the State Department of Developmental Services any exemptions granted pursuant to these provisions.

SB 269
Roth

Disability access

(1) Existing law prohibits discrimination on the basis of various specified personal characteristics, including disability. The Construction-Related Accessibility Standards Compliance Act establishes standards for making new construction and existing facilities accessible to persons with disabilities and provides for construction-related accessibility claims for violations of those standards. Existing law specifies that a violation of construction-related accessibility standards personally encountered by a plaintiff may be sufficient to cause a denial of full and equal access if the plaintiff experienced difficulty, discomfort, or embarrassment because of the violation. Under existing law, a defendant is liable for actual damages plus minimum statutory damages for each instance of discrimination relating to a construction-related accessibility standard. This bill would, for claims filed on and after its effective date, establish a rebuttable presumption, for the purpose of an award of minimum statutory damages, that certain technical violations do not cause a plaintiff to experience difficulty, discomfort, or embarrassment, if specified conditions are met. This bill would also exempt a defendant from liability for minimum statutory damages with respect to a structure or area inspected by a certified access specialist for a period of 120 days if specified conditions are met. The bill would require a defendant who claims the benefit of this exemption to disclose the date and findings of any certified access specialist (CASp) inspection to the plaintiff. (2) Existing law requires the State Architect to establish and publicize a program for the voluntary certification by the state of any person who meets specified criteria as a CASp. Existing law requires the State Architect to annually publish a list of CASps. Existing law requires each applicant for CASp certification or renewal to pay certain fees, and requires the State Architect to periodically review those fees, as specified. Existing law provides for the deposit of those fees into the Certified Access Specialist Fund, which is continuously appropriated for use by the State Architect to implement the CASp program. This bill would additionally require the State Architect to publish, and regularly update, easily accessible lists of businesses that file prescribed notices of inspection, and businesses which have been inspected by a CASp on or after January 1, 2017, including the date

of the inspection. The bill would require the State Architect to develop a process by which a small business may notify the State Architect that a structure or area has had a CASp inspection and to develop a form for businesses to notify the public that the business has obtained a CASp inspection. The bill would also require applicants for CASp certification or renewal to additionally provide to the State Architect the name of the city, county, or city and county in which the applicant intends to provide or has provided services, and would require the Division of the State Architect to post that information on its Internet Web site. (3) Existing law establishes the California Commission on Disability Access for purposes of developing recommendations to enable persons with disabilities to exercise their right to full and equal access to public facilities and facilitating business compliance with applicable state and federal laws and regulations. Existing law sets forth the powers and duties of the commission, including developing educational materials and information for businesses, building owners, tenants, and building officials, posting that information on the commission's Internet Web site, and coordinating with other state agencies and local building departments to ensure that information provided to the public on disability access requirements is uniform and complete. This bill would additionally require the commission to provide a link on its Internet Web site to the Internet Web site of the Division of the State Architect's CASp certification program, and make the commission's educational materials and information available to other state agencies and local building departments. (4) The Permit Streamlining Act establishes procedures for the application, and review of an application, for a development project. Existing law requires a public agency to notify applicants for development permits of specified information, including the time limits established for the review and approval of development permits. This bill would additionally require local agencies to develop and provide to applicants materials relating to the requirements of the federal Americans with Disabilities Act of 1990, or to instead provide similar materials developed by the California Commission on Disability Access. The bill would require a local agency to notify an applicant that approval of a permit does not signify that the applicant has complied with that act. The bill would also require local agencies to expedite review of projects for which the applicant provides a copy of a disability access certificate, demonstrates that the project is necessary to address an alleged violation of a construction-related access standard or a violation noted in a CASp report, and, if project plans are necessary for approval, has had a CASp review the project plans for compliance with all applicable construction-related accessibility standards. The bill would declare that these provisions constitute a matter of statewide concern and would apply to charter cities and charter counties. (5) This bill would declare that it is to take effect immediately as an urgency statute.

SB 586 *Children's services*

Hernandez

The California Children's Services (CCS) program is a statewide program providing medically necessary services required by physically handicapped children whose parents are unable to pay for those services. The State Department of Health Care Services administers the CCS program. Counties, based on population size, are also charged with administering the program, either independently or jointly with the department. The services covered by the CCS program include expert diagnosis, medical treatment, surgical treatment, hospital care, physical therapy, occupational therapy, special treatment, materials, and the supply of appliances and their upkeep, maintenance, and transportation. Funding for the program comes from county, state, and federal sources. In order to be eligible for the CCS program, an applicant must be under 21 years of age, have or be suspected of having a condition covered by the program, and meet certain financial eligibility standards established by the department. Existing law prohibits services covered by the CCS program from being incorporated into a Medi-Cal managed care contract entered into after August 1, 1994, until January 1, 2017, except with respect to contracts entered into for county organized health systems or Regional Health Authority in specified counties. This bill would exempt contracts entered into under the Whole Child Model program, described below, from that prohibition and would extend to January 1, 2022, and until the evaluation required under the Whole Child Model program has been completed, the termination of the prohibition against CCS-covered services being incorporated in a Medi-Cal managed care

contract entered into after August 1, 1994. The bill would authorize the department, no sooner than July 1, 2017, to establish a Whole Child Model program, under which managed care plans served by a county organized health system or Regional Health Authority in designated counties would provide CCS services to Medi-Cal eligible CCS children and youth. The bill would limit the number of managed care plans under a county organized health system or Regional Health Authority that are eligible to participate in the program. The bill would require the department to implement the program, as specified, and would require a managed care plan to obtain written approval from the department and establish a local stakeholder process, as prescribed. The bill would prohibit the department from approving the application of a managed care plan until the Director of Health Care Services has verified the readiness of the managed care plan to address the unique needs of CCS-eligible beneficiaries, including, among other things, that the managed care contractor demonstrates the availability of an appropriate provider network to serve the needs of children and youth with CCS conditions and complies with all CCS program guidelines. The bill would prohibit the department from implementing the program in any county until it has developed specific CCS monitoring and oversight standards for managed care plans. The bill would require the department to establish, through December 31, 2021, a statewide Whole Child Model program stakeholder advisory group comprised of specified stakeholders, including representatives from health plans and family resource centers, or modify an existing stakeholder advisory group and would require the department to consult with the Whole Child Model program stakeholder advisory group on the implementation of the program, as specified. The bill would impose various requirements on a Medi-Cal managed care plan serving children and youth with CCS-eligible conditions under the CCS program, including, but not limited to, coordinating services, as specified; providing appropriate access to care, services, and information, including continuity of care requirements; and providing for case management, care coordination, provider referral, and service authorization services. The bill would require a Medi-Cal managed care plan participating in the Whole Child Model program to ensure provision of case management, care coordination, provider referral, and service authorization services to children and youth, as prescribed, but would authorize the department to waive this requirement if the plan demonstrates that it cannot meet the requirement because it would result in substantially increased program costs, as specified. This bill would require a managed care plan to provide a timely process for accepting and acting upon complaints and grievances of CCS-eligible children and youth. The bill would require a specified stakeholder process to address proposed changes to CCS medical eligibility requirements. The bill would require the department to contract with an independent entity to conduct an evaluation to assess health plan performance and the outcomes and the experience of CCS-eligible children and youth participating in the program, and would require the department to provide a report on the results of this evaluation to the Legislature no later than January 1, 2021. This bill would provide that its provisions are not intended to permit any reduction in benefits or eligibility levels under the existing CCS program. The bill would require the department, by July 1, 2020, to adopt regulations and, commencing July 1, 2018, would require the department to provide a status report to the Legislature until regulations have been adopted. The bill would authorize the Director of Health Care Services to enter into exclusive or nonexclusive contracts on a bid, nonbid, or negotiated basis and amend existing managed care contracts to provide or arrange for services provided under the bill.

SB 982
McGuire

State Department of Developmental Services: developmental centers

Existing law vests in the State Department of Developmental Services jurisdiction over state hospitals referred to as developmental centers for the provision of residential care to individuals with developmental disabilities, including the Sonoma Developmental Center, the Fairview Developmental Center, and the Porterville Developmental Center, as specified. Existing law requires the department to comply with procedural requirements when closing a developmental center. Existing law required, on or before October 1, 2015, the State Department of Developmental Services to submit to the Legislature a plan or plans to close one or more developmental centers. This bill would require the department to seek to modify the contract in

existence on January 1, 2017, for the conduct of a movers longitudinal study to include specified requirements, including, among others, a requirement that at least 250 individuals who meet certain criteria participate in the study. The bill would require the department to annually submit interim reports to the Legislature regarding the study. The bill would require, upon the completion of the study, the department to submit the study to the Legislature, as specified.

SB 999
Pavley

Health care coverage: contraceptives: annual supply

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 also 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 through, among other things, managed care plans licensed under the act that contract with the State Department of Health Care Services. Existing law requires 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. This bill would require a health care service plan or a health insurance policy issued, amended, renewed, or delivered on or after January 1, 2017, to cover up to a 12-month supply of FDA-approved, self-administered hormonal contraceptives when dispensed at one time for an enrollee or insured at one time by a provider, pharmacist, or at a location licensed or authorized to dispense drugs or supplies. The bill would specifically provide that a health care service plan contract or an insurance policy is not required to cover contraceptives provided by an out-of-network provider, pharmacy, or other location, except as authorized by state or federal law or by the plan or insurer's policies governing out-of-network coverage. The bill would also prohibit a health care service plan or health insurer, in the absence of clinical contraindications, from imposing utilization controls limiting the supply of FDA-approved, self-administered hormonal contraceptives that may be furnished by a provider or pharmacist, or at a location licensed or otherwise authorized to dispense drugs or supplies to an amount that is less than a 12-month supply. The bill would include Medi-Cal managed care plans, as specified, in the definition of a health care service plan for purposes of these provisions, and would require the State Department of Health Care Services to seek federal approval, if necessary, and to issue all-plan letters or similar instructions to implement these provisions. 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 authorizes a pharmacist to dispense not more than a 90-day supply of a dangerous drug other than a controlled substance pursuant to a valid prescription that specifies an initial quantity of less than a 90-day supply followed by periodic refills of that amount if the patient has met specified requirements, including having completed an initial 30-day supply of the drug. Existing law prohibits a pharmacist from dispensing a greater supply of a dangerous drug if the prescriber indicates "no change to quantity" on the prescription. Existing law authorizes a pharmacist to furnish self-administered hormonal contraceptives in accordance with standardized procedures or protocols developed and approved by both the board and the Medical Board of California, as specified. This bill would require a pharmacist to dispense, at a patient's request, up to a 12-month supply of an FDA-approved, self-administered hormonal contraceptive pursuant to a valid prescription that specifies an initial quantity followed by periodic refills. The bill would authorize a pharmacist furnishing an FDA-approved, self-administered hormonal contraceptive, pursuant to the authorization described above, to furnish up to a 12-month supply at one time at the patient's request. This bill would incorporate changes to Section 4064.5 of the Business and Professions Code proposed by both this bill and SB 253, which would become operative only if both bills are enacted and become effective on or before January 1, 2017, and this bill is chaptered last.

SB 1095 *Newborn screening program*

Pan 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, severe combined immunodeficiency (SCID), and adrenoleukodystrophy (ALD) 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 any disease that is detectable in blood samples as soon as practicable, but no later than 2 years after the disease is adopted by the federal Recommended Uniform Screening Panel (RUSP), or enrollment of this bill, whichever is later. By expanding the purposes for which moneys from the GDTF may be expended, this bill would make an appropriation.

SB 1174 *Medi-Cal: children: prescribing patterns: psychotropic medications*
McGuire Existing law, the Medical Practice Act, among other things provides for the licensure and regulation of physicians and surgeons by the Medical Board of California. Under existing law, the board's responsibilities include enforcement of the disciplinary and criminal provisions of the act. 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 early and periodic screening, diagnosis, and treatment for any individual under 21 years of age. The Medi-Cal program is, in part, governed and funded by federal Medicaid program provisions. Existing law establishes a statewide system of child welfare services, administered by the State Department of Social Services, with the intent that all children are entitled to be safe and free from abuse and neglect. This bill would, until January 1, 2027, require the State Department of Health Care Services and the State Department of Social Services, pursuant to a specified data-sharing agreement, to provide the Medical Board of California with information regarding Medi-Cal physicians and their prescribing patterns of psychotropic medications and related services for specified children and minors placed in foster care using data provided by the State Department of Health Care Services and the State Department of Social Services, as prescribed. The bill would require that the data concerning psychotropic medications and related services be drawn from existing data sources maintained by the departments and shared pursuant to a data-sharing agreement and would require that, every 5 years, the board, the State Department of Health Care Services, and the State Department of Social Services consult and revise the methodology, if determined to be necessary. The bill would require the board to contract for consulting services from, if available, a psychiatrist who has expertise and specializes in pediatric care for the purpose of reviewing the data provided to the board. Commencing July 1, 2017, the bill would require the board to report annually to the Legislature, the State Department of Health Care Services, and the State Department of Social Services the results of the analysis of the data. The bill would, until January 1, 2027, require the board to review the data in order to determine if any potential violations of law or excessive prescribing of psychotropic medications inconsistent with the standard of care exist and conduct an investigation, if warranted, and would require the board to take disciplinary action, as specified. The bill would require the board, on or before January 1, 2022, to conduct an internal review of those activities and to revise procedures relating to those activities, if determined to be necessary. The bill would require the State Department of Health Care Services to disseminate treatment guidelines on an annual basis through its existing communications with Medi-Cal providers, as specified. The bill would require the board to handle on a priority basis investigations of repeated acts of excessive prescribing, furnishing, or administering psychotropic medications to a minor, as specified.

SB 1226 *Regional centers: audits and reviews*

Beall

Under existing law, the Lanterman Developmental Disabilities Services Act, the State Department of Developmental Services is authorized to contract with regional centers to provide services and supports to individuals with developmental disabilities. Existing law requires an entity that receives payments from one or more regional centers to obtain an independent audit or independent review report of its financial statements based upon the amount it receives from the regional center or regional centers during the entity's fiscal year. This bill would, commencing January 1, 2018, instead require the entity to obtain an independent review report or an independent audit of its financial statements based upon the amount it receives from the regional center or regional centers during each state fiscal year. Existing law requires regional centers to notify the department of all qualified opinion reports or reports noting significant issues that directly or indirectly impact regional center services within 30 days after receipt. This bill would also require a regional center to submit copies of all independent audit reports that it receives to the department for review. The bill would require the department to compile data, by regional center, on vendor compliance with audit requirements and opinions resulting from audit reports and to annually publish the data in a performance dashboard.

Public Health Administration

- AB 21
Wood *Medical marijuana: cultivation licenses*
Existing law, the Compassionate Use Act of 1996, an initiative measure enacted by the approval of Proposition 215 at the November 5, 1996, statewide general election, authorizes the use of marijuana for medical purposes. Existing law, enacted by the Legislature, provides for the licensing and regulation by both state and local entities of medical marijuana and its cultivation. Existing law provides that if a city, county, or city and county does not have land use regulations or ordinances regulating or prohibiting the cultivation of marijuana, commencing March 1, 2016, the Department of Food and Agriculture is the sole licensing authority for medical marijuana cultivation applicants in that city, county, or city and county. This bill would delete the provision that grants the department the sole licensing authority under those circumstances. Existing law exempts certain persons cultivating medical marijuana from the requirement to obtain both a state license from the Department of Food and Agriculture and a license, permit, or other entitlement allowing cultivation from the city, county, or city and county in which the cultivation will occur. Existing law authorizes a city, county, or city and county to regulate or ban the cultivation, storage, manufacture, transport, provision, or other activity by a person otherwise exempt from state regulation, or to enforce that regulation or ban. This bill would instead provide that an exemption from these licensure requirements does not limit or prevent a city, county, or city and county from exercising its police power authority under a specified provision of the California Constitution. This bill would declare that it is to take effect immediately as an urgency statute.
- AB 1546
Olsen *Vital records*
Existing law requires the State Registrar to administer the registration of births, deaths, fetal deaths, and marriages. Existing law requires the State Registrar to arrange and permanently preserve the certificates in a systematic manner and to prepare and maintain a comprehensive and continuous index of all certificates registered. Existing law requires that specified birth, death, and marriage record indices prepared or maintained by local registrars and county recorders be kept confidential. Existing law requires, notwithstanding these provisions, local registrars and county recorders to release, when requested, their comprehensive birth, death, and nonconfidential marriage record indices to the State Registrar. This bill would additionally authorize the local registrar to release birth and death record indices to the county recorder within its jurisdiction for purposes of the preparation or maintenance of the indices of the county recorder. The bill would extend application of specified access restrictions applicable to confidential portions of certificates of live birth to confidential birth record indices. Existing law prescribes specified personal information to be included on birth, death, and marriage certificates. Under existing law, a certified copy of a birth or death record may only be supplied by the State Registrar, local registrar, or county recorder to an authorized person, as defined, who submits a statement sworn under penalty of perjury that the applicant is an authorized person. Existing law also requires that each certified copy of a birth, death, or marriage record contain specified information and be printed on sensitized security paper with specified security features, including, among others, intaglio print. This bill would authorize the State Registrar to suspend the use of any security feature if necessary to enable the State Registrar, local registrar, county recorder, or county clerk to supply an applicant with a certified copy of a birth, death, or marriage record. The bill would authorize the State Department of Public Health to implement this provision through all-county letters or similar instructions, as specified. Existing law requires the State Registrar to appoint a Vital Records Protection Advisory Committee to study and make recommendations to protect individual privacy, inhibit identity theft, and prevent fraud involving birth, death, and marriage certificates while providing needed access to the information contained in those records by persons seeking it for a legitimate purpose. This bill would require the State Registrar, in consultation with the County Recorders' Association of California and other stakeholders, to study all security features for paper used to print a vital

record, or alternative security features that are equal to or better than those that are currently mandated. The bill would require the State Registrar to submit a report to the Legislature, on or before January 1, 2018, that contains the findings of that study and legislative recommendations pertaining to those findings. This bill would declare that it is to take effect immediately as an urgency statute.

AB 2119
Chu

Medical information: disclosure: medical examiners and forensic pathologists

(1) Existing law, the Confidentiality of Medical Information Act, generally prohibits a provider of health care, a health care service plan, or a contractor from disclosing medical information regarding a patient of the provider of health care or an enrollee or subscriber of a health care service plan without first obtaining an authorization. The act, as exceptions to this prohibition, requires disclosure of medical information by a provider of health care, a health care service plan, or a contractor to a coroner when requested by the coroner in the course of investigation for specified purposes, and authorizes disclosure when requested by the coroner in the course of investigation for any other purpose. Under existing law, medical information obtained in the course of providing certain services to specified persons is confidential and not subject to disclosure under these exceptions. This bill would subject medical information obtained in the course of providing those services to disclosure under the above-described exceptions, would expand those exceptions to include medical information requested by a medical examiner or forensic pathologist, as specified, and would provide that a medical examiner, forensic pathologist, or coroner, as described, is prohibited from disclosing the information contained in the medical record obtained pursuant to those exceptions to a 3rd party without a court order or authorization of the beneficiary or personal representative of the deceased patient. (2) Existing law requires, when a person with a developmental disability dies from any cause, natural or otherwise, while hospitalized in a state developmental center, the State Department of Developmental Services, the physician and surgeon in charge of the client, or the professional in charge of the facility or his or her designee to release information and records to the coroner. Existing law prohibits that department and those persons from releasing any notes, summaries, transcripts, tapes, or records of conversations between the resident and health professional personnel of the hospital relating to the personal life of the resident that is not related to the diagnosis and treatment of the resident's physical condition. Existing law also requires any information released to the coroner pursuant to this provision to remain confidential and to be sealed, and prohibits that information from being made part of the public record. Similar requirements and prohibitions apply to the State Department of State Hospitals, physicians, and professionals with respect to records regarding patients who die while hospitalized in a state mental hospital. This bill would revise those provisions by deleting the prohibitions against releasing notes, summaries, transcripts, tapes, or records of conversations between the resident or patient and the health professional personnel of the hospital relating to the personal life of the resident or patient that is not related to the diagnosis and treatment of the resident's or patient's physical condition. The bill would instead expand those disclosure requirements to include the release of information and records to a medical examiner, forensic pathologist, or coroner, as specified, upon request. The bill would prohibit the disclosure, except as specified, of any information contained in the medical record obtained pursuant to those exceptions to a 3rd party without a court order or authorization of the beneficiary or personal representative of the deceased patient. The bill would also require a health facility, as defined, a health or behavioral health facility or clinic, and the physician in charge of the patient to release the patient's medical record to a medical examiner, forensic pathologist, or coroner, as specified, and upon request, when a patient dies from any cause, natural or otherwise. The bill would prohibit a medical examiner, forensic pathologist, or coroner from disclosing, except as specified, any information contained in the medical record obtained pursuant to these provisions without a court order or authorization of the beneficiary or personal representative of the deceased patient. (3) 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 2516 *Medical cannabis: state cultivator license types: specialty cottage type*
Wood The Medical Cannabis Regulation and Safety Act provides for the licensure and regulation of commercial activities relating to medical cannabis and establishes various types of state cultivator licenses to be issued to qualified applicants by the Department of Food and Agriculture. This bill would also provide for the issuance of a Type 1C, or “specialty cottage,” state cultivator license, as specified, by the Department of Food and Agriculture.

AB 2636 *Certified copies of marriage, birth, and death certificates: electronic application*
Linder Under existing law, a certified copy of a birth, death, marriage, or military service record may only be supplied by the State Registrar, local registrar, or county recorder to an authorized person, as defined, who submits a written, faxed, or digitized image request accompanied by a notarized statement sworn under penalty of perjury that the applicant is an authorized person. This bill would, until January 1, 2021, if the request for a certified copy of a birth, death, or marriage record is made electronically, authorize the official to accept an electronic acknowledgment verifying the identity of the applicant using a multilayered remote identity proofing process. If an applicant’s identity cannot be established electronically, the bill would require the applicant to include with his or her request a statement of identity notarized pursuant to existing law. The bill would require the verification to comply with specified provisions and protect the personal information of the applicant and guard against identity theft. The bill would require the State Registrar and any city or county that fulfills electronic requests without a notarized statement of identity to report to the Attorney General and the Legislature on or before January 1, 2019, regarding the number and types of requests and the availability of consumer protection mechanisms, as specified. This bill would authorize the State Department of Public Health to implement its procedures relating to electronic verification through an all-county letter or similar instruction from the State Registrar without taking regulatory action. The bill would specifically authorize the department to accept an electronic verification of identity accompanied by an electronic statement sworn under penalty of perjury for the above purposes.

AB 2679 *Medical marijuana: regulation: research*
Cooley (1) Existing law, the Medical Marijuana Regulation and Safety Act (MMRSA), provides for the licensure of persons engaged in specified activities relating to medical marijuana and establishes other regulatory provisions. That act also requires each licensing authority to prepare and submit to the Legislature an annual report on the authority’s activities and post the report on the authority’s Internet Web site. This bill would require the report to also include the number of appeals from the denial of state licenses or other disciplinary actions taken by the licensing authority, the average time spent on these appeals, and the number of complaints submitted by citizens or representatives of cities or counties regarding licensees, as specified. (2) Existing law authorizes the creation by the University of California of the California Marijuana Research Program, the purpose of which is to develop and conduct studies intended to ascertain the general medical safety and efficacy of marijuana, and if found valuable, to develop medical guidelines for the appropriate administration and use of marijuana. This bill would specify that the studies may include studies to ascertain the effect of marijuana on motor skills. (3) Existing law, until one year after the Bureau of Medical Cannabis Regulation posts a notice on its Internet Web site that licensing authorities have commenced issuing licenses pursuant to the MMRSA, exempts cooperatives and collectives who cultivate medical cannabis for qualified patients from criminal sanctions for specified activities related to the growing, sale, and distribution of marijuana. This bill, during that same period, would exempt collectives and cooperatives that manufacture medical cannabis products from criminal sanctions for manufacturing medical cannabis if the cooperative or collective meets specified requirements,

including using specified manufacturing processes and possessing a valid local license, permit, or other authorization.

SB 877 *Reporting and tracking of violent deaths*

Pan Existing law establishes the State Department of Public Health, which is responsible for various programs relating to the health and safety of people in the state, including licensing health facilities, regulating food and drug safety, and monitoring and preventing communicable and chronic diseases. This bill would, to the extent that funding is appropriated by the Legislature or available through private funds in each fiscal year, require the department to establish and maintain the California Electronic Violent Death Reporting System. The bill would further require the department to collect data on violent deaths, as specified, and to post on the department's Internet Web site a summary and analysis of the collected data. The bill would authorize the department to enter into a contract, grant, or other agreement with a local agency to collect certain data, within the agency's own jurisdiction or through other local agencies, as specified, and would authorize the department to apply for grants to implement these provisions. The bill would, to the extent that funding is available for this purpose, authorize a law enforcement agency to report to the department data on the circumstances surrounding all violent deaths from investigative reports and laboratory toxicology reports to be used by the department for the limited purpose of conducting public health surveillance and epidemiology. The bill would also make related legislative findings and declarations.

Climate Change

AB 33
Quirk *Electrical corporations: energy storage systems: long duration bulk energy storage resources*

Under existing law, the Public Utilities Commission has regulatory authority over public utilities, including electrical corporations, as defined. Existing law requires the commission to open a proceeding to determine appropriate targets, if any, for each load-serving entity, as defined, to procure viable and cost-effective energy storage systems to be achieved by December 31, 2020. This bill would require the commission to evaluate and analyze the potential for all types of long duration bulk energy storage resources to help integrate renewable generation into the electrical grid, as specified.

AB 197
Eduardo
Garcia *State Air Resources Board: greenhouse gases: regulations*

(1) Existing law establishes the State Air Resources Board consisting of 14 members and vests the state board with regulatory jurisdiction over air quality issues. This bill would add 2 Members of the Legislature to the state board as ex officio, nonvoting members. The bill would provide that the voting members of the state board are appointed for staggered 6-year terms and upon expiration of the term of office of a voting member, the appointing authority may reappoint that member to a new term of office, subject to specified requirements. The bill would require the state board to establish the initial staggered terms. The bill would create the Joint Legislative Committee on Climate Change Policies consisting of at least 3 Members of the Senate and at least 3 Members of the Assembly and would require the committee to ascertain facts and make recommendations to the Legislature and to the houses of the Legislature concerning the state's programs, policies, and investments related to climate change, as specified. (2) Existing law requires the state board to inventory sources of air pollution within the air basins of the state and determine the kinds and quantity of air pollutants. The California Global Warming Solutions Act of 2006 requires the State Air Resources Board to adopt regulations to require the reporting and verification of statewide greenhouse gas emissions and to monitor and enforce compliance with the act. This bill would require the state board to make available, and update at least annually, on its Internet Web site the emissions of greenhouse gases, criteria pollutants, and toxic air contaminants for each facility that reports to the state board and air districts. The bill would require the state board, at least once a year at a hearing of the Joint Legislative Committee on Climate Change Policies, to present an informational report on the reported emissions of greenhouse gases, criteria pollutants, and toxic air contaminants from all sectors covered by the scoping plan, as specified. This bill would require the state board to make available, and update at least annually, on its Internet Web site the emissions of greenhouse gases, criteria pollutants, and toxic air contaminants throughout the state broken down to a local and subcounty level for stationary sources and to at least a county level for mobile sources, as specified. (3) The act requires the board to approve a statewide greenhouse gas emissions limit equivalent to the statewide greenhouse gas emissions level in 1990 to be achieved by 2020. The act requires the state board to prepare and approve a scoping plan for achieving the maximum technologically feasible and cost-effective reductions in greenhouse gas emissions. This bill would require the state board, when adopting rules and regulations to achieve greenhouse gas emissions reductions beyond the statewide greenhouse gas emissions limit and to protect the state's most impacted and disadvantaged communities, to follow specified requirements, consider the social costs of the emissions of greenhouse gases, and prioritize specified emission reduction rules and regulations. This bill would require the state board, when updating the scoping plan, to identify specified information for each emissions reduction measure, including each alternative compliance mechanism, market-based compliance mechanism, and potential monetary and nonmonetary incentive. (4) This bill would become operative only if SB 32 of the 2015–16 Regular Session is enacted and becomes effective on or before January 1, 2017.

AB 1005 *California Beverage Container Recycling and Litter Reduction Act: market*
Gordon *development payments*

Existing law, the California Beverage Container Recycling and Litter Reduction Act, requires a distributor to pay a redemption payment for every beverage container sold or offered for sale in the state by the distributor to the Department of Resources Recycling and Recovery for deposit in the California Beverage Container Recycling Fund. Moneys in the fund are continuously appropriated to the department for certain payments, including market development payments. Existing law authorizes the department, until that authorization is repealed on January 1, 2017, to (1) annually expend up to \$10,000,000 from the fund to make market development payments to an entity certified by the department as a recycling center, processor, or dropoff or collection program for empty plastic beverage containers that are subsequently washed and processed into flake, pellet, or other form, and made usable for the manufacture of a plastic product, or to a product manufacturer for empty plastic beverage containers that are subsequently washed and processed into flake, pellet, or other form, and used by that product manufacturer to manufacture a product, and to (2) expend additional amounts to make market development payments, calculated as provided. This bill would postpone that repeal until January 1, 2018. By extending the term of a continuous appropriation, this bill would make an appropriation.

AB 1110 *Greenhouse gases emissions intensity reporting: retail electricity suppliers*
Ting

Under existing law, entities offering electric services in California are required to disclose information on the sources of energy that are used to provide electric services. Existing law requires every retail supplier, as defined, that makes an offer to sell electricity that is consumed in California to disclose its electricity sources for the previous calendar year. These disclosures are required to be made to end-use consumers and potential end-use consumers. Existing law requires a retail supplier to disclose its electricity sources as a percentage of annual sales that is derived from specified sources of energy, including eligible renewable energy resources. Existing law requires that retail suppliers annually report to the State Energy Resources Conservation and Development Commission (Energy Commission) certain information for each electricity offering from “specified sources,” as defined, for the previous calendar year and authorizes the Energy Commission to verify environmental claims made by retail suppliers. This bill would, among other things, require the Energy Commission, in consultation with the State Air Resources Board, to adopt a methodology for the calculation of greenhouse gas emissions intensity for each purchase of electricity by a retail supplier to serve its retail customers. The bill would require a retail supplier, including an electrical corporation, local publicly owned electric utility, electric service provider, and community choice aggregator, to also disclose both the greenhouse gases emissions intensity of any electricity portfolio offered to its retail customers, as specified, and the Energy Commission’s calculation of the greenhouse gas emissions intensity associated with all statewide retail electricity sales. The bill would require a retail supplier to annually report to the Energy Commission certain additional information for each electricity offering for the previous calendar year and would authorize the Energy Commission to verify procurement claims, in addition to environmental claims, made by retail suppliers. The bill would require the Energy Commission, on or before January 1, 2018, to adopt guidelines, through an open process, subject to public comment, and adopted by a vote of the Energy Commission, for the reporting and disclosure of greenhouse gas emissions intensity. The bill would require retail suppliers, beginning June 1, 2020, to report data on greenhouse gas emissions intensity associated with retail sales occurring after December 31, 2018, except as provided. The Public Utilities Act makes any public utility and any corporation other than a public utility guilty of a crime, if the public utility or corporation violates the act or fails to comply with any part of any order, decision, rule, direction, demand, or requirement of the commission. Because the provisions of this bill would be a part of the act and because a violation of an order or decision of the commission implementing its requirements by an

electrical corporation or electric service provider would be a crime, the bill would impose a state-mandated local program by expanding what is a crime.

AB 1330 *Energy efficiency*

Bloom

Under existing law, the Public Utilities Commission (PUC) has regulatory authority over public utilities, including electrical and gas corporations. Existing law requires the State Energy Resources Conservation and Development Commission, on or before November 1, 2017, and every 3rd year thereafter, in collaboration with the PUC and local publicly owned electric utilities, to establish annual targets for statewide energy efficiency savings and demand reduction that will achieve a cumulative doubling of statewide energy efficiency savings in electricity and natural gas final end uses of retail customers by January 1, 2030. Existing law requires the PUC to identify all potentially achievable cost-effective electricity and natural gas efficiency savings and to establish efficiency targets for electrical and gas corporations to achieve. This bill would require the PUC to ensure that there are sufficient moneys available for electrical and gas corporations to meet those efficiency targets.

AB 1550 *Greenhouse gases: investment plan: disadvantaged communities*

Gomez

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 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 fund. Existing law requires the investment plan to allocate a minimum of 25% of the available moneys in the fund to projects that provide benefits to disadvantaged communities, as defined, and a minimum of 10% to projects located in those disadvantaged communities. Existing law authorizes the allocation of 10% for projects located in disadvantaged communities to be used for projects included in the minimum allocation of 25% for projects that provide benefits to disadvantaged communities. This bill would instead require the investment plan to allocate (1) a minimum of 25% of the available moneys in the fund to projects located within, and benefiting individuals living in, disadvantaged communities, (2) an additional minimum of 5% to projects that benefit low-income households or to projects located within, and benefiting individuals living in, low-income communities located anywhere in the state, and (3) an additional minimum of 5% either to projects that benefit low-income households that are outside of, but within a 1/2 mile of, disadvantaged communities, or to projects located within the boundaries of, and benefiting individuals living in, low-income communities that are outside of, but within a 1/2 mile of, disadvantaged communities. The bill would become operative only if AB 1613 of the 2015–16 Regular Session is enacted and becomes effective on or before January 1, 2017.

AB 1637 *Energy: greenhouse gas reduction*

Low

(1) Under existing law, the Public Utilities Commission (PUC) has regulatory authority over public utilities. Existing law requires the PUC to require the administration, until January 1, 2021, of a self-generation incentive program for distributed generation resources and energy storage technologies. Existing law authorizes the PUC, in consultation with the State Energy Resources Conservation and Development Commission, to authorize the annual collection of not more than the amount authorized for the program in the 2008 calendar year. This bill would increase the maximum annual collection the PUC may authorize for the program to double the amount authorized for the program in the 2008 calendar year. (2) Existing law requires an electrical corporation to file with the PUC a standard tariff providing for net energy meeting for eligible fuel cell customer-generators and make the tariff available, on a first-come-first-served basis, until the total cumulative rated generating capacity of the eligible fuel cell electrical

generating facilities receiving service pursuant to the tariff reaches a level equal to the electrical corporation's proportionate share of a statewide limitation of 500 megawatts cumulative rated generation capacity served (program cap). Existing law requires the eligible fuel cell customer-generator to meet certain requirements, including requirements that the customer-generator uses: (A) a fuel cell electrical generation facility with a capacity of not more than one megawatt and (B) technology the PUC has determined will achieve certain reductions in emissions of greenhouse gases. Existing law provides that fuel cell electrical generation facilities are not eligible for the tariff unless the facilities commence operation prior to January 1, 2017. This bill would increase the program cap by authorizing 500 megawatts in addition to the total installed capacity as of January 1, 2017. The bill would increase to 5 megawatts the maximum amount of generation capacity for a fuel cell electrical generation facility in the program. The bill would require, by March 31, 2017, the State Air Resources Board, in consultation with the Energy Commission, to establish a schedule of annual greenhouse gas emissions reduction standards, as specified, for fuel cell electrical generation resources and would require the PUC to determine if the technology used by the eligible fuel cell customer-generator will achieve those standards. The bill would require the fuel cell electrical generation resource to comply with emission standards adopted by the State Air Resources Board under the distributed generation certification program. This bill would provide that fuel cell electrical generation facilities are not eligible for the tariff unless the facilities commence operation on or before December 31, 2021.

AB 1685
Gomez

Vehicular air pollution: zero-emission vehicles: civil penalties

(1) Existing law requires the State Air Resources Board to adopt and implement standards for the control of emissions from new motor vehicles that the state board finds to be necessary and technologically feasible. Existing law prohibits a new motor vehicle from being sold in the state that does not meet the emissions standards adopted by the state board. Existing law provides that a person who violates specified vehicular air pollution statutes or specified orders, rules, or regulations of the state board is subject to a civil penalty of up to \$500 per vehicle. Existing law provides that any manufacturer who sells, attempts to sell, or causes to be offered for sale a new motor vehicle that fails to meet the applicable emission standards is subject to a civil penalty of \$5,000 per violation. Existing law provides that a manufacturer or distributor who does not comply with the emission standards or the test procedures adopted by the state board is subject to a civil penalty of \$50 per vehicle. This bill would increase those penalties to up to \$37,500 per violation. The bill would require the state board to adjust those maximum penalties for inflation, as specified, and would exempt those adjustments from the Administrative Procedure Act. The bill would authorize the state board to require the payment of a penalty for the violation of specified vehicular air pollution statutes or specified orders, rules, or regulations of the state board, and making the products compliant with specified laws, as conditions for the continued sale of those products. This bill would authorize the state board to order a manufacturer of motor vehicles to bring the vehicles into compliance with the emissions configuration to which they were certified. The bill would authorize the state board to require the manufacturer to be in compliance with the state board's order as a condition for the continued sale of motor vehicles in the state. (2) Existing law prohibits a person who is a state resident or who operates an established place of business within the state from importing, delivering, purchasing, renting, leasing, acquiring, or receiving a new motor vehicle, new motor vehicle engine, or motor vehicle with a new motor vehicle engine for use, registration, or resale in the state unless the motor vehicle engine or new motor vehicle has been certified to meet specified emissions standards. Existing law provides that a person who violates specified provisions relating to transactions of new motor vehicles or new motor vehicle engines is subject to a civil penalty of up to \$5,000 per vehicle. This bill instead would prohibit any person from offering for sale, introducing into commerce, importing, delivering, purchasing, renting, leasing, acquiring, or receiving a new motor vehicle, new motor vehicle engine, or motor vehicle with a new motor vehicle engine for use, registration, or resale in the state unless the motor vehicle engine or new motor vehicle has been certified to meet those specified emissions standards. This bill would increase the civil penalty to up to \$37,500 per violation and up to

\$10,000 for a dealer, as defined, for violating those specified provisions relating to transactions of new motor vehicles or new motor vehicle engines. The bill would require the state board to adjust those maximum penalties for inflation, as specified, and would exempt those adjustments from the Administrative Procedure Act. The bill would authorize the state board to require the payment of the penalty, and making the motor vehicles compliant with specified laws, as conditions for the continued or further sale in the state of those motor vehicles. This bill would require the state board to limit to \$5,000 a specified civil penalty imposed on a manufacturer who does not meet the requirements of specified regulations that require manufacturers to have a specified percentage of their new motor vehicle sales be zero-emission vehicles.

AB 1697
Bonilla

Alternative and Renewable Fuel and Vehicle Technology Program

Existing law establishes the Alternative and Renewable Fuel and Vehicle Technology Program, administered by the State Energy Resources Conservation and Development Commission. Existing law requires the program to provide funding measures to certain entities to develop and deploy innovative technologies that transform California's fuel and vehicle types to help attain the state's climate change policies. Existing law requires the commission to provide preferences to projects that maximize the goals of the program based on certain criteria, including the project's ability to provide economic benefits for California by promoting California-based technology firms, jobs, and businesses. Existing law specifies that projects eligible for funding include workforce training programs related to various sectors or occupations related to the purposes of the program. This bill would add a project's ability to transition workers to, or promote employment in, the alternative and renewable fuels and vehicle technology sector as additional criteria on which preference under the program shall be provided. The bill would revise the eligibility criteria for workforce training programs, as specified. The bill would require the commission to collaborate with entities, as specified, that have expertise in workforce development to implement the workforce development components of the program.

AB 1773
Oberholte

Local government renewable energy self-generation program

Under existing law, the Public Utilities Commission is vested with regulatory authority over public utilities. Existing law authorizes a local governmental entity, except a joint powers authority, to receive a bill credit to a designated benefiting account, for electricity exported to the electrical grid by an eligible renewable generating facility and requires the commission to adopt a rate tariff for the benefiting account. This bill would include as a local governmental entity for this purpose a joint powers authority, except as specified.

AB 1923
Wood

Bioenergy feed-in tariff

Under existing law, the Public Utilities Commission has regulatory authority over public utilities, including electrical corporations. Existing law requires every electrical corporation to file with the commission a standard tariff for electricity generated by an electric generation facility, as defined, that qualifies for the tariff, is owned and operated by a retail customer of the electrical corporation, and is located within the service territory of, and developed to sell electricity to, the electrical corporation. The commission refers to this requirement as the renewable feed-in tariff. Existing law requires that, in order to qualify for the tariff, the electric generation facility: (1) have an effective capacity of not more than 3 megawatts, subject to the authority of the commission to reduce this megawatt limitation, (2) be interconnected and operate in parallel with the electric transmission and distribution grid, (3) be strategically located and interconnected to the electrical transmission and distribution system in a manner that optimizes the deliverability of electricity generated at the facility to load centers, and (4) meet the definition of an eligible renewable energy resource under the California Renewables Portfolio Standard Program. Existing law requires an electrical corporation to make the tariff available to the owner or operator of an electric generation facility within the service territory of the electrical corporation, upon request, on a first-come-first-served basis, until the electrical corporation meets its proportionate share of a statewide cap of 750 megawatts cumulative rated

generation capacity served under the renewable feed-in tariff and a renewable feed-in tariff that is applicable to a local publicly owned electric utility. In addition to the 750 megawatt limitation, the renewable feed-in tariff requires the commission to direct the electrical corporations to collectively procure at least 250 megawatts of cumulative rated generating capacity from developers of bioenergy projects that commence operation on or after June 1, 2013 (bioenergy feed-in tariff). The commission is required to undertake specific steps to implement the bioenergy feed-in tariff requirement. This bill would, for the purposes of the bioenergy feed-in tariff, revise a generally applicable interconnection requirement for electric generation facilities, as specified. The bill would also require the commission to direct the electrical corporations to authorize a bioenergy electric generation facility with an effective capacity of up to 5 megawatts to participate in the bioenergy feed-in tariff if the facility delivers no more than 3 megawatts to the grid at any time and complies with specified interconnection requirements.

AB 1928
Campos

Water efficiency: landscape irrigation equipment

Existing law requires, to the extent that funds are available, the State Energy Resources Conservation and Development Commission, in consultation with the Department of Water Resources, to adopt, by January 1, 2010, performance standards and labeling requirements for landscape irrigation equipment and, on or after January 1, 2012, prohibits that equipment from being sold unless it meets the performance standards and labeling requirements. This bill would postpone the date by which the commission is to adopt the performance standards and labeling requirements to January 1, 2019, and would prohibit the sale or the offer for sale of that equipment manufactured on or after the effective date of the performance standards and labeling requirements unless the equipment meets the performance standards and labeling requirements and is certified by the manufacturer as meeting the performance standards. The bill would additionally require the commission, in adopting those standards and requirements, to consider developments in landscape irrigation efficiency occurring on or after January 1, 2010.

AB 1937
Gomez

Electricity: procurement

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 procedures, considerations, and objectives. The act requires that electrical corporations' proposed procurement plans include certain elements, including a showing that the electrical corporations will first meet their unmet needs through all available energy efficiency and demand reduction resources that are cost effective, reliable, and feasible. This bill would require electrical corporations' proposed procurement plans to also include a showing that the electrical corporations (1), in soliciting bids for new gas-fired generating units, actively seek bids for resources that are not gas-fired generating units located in communities that suffer from cumulative pollution burdens and (2), in considering bids for, or negotiating bilateral contracts for, new gas-fired generating units, give preference to resources that are not gas-fired generating units located in those communities. The bill would require the commission, before approving a contract for any new gas-fired generating unit, to require the electrical corporation to demonstrate that it has complied with its approved procurement plan. Because this requirement would be a part of the Public Utilities Act and because a violation of an order or decision of the commission implementing its requirements would be a crime, the bill would impose a state-mandated local program by creating a new crime. Existing law requires electrical corporations, in soliciting and procuring eligible renewable energy resources for California-based projects, to give preference to renewable energy projects that provide environmental and economic benefits to communities afflicted with poverty or high unemployment or those suffering from high emission levels of toxic air contaminants, criteria air pollutants, and greenhouse gases. This bill would specify that the above requirements apply to all procurement of eligible renewable energy resources for California-based projects whether the procurement occurs through all-source requests for offers, eligible renewable energy resources only requests for offers, or other procurement mechanisms.

- AB 1979
Bigelow *Renewable feed-in tariff: hydroelectric facilities*
Under existing law, the Public Utilities Commission has regulatory authority over public utilities, including electrical corporations. Existing law requires every electrical corporation to file with the commission a standard tariff for electricity purchased from an electric generation facility, as defined, that qualifies for the tariff, is owned and operated by a retail customer of the electrical corporation, and is located within the service territory of, and developed to sell electricity to, the electrical corporation. Existing law requires that, in order to qualify for the tariff, the electric generation facility: (1) have an effective capacity of not more than 3 megawatts, subject to the authority of the commission to reduce this megawatt limitation, (2) be interconnected and operate in parallel with the electric transmission and distribution grid, (3) be strategically located and interconnected to the electrical transmission and distribution grid in a manner that optimizes the deliverability of electricity generated at the facility to load centers, and (4) meet the definition of an eligible renewable energy resource under the California Renewables Portfolio Standard Program. The commission refers to this requirement as the renewable feed-in tariff. This bill would additionally authorize a conduit hydroelectric facility with an effective capacity of up to 4 megawatts to participate in the renewable feed-in tariff if the facility delivers no more than 3 megawatts to the grid at any time, was operational on January 1, 1990, and complies with specified interconnection and payment requirements.
- AB 2454
Williams *Energy: procurement plans*
Under existing law, the Public Utilities Commission has regulatory authority over public utilities, including electrical corporations. The Public Utilities Act requires the commission to review and accept, modify, or reject a procurement plan for each electrical corporation in accordance with specified requirements 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. This bill would require the electrical corporation, in determining the availability of cost-effective, reliable, and feasible demand reduction resources, to consider the findings of the Demand Response Potential Study required by a specific order of the commission, as specified. The bill would require the commission, prior to approving a contract for any new gas-fired generating unit, to require the electrical corporation to demonstrate compliance with its approved procurement plan.
- AB 2515
Weber *Water Conservation in Landscaping Act: model water-efficient landscaping ordinance*
Existing law, the Water Conservation in Landscaping Act, requires the Department of Water Resources to update its model water-efficient landscape ordinance by regulation and prescribes various requirements for the updated model ordinance. This bill would require the department, on or before January 1, 2020, and every three years thereafter, to either update the model water-efficient landscaping ordinance or make a finding that an update to the model water-efficient landscaping ordinance at that time is not a useful or effective means to improve either the efficiency of landscape water use or the administration of the ordinance. The bill would additionally require the department to submit the update to the Building Standards Commission during the triennial update process of the California Green Building Standards Code.

- AB 2561
Irwin *Water supply planning: projects: photovoltaic or wind energy generation facility*
Existing law requires a city or county that determines that a project, as defined, is subject to the California Environmental Quality Act to identify any public water system that may supply water for the project and to request those public water systems to prepare a specified water supply assessment. If no public water system is identified, the city or county is required to prepare the water supply assessment. Existing law defines “project” for purposes of these provisions as, among other things, a project that would demand an amount of water equivalent to, or greater than, the amount of water required by a 500 dwelling unit project. For a public water system that has fewer than 5,000 service connections, existing law defines “project” as development that would account for a specified increase in the number of service connections. Existing law, until January 1, 2017, exempts from the definition of “project” a proposed photovoltaic or wind energy generation facility that would demand no more than 75 acre-feet of water annually. This bill would, until January 1, 2018, exempt the above-described proposed photovoltaic or wind energy generation facilities from the definition of “project.” This bill would declare that it is to take effect immediately as an urgency statute.
- AB 2722
Burke *Transformative Climate Communities Program*
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 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 establishes the Strategic Growth Council, which consists of the heads of various state agencies and certain other members, and requires the council to identify and review activities and funding programs that may be coordinated to improve air and water quality, improve natural resource protection, increase the availability of affordable housing, improve transportation, meet the goals of the California Global Warming Solutions Act of 2006, encourage sustainable land use planning, and revitalize urban and community centers in a sustainable manner. This bill would create the Transformative Climate Communities Program, to be administered by the council. The bill would require the council to award competitive grants to specified eligible entities for the development and implementation of neighborhood-level transformative climate community plans that include greenhouse gas emissions reduction projects that provide local economic, environmental, and health benefits to disadvantaged communities, as defined. The bill would require the council to develop guidelines and selection criteria for the implementation of the program. The bill would require the California Environmental Protection Agency to provide assistance in performing outreach to disadvantaged communities and assessing the environmental justice benefits of project awards.
- AB 2800
Quirk *Climate change: infrastructure planning*
Existing law requires the Natural Resources Agency, by July 1, 2017, and every 3 years thereafter, to update the state’s climate adaptation strategy to identify vulnerabilities to climate change by sectors and priority actions needed to reduce the risks in those sectors. This bill, until July 1, 2020, would require state agencies to take into account the current and future impacts of climate change when planning, designing, building, operating, maintaining, and investing in state infrastructure. The bill, by July 1, 2017, and until July 1, 2020, would require the agency to establish a Climate-Safe Infrastructure Working Group for the purpose of examining how to integrate scientific data concerning projected climate change impacts into state infrastructure engineering, as prescribed. The bill would require the working group to consist of registered professional engineers with specified relevant expertise from the Department of Transportation, the Department of Water Resources, the Department of General Services, and other relevant state agencies; scientists with specified expertise from the University of California, the California State University, and other institutions; and licensed architects with specified relevant

experience. The bill would require the working group, by July 1, 2018, to make specified recommendations to the Legislature and the Strategic Growth Council.

SB 32
Pavley

California Global Warming Solutions Act of 2006: emissions limit

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 state board is required to approve a statewide greenhouse gas emissions limit equivalent to the statewide greenhouse gas emissions level in 1990 to be achieved by 2020 and to adopt rules and regulations in an open public process to achieve the maximum, technologically feasible, and cost-effective greenhouse gas emissions reductions. This bill would require the state board to ensure that statewide greenhouse gas emissions are reduced to 40% below the 1990 level by 2030.

SB 814
Hill

Drought: excessive water use: urban retail water suppliers

The California Constitution declares the policy that the water resources of the state be put to beneficial use to the fullest extent of which they are capable, that the waste or unreasonable use or unreasonable method of use of water be prevented, and that the conservation of such waters is to be exercised with a view to the reasonable and beneficial use of the waters in the interest of the people and for the public welfare. Existing law requires the Department of Water Resources and the State Water Resources Control Board to take all appropriate proceedings or actions to prevent waste, unreasonable use, unreasonable method of use, or unreasonable method of diversion of water in this state. Existing law authorizes any public entity, as defined, that supplies water at retail or wholesale for the benefit of persons within the service area or area of jurisdiction of the public entity to, by ordinance or resolution, adopt and enforce a water conservation program to reduce the quantity of water used for the purpose of conserving the water supplies of the public entity. Existing law provides that a violation of a requirement of a water conservation program is a misdemeanor punishable by imprisonment in a county jail for not more than 30 days, or by a fine not exceeding \$1,000, or both. This bill would declare that during prescribed periods excessive water use by a residential customer in a single-family residence or by a customer in a multiunit housing complex, as specified, is prohibited. This bill, during prescribed periods, would require each urban retail water supplier to establish a method to identify and discourage excessive water use. This bill would authorize as a method to identify and discourage excessive water use the establishment of a rate structure that includes block tiers, water budgets, or rate surcharges over and above base rates for excessive water use by residential customers. This bill would authorize as a method to identify and discourage excessive water use the establishment of an excessive water use ordinance, rule, or tariff condition that includes a definition of or procedure to identify and address excessive water use, as prescribed, and would make a violation of this excessive water use ordinance, rule, or tariff condition an infraction or administrative civil penalty and would authorize the penalty for a violation to be based on conditions identified by the urban retail water supplier.

SB 824
Beall

Low Carbon Transit Operations Program

Existing law requires all moneys, except for fines and penalties, collected by the State Air Resources Board from the auction or sale of allowances as part of a market-based compliance mechanism relative to reduction of greenhouse gas emissions to be deposited in the Greenhouse Gas Reduction Fund. Existing law continuously appropriates specified portions of the annual proceeds in the Greenhouse Gas Reduction Fund to various programs, including 5% for the Low Carbon Transit Operations Program, for expenditures to provide transit operating or capital assistance consistent with specified criteria. Existing law provides for distribution of available funds under the program by a specified formula to recipient transit agencies by the Controller, upon approval of the recipient transit agency's proposed expenditures by the Department of Transportation. This bill would require a recipient transit agency to demonstrate that each expenditure of program moneys allocated to the agency does not supplant another source of

funds. The bill would authorize a recipient transit agency that does not submit an expenditure for funding under the program in a particular fiscal year to retain its funding share for expenditure in a subsequent fiscal year for a maximum of 4 years. The bill would allow a recipient transit agency to loan or transfer its funding share in any particular fiscal year to another recipient transit agency within the same region, or to apply to the department to reassign, to other eligible expenditures under the program, any savings of surplus moneys from an approved and completed expenditure under the program or from an approved expenditure that is no longer a priority, as specified. The bill would also allow a recipient transit agency to apply to the department for a letter of no prejudice for any eligible expenditures under the program for which the department has authorized a disbursement of funds, and, if granted, would allow the recipient transit agency to expend its own moneys and to be eligible for future reimbursement from the program, under specified conditions. The bill would also require a recipient transit agency to provide additional information to the department to the extent funding is sought for capital projects.

- SB 1128
Glazer *Commute benefit policies*
Existing law authorizes the Metropolitan Transportation Commission and the Bay Area Air Quality Management District to jointly adopt a commute benefit ordinance that requires covered employers operating within the common area of the 2 agencies with a specified number of covered employees to offer those employees certain commute benefits through a pilot program. Existing law requires that the ordinance specify certain matters, including any consequences for noncompliance, and imposes a specified reporting requirement. Existing law makes these provisions inoperative on January 1, 2017. This bill would extend these provisions indefinitely, thereby establishing the pilot program permanently. The bill would also delete bicycle commuting as a pretax option under the program and instead would authorize a covered employer, at its discretion, to offer commuting by bicycling as an employer-paid benefit in addition to commuting via public transit or by vanpool. The bill would also delete the reporting requirement.
- SB 1207
Hueso *Energy: conservation: financial assistance*
Existing law requires the State Energy Resources Conservation and Development Commission to administer the State Energy Conservation Assistance Account, a continuously appropriated account in the General Fund, to provide grants and loans, until January 1, 2018, to schools, hospitals, public care institutions, and local governments to maximize energy use savings. For this purpose, existing law authorizes the commission, among other things, to borrow moneys from specified entities, including the California Infrastructure and Economic Development Bank, as specified, and pledge specified loans or the principal and interest payments on those loans to provide collateral in connection with those borrowed moneys. Existing law also authorizes the commission to enter into pledge agreements setting forth the terms and conditions pursuant to which the commission is making those pledges. This bill would extend the operation of all of those provisions to January 1, 2028, and would thereby make an appropriation by extending the time during which the funds deposited in a continuously appropriated account are made available for expenditure. The bill would authorize the commission to pledge collateral to secure the repayment of bonds or other borrowings by the California Infrastructure and Economic Development Bank. The bill would also expressly authorize the commission to enter into pledge agreements pursuant to which the commission is pledging collateral to secure the repayment of bonds or other borrowings by the California Infrastructure and Economic Development Bank.
- SB 1262
Pavley *Water supply planning*
(1) Existing law requires a city or county that determines a project, as defined, is subject to the California Environmental Quality Act to identify certain water systems that may supply water for the project and to request those public water systems to prepare and approve a specified

water supply assessment. Under existing law, if no public water system is identified, the city or county is required to prepare and approve the water supply assessment. Existing law provides that if, as a result of its assessment, the public water system or city or county concludes that its water supplies are, or will be, insufficient, the public water system or city or county is required to provide its plans for acquiring additional water supplies, as prescribed. Existing law, the Sustainable Groundwater Management Act, requires all groundwater basins designated as high- or medium-priority basins by the Department of Water Resources that are designated as basins subject to critical conditions of overdraft to be managed under a groundwater sustainability plan or coordinated groundwater sustainability plans by January 31, 2020, and requires all other groundwater basins designated as high- or medium-priority basins to be managed under a groundwater sustainability plan or coordinated groundwater sustainability plans by January 31, 2022, except as specified. The act authorizes the State Water Resources Control Board to designate a basin as a probationary basin if the state board makes a certain determination and to develop an interim plan for the probationary basin. This bill would require a city or county that determines a project is subject to the California Environmental Quality Act to identify any water system whose service area includes the project site and any water system adjacent to the project site. This bill would provide that hauled water is not a source of water for the purposes of a water supply assessment, as specified. This bill would, if a water supply for a proposed project includes groundwater, require certain additional information to be included in the water supply assessment. By imposing additional duties on cities and counties, this bill would impose a state-mandated local program. (2) Existing law, the Subdivision Map Act, establishes a statewide regulatory framework for controlling the subdividing of land. The act generally requires a subdivider to submit, and have approved by the city, county, or city and county in which the land is situated, a tentative map for subdivisions of land, as specified. Existing law requires a city or county to deny approval of a tentative map, or parcel map for which a tentative map was not required, if it makes certain findings relating to the proposed subdivision. Existing law requires a city or county to include as a condition in any tentative map that includes a subdivision a requirement that a sufficient water supply be available. Existing law requires proof of the availability of a sufficient water supply, as prescribed, and that the written verification of a public water system's ability or inability to provide a sufficient water supply be supported by substantial evidence. This bill would revise the definition of sufficient water supply to include additional factors relating to a proposed subdivision that relies in whole or in part on groundwater.

SB 1383
Lara

Short-lived climate pollutants: methane emissions: dairy and livestock: organic waste: landfills

(1) 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 state board is required to approve a statewide greenhouse gas emissions limit equivalent to the statewide greenhouse gas emissions level in 1990 to be achieved by 2020. The state board is also required to complete a comprehensive strategy to reduce emissions of short-lived climate pollutants, as defined, in the state. This bill would require the state board, no later than January 1, 2018, to approve and begin implementing that comprehensive strategy to reduce emissions of short-lived climate pollutants to achieve a reduction in methane by 40%, hydrofluorocarbon gases by 40%, and anthropogenic black carbon by 50% below 2013 levels by 2030, as specified. The bill also would establish specified targets for reducing organic waste in landfills. This bill would require the state board, in consultation with the Department of Food and Agriculture, to adopt regulations to reduce methane emissions from livestock manure management operations and dairy manure management operations, as specified. The bill would require the state board to take certain actions prior to adopting those regulations. This bill would require the regulations to take effect on or after January 1, 2024, if the state board, in consultation with the department, makes certain determinations. This bill would require the state board, the Public Utilities Commission, and the State Energy Resources Conservation and Development Commission to undertake various actions related to reducing short-lived climate

pollutants in the state. The bill would require state agencies to consider and, as appropriate, adopt policies and incentives to significantly increase the sustainable production and use of renewable gas. (2) The California Integrated Waste Management Act of 1989, which is administered by the Department of Resources Recycling and Recovery, establishes an integrated waste management program that requires each county and city and county to prepare and submit to the department a countywide integrated waste management plan. The bill would require the department, in consultation with the state board, to adopt regulations that achieve the specified targets for reducing organic waste in landfills. The bill would authorize local jurisdictions to charge and collect fees to recover the local jurisdiction's costs incurred in complying with the regulations. The bill would require, no later than July 1, 2020, the department, in consultation with the state board, to analyze the progress that the waste sector, state government, and local governments have made in achieving the specified targets for reducing organic waste in landfills. The bill would authorize the department, depending on the outcome of that analysis, to amend the regulations to include incentives or additional requirements, as specified. By adding to the duties of local governments related to organic waste in landfills, this bill would impose a state-mandated local program.

SB 1393
De León

Energy efficiency and pollution reduction

(1) Existing law requires the State Energy Resources Conservation and Development Commission (Energy Commission) to compile and adopt an integrated energy policy report every 2 years and requires the report to include an overview of major energy trends and issues facing the state. As part of the 2019 edition of the report, existing law requires the Energy Commission to evaluate the actual energy efficiency savings from negative therm interactive effects generated as a result of electricity efficiency improvements. This bill would additionally require the Energy Commission to include that evaluation in each integrated energy policy report adopted after 2019. (2) Existing law defines "eligible renewable energy resource" for the purposes of the renewable energy portfolio standard. Existing law provides that a facility engaged in the combustion of municipal solid waste shall not be considered as an eligible renewable energy resource. Existing law also provides that electricity generated by a facility engaged in the combustion of municipal solid waste shall not result in the creation of a renewable energy credit. However, these provisions do not apply, under specified circumstances, to a facility located in Stanislaus County. This bill would modify the exception for the facility located in Stanislaus County, as specified. (3) Existing law requires each local publicly owned electric utility to adopt and implement a renewable energy resources procurement plan that requires the utility to procure a minimum quantity of electricity products from eligible renewable energy resources, with various required percentages applicable over time, as specified. Existing law provides various exemptions from minimum renewable energy resources procurement requirements for certain local publicly owned electric utilities relying on hydroelectric generation. This bill would modify certain exemptions from the minimum renewable energy resources procurement requirements relating to hydroelectric generation, as specified. (4) Existing law requires each local publicly owned electric utility to post notice whenever its governing body will deliberate in public on its renewable energy resources procurement plan, and requires the utility to also notify and provide certain information to the Energy Commission in that regard. This bill would delete this requirement for a local publicly owned electric utility to notify and report to the Energy Commission. (5) Existing law requires the Public Utilities Commission and the Energy Commission to review specified programs overseen by the Public Utilities Commission and the Energy Commission and make recommendations to advance state clean energy and pollution reduction objectives and provide benefits to disadvantaged communities. This bill would additionally require the Energy Commission to review programs of the same type overseen by academia and the private and nonprofit sectors. (6) Existing law requires the Public Utilities Commission to identify a diverse and balanced portfolio of resources needed to ensure a reliable electricity supply that provides optimal integration of renewable energy in a cost-effective manner, and specifies the respective roles of electrical corporations and community choice aggregators in satisfying the portfolio

needs for renewable integration. Existing law provides that all costs resulting from nonperformance shall be borne by the electrical corporation or community choice aggregator responsible for them. This bill would require the commission to ensure that all costs resulting from nonperformance to satisfy the need for renewable integration shall be borne by the electrical corporation or community choice aggregator that failed to perform. (7) This bill would make various other changes to provisions relating to energy efficiency and pollution reduction.

SB 1414
Wolk

Energy

Existing law requires the State Energy Resources Conservation and Development Commission (Energy Commission) to prescribe, by regulation, building design and construction standards and energy and water conservation design standards for new residential and nonresidential buildings. Existing law requires the Energy Commission to prescribe, by regulation, standards for minimum levels of operating efficiency to promote the use of energy-efficient and water-efficient appliances whose use requires a significant amount of energy or water on a statewide basis. Existing law requires that the minimum levels of operating efficiency be based on feasible and attainable efficiencies or feasible improved efficiencies that will reduce the energy or water consumption growth rates. Existing law prohibits a new appliance manufactured on or after the effective date of the operating efficiency standards to be sold or offered for sale in the state unless it is certified by the manufacturer to be in compliance with those standards. This bill would require the Energy Commission, by January 1, 2019, to approve a plan that will promote compliance with specified regulations in the installation of central air conditioning and heat pumps. The bill would authorize the Energy Commission to adopt regulations to increase compliance with permitting and inspection requirements for central air conditioning and heat pumps, and associated sales and installations, consistent with that plan. Under existing law, the Public Utilities Commission has regulatory authority over public utilities, including electrical corporations. The Reliable Electric Service Investments Act states the intent of the Legislature that the Public Utilities Commission continue to administer cost-effective energy efficiency programs that produce cost-effective energy savings, reduce customer demand, and contribute to the safe and reliable operation of the electrical distribution grid. Under the act, in order to receive a rebate or incentive offered by a public utility for an energy efficiency improvement or for the installation of energy efficient components, equipment, or appliances in buildings, the recipient is required to certify that the improvement or installation complied with any applicable permitting requirements and, if a contractor performed the installation or improvement, that the contractor holds the appropriate license for the work performed. This bill would limit the application of the above energy efficiency rebate and incentive provisions to customer or contractor recipients. The bill would require a customer or contractor to certify that an energy efficiency improvement or installation complies with any applicable specifications or requirements set forth in the California Building Standards Code in order to receive a rebate or incentive. The bill would require a customer or contractor receiving a rebate or incentive offered by a public utility for purchasing or installing central air conditioning or a heat pump, and their related fans, to additionally provide a proof of permit closure. The bill would also more specifically identify the Public Utility Commission's statutory authority for supervising cost-effective energy efficiency programs.

SB 1464
De León

California Global Warming Solutions Act of 2006

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 state board is required to adopt a statewide greenhouse gas emissions limit equivalent to the statewide greenhouse gas emissions level in 1990 to be achieved by 2020, and to adopt rules and regulations in an open public process to achieve the maximum technologically feasible and cost-effective greenhouse gas emission reductions. Existing law requires the Department of Finance, in consultation with the state board and any other relevant state agency, to develop and update, as specified, a 3-year investment plan for the moneys deposited in the Greenhouse Gas

Reduction Fund. Existing law requires the investment plan to, among other things, identify priority programmatic investments of moneys that will facilitate the achievement of feasible and cost-effective greenhouse gas emissions reductions toward achievement of greenhouse gas reduction goals and targets by sector. This bill would require, in identifying priority programmatic investments, that the investment plan assess how proposed investments interact with current state regulations, policies, and programs, and evaluate if and how the proposed investments could be incorporated into existing programs. The bill would also require the investment plan to recommend metrics that would measure progress and benefits from the proposed programmatic investments.

Criminal Justice and Public Safety

- AB 701
Cristina Garcia
Sex crimes: rape
Existing law defines rape and spousal rape as an act of sexual intercourse accomplished under specified circumstances indicating a lack of consent, force, or duress, as specified. Existing law additionally makes various acts, including sodomy and oral copulation without consent or sexual intercourse with a minor, unlawful as sexual assault. This bill would state the findings of the Legislature that all forms of nonconsensual sexual assault may be considered rape for purposes of the gravity of the offense and the support of survivors and would state that this is declarative of existing law.
- AB 813
Gonzalez
Criminal procedure: postconviction relief
Under existing law, although persons not presently restrained of liberty may seek certain types of relief from the disabilities of a conviction, the writ of habeas corpus is generally not available to them. Existing law creates an explicit right for a person no longer unlawfully imprisoned or restrained to prosecute a motion to vacate a judgment based on newly obtained evidence of fraud or misconduct by a government official, as specified. This bill would create an explicit right for a person no longer imprisoned or restrained to prosecute a motion to vacate a conviction or sentence based on a prejudicial error damaging the moving party's ability to meaningfully understand, defend against, or knowingly accept the actual or potential adverse immigration consequences of a plea of guilty or nolo contendere, or based on newly discovered evidence of actual innocence, as specified. The bill would require a court to grant the motion if the moving party establishes a ground for relief, by a preponderance of the evidence. The bill would require a court granting or denying the motion to specify the basis for its conclusion.
- AB 857
Cooper
Firearms: identifying information
Existing law authorizes the Department of Justice to assign a distinguishing number or mark of identification to any firearm whenever the firearm lacks a manufacturer's number or other mark of identification, or whenever the manufacturer's number or other mark of identification or distinguishing number or mark assigned by the department has been destroyed or obliterated. This bill would, commencing July 1, 2018, and subject to exceptions, require a person who manufactures or assembles a firearm to first apply to the department for a unique serial number or other identifying mark, as provided. The bill would, by January 1, 2019, and subject to exceptions, require any person who, as of July 1, 2018, owns a firearm that does not bear a serial number to likewise apply to the department for a unique serial number or other mark of identification. The bill would, except as provided, prohibit the sale or transfer of ownership of a firearm manufactured or assembled pursuant to these provisions. The bill would prohibit a person from aiding in the manufacture or assembly of a firearm by a person who is prohibited from possessing a firearm. The bill would make a violation of these provisions a misdemeanor. By creating a new crime, this bill would impose a state-mandated local program. The bill would require the department to issue a serial number or other identifying mark to an applicant meeting specified criteria and would allow the department to charge a fee to recover its costs associated with assigning a distinguishing number or mark pursuant to the above provisions.
- AB 920
Gipson
Jails: county inmate welfare funds
Existing law authorizes the sheriff of each county to maintain an inmate welfare fund to be kept in the treasury of the county into which profit from a store operated in connection with the county jail, 10% of all gross sales of inmate hobbycraft, and any rebates or commissions received from a telephone company, as specified, are required to be deposited. Existing law authorizes the sheriff to expend money from the fund to assist indigent inmates, prior to release, with clothes and transportation expenses, as specified. Existing law authorizes inmate welfare funds to be used to augment county expenses determined by the sheriff to be in the best interests of the inmates, and requires the sheriff to submit an itemized report of those expenditures

annually to the board of supervisors. This bill would create a program that authorizes the sheriff or county officer responsible for operating jails of certain counties to spend money from the inmate welfare fund for the purpose of assisting indigent inmates with the reentry process within 30 days after the inmate's release from the county jail or other adult detention facility. The bill would specify that the assistance provided may include work placement, counseling, obtaining proper identification, education, and housing. The bill would specify that money from the inmate welfare fund shall not be used under the program to provide services that are required to be provided by the sheriff or county, as specified. The bill would require, if a county elects to participate in the pilot program, a county sheriff or county officer responsible for operating a jail to include specified additional information in the itemized report of expenditures to the board of supervisors, including the number of inmates the program served. This bill would make legislative findings and declarations as to the necessity of a special statute for the counties described above. This bill would declare that it is to take effect immediately as an urgency statute.

AB 1135
Levine

Firearms: assault weapons

(1) Existing law generally prohibits the possession or transfer of assault weapons, except for the sale, purchase, importation, or possession of assault weapons by specified individuals, including law enforcement officers. Under existing law, "assault weapon" means, among other things, a semiautomatic centerfire rifle or a semiautomatic pistol that has the capacity to accept a detachable magazine and has any one of several specified attributes, including, for rifles, a thumbhole stock, and for pistols, a 2nd handgrip. This bill would revise this definition of "assault weapon" to mean a semiautomatic centerfire rifle or a semiautomatic pistol that does not have a fixed magazine but has any one of those specified attributes. The bill would also define "fixed magazine" to mean an ammunition feeding device contained in, or permanently attached to, a firearm in such a manner that the device cannot be removed without disassembly of the firearm action. By expanding the definition of an existing crime, the bill would impose a state-mandated local program. (2) Existing law requires that any person who, within this state, possesses an assault weapon, except as otherwise provided, be punished as a felony or for a period not to exceed one year in a county jail. This bill would exempt from punishment under that provision a person who possessed an assault weapon prior to January 1, 2017, if specified requirements are met. (3) Existing law requires that, with specified exceptions, any person who, prior to January 1, 2001, lawfully possessed an assault weapon prior to the date it was defined as an assault weapon, and which was not specified as an assault weapon at the time of lawful possession, register the firearm with the Department of Justice. Existing law permits the Department of Justice to charge a fee for registration of up to \$20 per person but not to exceed the actual processing costs of the department. Existing law, after the department establishes fees sufficient to reimburse the department for processing costs, requires fees charged to increase at a rate not to exceed the legislatively approved annual cost-of-living adjustment for the department's budget or as otherwise increased through the Budget Act. Existing law requires those fees to be deposited into the Dealers' Record of Sale Special Account. Existing law, the Administrative Procedure Act, establishes the requirements for the adoption, publication, review, and implementation of regulations by state agencies. This bill would require that any person who, from January 1, 2001, to December 31, 2016, inclusive, lawfully possessed an assault weapon that does not have a fixed magazine, as defined, and including those weapons with an ammunition feeding device that can be removed readily from the firearm with the use of a tool, register the firearm with the Department of Justice before January 1, 2018, but not before the effective date of specified regulations. The bill would permit the department to increase the \$20 registration fee as long as it does not exceed the reasonable processing costs of the department. The bill would also require registrations to be submitted electronically via the Internet utilizing a public-facing application made available by the department. The bill would require the registration to contain specified information, including, but not limited to, a description of the firearm that identifies it uniquely and specified information about the registrant. The bill would permit the department to charge a fee of up to \$15 per person for

registration through the Internet, not to exceed the reasonable processing costs of the department to be paid and deposited, as specified, for purposes of the registration program. The bill would require the department to adopt regulations for the purpose of implementing those provisions and would exempt those regulations from the Administrative Procedure Act.

AB 1511
Santiago

Firearms: lending

Existing law generally requires the loan of a firearm to be conducted through a licensed firearms dealer. A violation of this provision is a crime. Existing law exempts from this requirement a loan of a firearm between persons who are personally known to each other, if the loan is infrequent and does not exceed 30 days in duration. This bill would instead limit that exemption to the loan of a firearm to a spouse or registered domestic partner, or to a parent, child, sibling, grandparent, or grandchild, related as specified. The bill would require a handgun loaned pursuant to these provisions to be registered to the person loaning the handgun.

AB 1597
Mark
Stone

County jails: performance milestone credits

Under existing law, when a prisoner is confined to a county or city jail, an industrial farm, or a road camp, for each 4-day period in which he or she is confined, he or she may have one day deducted from his or her period of confinement, as specified. Existing law also authorizes a sheriff or county director of corrections, in addition to the credits otherwise earned, to award an inmate who is sentenced to county jail for a felony, program credit reductions from his or her term of confinement for successful completion of specific program performance objectives for rehabilitative programming, including academic programs, vocational programs, vocational training, substance abuse programs, and core programs such as anger management and social life skills. These program credit reductions may be for one to 6 weeks and may be forfeited in the same manner as other program credit reductions. This bill would make the provisions applicable to sentenced and unsentenced inmates who are confined in a county jail. The bill would require credits awarded prior to sentencing to be applied to the sentence for the offense for which the inmate was awaiting sentence when the credits were awarded. The bill would prohibit evidence of an inmate's participation, or attempted participation, in this program from being admitted as an admission of guilt in any proceeding.

AB 1703
Santiago

Inmates: medical treatment

Existing law authorizes a court, when an inmate requires medical or surgical treatment necessitating hospitalization that cannot be furnished at the jail, to order the removal of the inmate to a hospital, as specified. Existing law authorizes a sheriff or jailer who determines that a prisoner in a city or county jail under his or her charge is in need of immediate medical or hospital care, and that the health and welfare of the prisoner will be injuriously affected unless the prisoner is forthwith removed to a hospital, to authorize the immediate removal of the prisoner under guard to a hospital, without first obtaining a court order. This bill would specify that "immediate medical or hospital care" includes, but is not limited to, critical specialty medical procedures or treatment, such as dialysis, which cannot be furnished, performed, or supplied at a city or county jail.

AB 1705
Rodriguez

Jails: searches

Existing law generally prohibits strip searches and body cavity searches of prearrest detainees arrested for infraction or misdemeanor offenses. Existing law allows a person who has been arrested and taken into custody to be subjected to patdown searches, metal detector searches, and thorough clothing searches in order to discover and retrieve concealed weapons and contraband substances prior to being placed in a booking cell. This bill would also allow law enforcement personnel to subject a person who is arrested and taken into custody to a body scanner search for those weapons or substances. The bill would require an agency utilizing a body scanner to endeavor to avoid knowingly using a body scanner to scan a woman who is pregnant. The bill would require a person within sight of the visual display of a body scanner

depicting the body during a scan to be of the same sex as the person being scanned, except for physicians or licensed medical personnel.

- AB 1761
Weber *Human trafficking: victims: affirmative defense*
(1) Under existing law, as amended by Proposition 35, an initiative measure approved by the voters at the November 6, 2012, statewide general election, a person who deprives or violates another person's personal liberty with the intent to obtain forced labor or services or who deprives or violates another person's personal liberty for the purpose of prostitution or sexual exploitation is guilty of human trafficking, a felony. Proposition 35 provides that it may be amended by a statute in furtherance of its objectives by a majority of the membership of each house of the Legislature concurring. This bill would create an affirmative defense against a charge of a crime that the person was coerced to commit the offense as a direct result of being a human trafficking victim at the time of the offense and had reasonable fear of harm. The bill would prohibit this defense from being used with respect to a serious or violent crime, as defined, or a charge of human trafficking. The bill would grant a person who prevails on that affirmative defense the right to have all records in the case sealed, except as specified, and to be released from all penalties and disabilities, as provided. (2) Existing law makes expert testimony regarding intimate partner battering and its effects admissible in a criminal action. This bill would make expert testimony regarding the effect of human trafficking on a human trafficking victim admissible in a criminal action.
- AB 1843
Mark
Stone *Applicants for employment: criminal history*
Existing law prohibits an employer, whether a public agency or private individual or corporation, from asking an applicant for employment to disclose, or from utilizing as a factor in determining any condition of employment, information concerning an arrest or detention that did not result in a conviction, or information concerning a referral or participation in, any pretrial or posttrial diversion program, except as specified. Existing law also prohibits an employer, as specified, from asking an applicant to disclose, or from utilizing as a factor in determining any condition of employment, information concerning a conviction that has been judicially dismissed or ordered sealed, except in specified circumstances. Existing law specifies that these provisions do not prohibit an employer at a health facility, as defined, from asking an applicant for a specific type of employment about arrests for certain crimes. Existing law makes it a crime to intentionally violate these provisions. This bill would also prohibit an employer from asking an applicant for employment to disclose, or from utilizing as a factor in determining any condition of employment, information concerning or related to an arrest, detention, processing, diversion, supervision, adjudication, or court disposition that occurred while the person was subject to the process and jurisdiction of juvenile court law. The bill, for the purposes of the prohibitions and exceptions described above, would provide that "conviction" excludes an adjudication by a juvenile court or any other court order or action taken with respect to a person who is under the jurisdiction of the juvenile court law, and would make related and conforming changes. The bill would prohibit an employer at a health facility from inquiring into specific events that occurred while the applicant was subject to juvenile court law, with a certain exception, and from inquiring into information concerning or related to an applicant's juvenile offense history that has been sealed by the juvenile court. The bill would require an employer at a health facility seeking disclosure of juvenile offense history under that exception to provide the applicant with a list describing offenses for which disclosure is sought.
- AB 1906
Melendez *Mental health: sexually violent predators*
Existing law requires the Secretary of the Department of Corrections and Rehabilitation to refer a person who is in custody under that department's jurisdiction, who is serving a determinate sentence or whose parole has been revoked, for evaluation by the State Department of State Hospitals if the secretary determines that the person may be a sexually violent predator. Existing law establishes a screening process for the department and the Board of Parole Hearings to

determine whether a person has committed a sexually violent offense, and to determine if the person is likely to be a sexually violent predator prior to referral to the State Department of State Hospitals for a full evaluation. Existing law authorizes the board, upon a showing of good cause, as defined, to order that the person referred to the State Department of State Hospitals remain in custody for no more than 45 days beyond the person's scheduled release date for full evaluation. Existing law requires, if the State Department of State Hospitals determines that the person is a sexually violent predator, as defined, the Director of State Hospitals to forward a request to a specified county for a petition to be filed for the person to be committed to a facility for mental health treatment. This bill would require the Director of State Hospitals to forward the request no less than 20 calendar days prior to the scheduled release date of the person or, if the person is ordered by the board to remain in custody beyond the person's scheduled release date, no less than 20 calendar days prior to the end of that hold. The bill would modify the definition of "good cause" in the above provision.

AB 1953
Weber

Peace officers: civilian complaints

Existing law requires each department or agency in this state that employs peace officers to establish a procedure to investigate complaints by members of the public against the personnel of these departments or agencies, and to make a written description of the procedure available to the public. Existing law also refers to these complaints as citizens' complaints. Existing law sets forth specified policies and procedures relating to citizens' complaints. Among other things, existing law makes it a misdemeanor to file an allegation of misconduct against a peace officer knowing the allegation to be false. Existing law requires a law enforcement agency accepting an allegation of misconduct against a peace officer to require the complainant to read and sign a specified advisory that describes, generally, the law and procedure governing citizens' complaints. Existing law also requires the Department of Justice to prepare and present to the Governor, on or before July 1, an annual report containing the criminal statistics of the preceding calendar year, including, among other statistics, the total number of citizen complaints alleging racial or identity profiling, as specified. This bill would delete references to citizens' complaints and instead refer to civilians' complaints.

AB 1962
Dodd

Criminal proceedings: mental competence

Existing law prohibits a person from being tried or adjudged to punishment while that person is mentally incompetent. Existing law establishes a process by which a defendant's mental competency is evaluated, which includes requiring the court to appoint a psychiatrist or licensed psychologist, and any other expert the court may deem appropriate. This bill would, on or before July 1, 2017, require the State Department of State Hospitals, through the use of a workgroup representing specified groups, to adopt guidelines for education and training standards for a psychiatrist or licensed psychologist to be considered for appointment by the court. The bill would provide that if there is no reasonably available expert who meets the guidelines, the court shall have discretion to appoint an expert who does not meet the guidelines.

AB 2013
Jones-
Sawyer

Criminal procedure: arraignment pilot program

Existing law requires the magistrate, on motion of counsel for the defendant or the defendant, when the defendant is in custody at the time he or she appears before the magistrate for arraignment and the public offense is a misdemeanor to which the defendant has pleaded not guilty, to determine whether there is probable cause to believe that a public offense has been committed and that the defendant is guilty of that offense. Existing law requires the determination of probable cause to be made immediately, unless the court grants a continuance not to exceed 3 court days, for good cause. This bill would establish a 3-year pilot project in 3 counties, as specified, that would require a court to apply those same procedures to the arraignment of a defendant who is not in custody for a public offense that is a misdemeanor to which the defendant has pleaded not guilty, except that this bill would allow the court to grant a continuance not to exceed 15 days to determine probable cause. The bill would require the

Department of Justice to provide information to the Assembly Committee on Budget, the Senate Committee on Budget and Fiscal Review, and the appropriate policy committees of the Legislature regarding the implementation of the above provisions no later than July 1, 2020.

AB 2165

Firearms: prohibitions: exemptions

Bonta

Existing law makes it a crime for any person in this state to manufacture, import into the state for sale, keep for sale, offer or expose for sale, give, or lend an unsafe handgun. Under existing law, this prohibition does not apply to the sale or purchase of a handgun if the handgun is sold to, or purchased by, a police department, the Department of Corrections and Rehabilitation, or any federal law enforcement agency, among other entities. This bill would also make the above prohibition inapplicable to the sale or purchase of a handgun if the handgun is sold to, or purchased by, specified entities or sworn members of those entities who have satisfactorily completed the firearms portion of a training course prescribed by the Commission on Peace Officer Standards and Training. The bill would prohibit a licensed firearms dealer from processing the sale or transfer of an unsafe handgun between a person who has obtained an unsafe handgun pursuant to this exemption and a person who is not exempt. This bill would require a person, with exceptions, who obtains an unsafe handgun pursuant to this exemption to, when leaving the handgun in an unattended vehicle, as defined, lock the handgun in the vehicle's trunk or lock the handgun in a locked container, as defined, and place the container out of plain view. The bill would make a violation of this provision an infraction punishable by a fine not exceeding \$1,000.

AB 2221

Criminal procedure: human trafficking witnesses

Cristina
Garcia

Under existing law, a person who deprives or violates another person's personal liberty with the intent to obtain forced labor or services or who deprives or violates another person's personal liberty for the purpose of prostitution or sexual exploitation is guilty of human trafficking, a felony. This bill would require, in a case involving a charge of human trafficking, that a minor who is a victim of the human trafficking be provided with assistance from the local county Victim Witness Assistance Center if the minor so desires that assistance.

AB 2263

Protection of victims of domestic violence, sexual assault, or stalking, and reproductive health care service providers: address confidentiality

Baker

Existing law authorizes victims of domestic violence, sexual assault, or stalking, and reproductive health care services providers, employees, volunteers, and patients, to complete an application to be approved by the Secretary of State for the purposes of enabling state and local agencies to respond to requests for public records without disclosing a program participant's residence address contained in any public record and otherwise provides for confidentiality of identity for that person, subject to specified conditions. Existing law authorizes a program participant to request that state and local agencies use the address designated by the Secretary of State as his or her address, and requires state and local agencies, when creating, modifying, or maintaining a public record, to accept the address designated by the Secretary of State as a program participant's substitute address, except as specified. This bill would require the Secretary of State to provide each program participant a notice in clear and conspicuous font that contains specified information, including that the program participant is authorized by law to request to use his or her address designated by the Secretary of State on real property deeds, change of ownership forms, and deeds of trust when purchasing or selling a home. This bill, with certain exceptions, would prohibit a person, business, or association from publicly posting or displaying on the Internet the home address of a program participant who is a reproductive health care services provider, employee, volunteer, or patient and who has made a written demand to not disclose his or her address, and would prohibit a person, business, or association from knowingly posting the home address of a program participant, or of the program participant's residing spouse or child, on the Internet knowing that person is a program

participant and intending to cause imminent great bodily harm that is likely to occur or threatening to cause imminent great bodily harm to that individual.

AB 2295

Restitution for crimes

Baker

Existing law requires the court to order a person who is convicted of a crime to pay restitution to the victim or victims for the full amount of economic loss, unless the court finds compelling and extraordinary reasons for not doing so and states them on the record. Existing law specifically requires a defendant subject to the aggravated white collar crime enhancement, and a person convicted of a felony involving theft, embezzlement, forgery, or fraud, with respect to the property or personal identifying information of an elder or a dependent adult, to be ordered to make full restitution to the victim or to make restitution to the victim based on his or her ability to pay. This bill would require the court to order full restitution and would make technical, nonsubstantive changes. The bill would state the finding of the Legislature that these changes are declaratory of existing law.

AB 2298

Criminal gangs

Weber

Existing law, the California Street Terrorism Enforcement and Prevention Act (act), provides specified punishments for certain crimes committed for the benefit of, at the direction of, or in association with, a criminal street gang, as specified. The act defines a “shared gang database” as having various attributes, including, among others, that the database contains personal, identifying information in which a person may be designated as a suspected gang member, associate, or affiliate, or for which entry of a person in the database reflects a designation of that person as a suspected gang member, associate, or affiliate. Existing law requires a law enforcement agency, before designating a person as a suspected gang member, associate, or affiliate in the database, to provide a written notice to the person’s parent or guardian, if the person is a minor. This bill would require the notice described above to be provided to an adult before designating a person as a suspected gang member, associate, or affiliate in the database. The bill would require these databases to comply with federal requirements regarding the privacy and accuracy of information in the database, and other operating principles for maintaining these databases. The bill would require local law enforcement, commencing January 15, 2018, and every January 15 thereafter to submit specified data pertaining to the database to the Department of Justice, and would require the Department of Justice, commencing February 15, 2018, and every February 15 thereafter, to post that information on the department’s Internet Web site.

AB 2498

Human trafficking

Bonta

The California Public Records Act requires state and local agencies to make public records available for inspection by the public, subject to specified criteria and with specified exceptions. Existing law exempts from disclosure any investigatory or security file compiled by any other state or local police agency, or any investigatory or security files compiled by any other state or local agency for correctional, law enforcement, or licensing purposes. Existing law requires, however, that state and local law enforcement agencies make public specified information, including names of victims, relating to the circumstances surrounding all complaints or requests for assistance, among other things, except to the extent that disclosure of a particular item of information would endanger the safety of a person involved in the investigation. Existing law allows victims of specified crimes, including human trafficking, to request that their names be withheld from any public records request, and upon that request prohibits law enforcement agencies from disclosing those names except under specified circumstances. Existing law additionally prohibits law enforcement agencies from disclosing the addresses of victims of specified crimes, including human trafficking. This bill would authorize, at the request of a victim and subject to specified restrictions, the withholding of the names and images of a victim of human trafficking and that victim’s immediate family, as defined and as specified, from disclosure pursuant to the California Public Records Act until the investigation or any

subsequent prosecution is complete. The bill would additionally prohibit law enforcement agencies from disclosing the names, addresses, and images of victims of human trafficking and their immediate family, except under specified circumstances. The bill would also require law enforcement agencies to orally inform the person who alleges to be the victim of human trafficking of his or her right to have his or her name, addresses, and images, and the names, addresses, and images of his or her immediate family members withheld and kept confidential. By imposing new duties on law enforcement agencies, the bill would impose a state-mandated local program. Existing law, as amended by the Californians Against Sexual Exploitation Act (CASE Act), an initiative measure enacted by the approval of Proposition 35 at the November 6, 2012, statewide general election proscribes the crime of human trafficking. A person who deprives or violates the personal liberty of another with the intent to obtain forced labor or services, or to effect or maintain a violation of various felony or misdemeanor offenses, including offenses relating to prostitution, child pornography, as specified, or extortion, as defined, is guilty of human trafficking. A person who causes, induces, or persuades, or attempts to cause, induce, or persuade, a person who is a minor at the time of commission of the offense to engage in a commercial sex act, with the intent to effect or maintain a violation of various felony or misdemeanor offenses, is also guilty of human trafficking. Existing law proscribes various sex offenses, including pimping and pandering. Existing law makes a person who procures another person for the purposes of prostitution, or who by promises, threats, violence, or by any device or scheme, causes, induces, persuades, or encourages another person to become a prostitute guilty of pandering. Existing law makes a person who, knowing another person is a prostitute, lives or derives support or maintenance in whole or in part from the earnings or proceeds of the person's prostitution, or from money loaned or advanced to or charged against that person by any keeper, manager, or inmate of a house or other place where prostitution is practiced or allowed, or who solicits or receives compensation for soliciting for the person guilty of pimping. Existing law generally requires that the issues on the court calendar be disposed of in a specified order, unless for good cause the court directs an action to be tried out of its order. Existing law requires that certain criminal actions, however, take precedence over all other criminal actions in the order of trial, including criminal actions in which a person is a victim of an alleged violation of a specified sex offense, including rape, incest, or sodomy, committed by the use of force, violence, or the threat of force or violence. This bill would authorize the court, for good cause, to grant priority to an action for an alleged violation of the prohibition against human trafficking as the court, in its discretion, may determine to be appropriate. This bill would also make other technical, nonsubstantive, and conforming changes. 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 regarding the need to maintain the confidential names of victims of human trafficking and their families.

AB 2590
Weber

Sentencing: restorative justice

Existing law provides legislative findings and declarations that the purpose of imprisonment for crime is punishment and that the elimination of disparity and the provision of uniformity of sentences can best be achieved by determinate sentences fixed by statute in proportion to the seriousness of the offense, as specified. Existing law further provides that, notwithstanding those provisions, the Legislature finds and declares that programs should be available for inmates, including, but not limited to, educational programs, that are designed to prepare nonviolent felony offenders for successful reentry into the community. Existing law encourages the Department of Corrections and Rehabilitation to give priority enrollment in programs to promote successful return to the community to inmates with short remaining terms of commitment, as specified. This bill would instead make legislative findings and declarations that the purpose of sentencing is public safety achieved through punishment, rehabilitation, and restorative justice. The bill would amend the above legislative findings and declarations to remove the provision relating to determinate sentences and to state that educational,

rehabilitative, and restorative justice programs should be available, as specified, and would encourage the department to allow all eligible inmates the opportunity to enroll in programs that promote successful return to the community. This bill would also direct the department to establish a mission statement consistent with the principles described in the legislative findings and declarations. Under existing law, most felonies are punishable by a triad of terms of incarceration in the state prison, comprised of low, middle, and upper lengths of terms. Until January 1, 2017, the choice of the appropriate term that is to best serve the interests of justice rests within the sound discretion of the court. On and after January 1, 2017, existing law requires the court to impose the middle term, unless there are circumstances in aggravation or mitigation of the crime. This bill would extend to January 1, 2022, the authority of the court to, in its sound discretion, impose the appropriate term that best serves the interests of justice. The bill would, on and after January 1, 2022, require the court to impose the middle term, unless there are circumstances in aggravation or mitigation of the crime.

AB 2765
Weber

Proposition 47: sentence reduction

Existing law, the Safe Neighborhoods and Schools Act, enacted by Proposition 47, as approved by the voters at the November 4, 2014, statewide general election, reduced the penalties for various crimes. Under the provisions of the act, a person currently convicted of a felony or felonies who would have been guilty of a misdemeanor under the act if the act had been in effect at the time of the conviction may petition or apply to have the sentence reduced in accordance with the act. That act requires that this petition or application be filed before November 4, 2017, or at a later date upon a showing of good cause. Proposition 47 authorizes its provisions to be amended by a statute that is consistent with and furthers its intent and that is passed by a 2/3 vote of each house of the Legislature and is signed by the Governor. Proposition 47 also provides that the Legislature may, by majority vote, amend, add, or repeal provisions to further reduce the penalties for offenses it addresses. This bill would instead authorize a person to petition or apply for a reduction of sentence before November 4, 2022, or at a later date upon a showing of good cause. Because the bill would extend the period of time in which a person could file a petition or application without a showing of good cause, the bill would amend the act and would require a 2/3 vote of the Legislature.

AB 2888
Low

Sex crimes: mandatory prison sentence

Existing law prohibits a court from granting probation or suspending the execution or imposition of a sentence if a person is convicted of violating specified provisions of law, including rape by force, pandering, aggravated sexual assault of a child, and others. This bill would prohibit a court from granting probation or suspending the execution or imposition of a sentence if a person is convicted of rape, sodomy, penetration with a foreign object, or oral copulation if the victim was either unconscious or incapable of giving consent due to intoxication.

SB 6
Galgiani

Parole: medical parole: compassionate release

Existing law provides that the Board of Parole Hearings or its successor in interest shall be the state's parole authority. Existing law requires that a prisoner who is found to be permanently medically incapacitated, as specified, be granted medical parole, if the Board of Parole Hearings determines that the conditions under which the prisoner would be released would not reasonably pose a threat to public safety. Existing law exempts a prisoner sentenced to death, a prisoner sentenced to life without the possibility of parole, and a prisoner who is serving a sentence for which parole is prohibited by initiative statute, from medical parole eligibility. Existing law authorizes a court to resentencing or recall the sentence of a prisoner if the court finds that the prisoner is terminally ill, as specified, or the prisoner is permanently medically incapacitated, as specified, and, in either case, the conditions under which the prisoner would be released or receive treatment do not pose a threat to public safety. Existing law exempts a prisoner sentenced to death or a term of life without the possibility of parole from eligibility for compassionate release pursuant to these provisions. This bill would additionally exempt from

medical parole eligibility and compassionate release eligibility a prisoner who was convicted of the first-degree murder of a peace officer or a person who had been a peace officer, as provided.

- SB 139 *Controlled substances*
Galgiani Existing law makes it a misdemeanor to sell, dispense, distribute, furnish, administer, or give, or offer to sell, dispense, distribute, furnish, administer, or give, or possess for sale, any synthetic stimulant compound or any specified synthetic stimulant derivative. Existing law also makes it a misdemeanor to sell, dispense, distribute, furnish, administer, or give, or offer to sell, dispense, distribute, furnish, administer, or give, or possess for sale, any synthetic cannabinoid compound or any synthetic cannabinoid derivative. Existing law, beginning January 1, 2016, makes it an infraction to use or possess those drugs. This bill would expand the definition of a synthetic stimulant compound and a synthetic cannabinoid compound for purposes of existing law and would exclude from that definition substances that are in the federal clinical trial process, as specified. The bill would provide that a first offense of using or possessing these substances is punishable as an infraction, a 2nd offense is punishable as an infraction or a misdemeanor, and a 3rd or subsequent offense is punishable as a misdemeanor. By expanding the scope of existing crimes and by increasing the penalty for existing crimes, the bill would impose a state-mandated local program. The bill would authorize the synthetic cannabinoid compounds to be obtained and used for bona fide research, instruction, or analysis if that possession and use does not violate federal law. Existing law authorizes the court, together with the district attorney and public defender, to conduct a preguilty plea drug court program pursuant to specified provisions in which proceedings are suspended without a plea of guilty for designated defendants. Existing law sets forth procedures that apply to these programs. This bill would authorize a person charged with certain crimes relating to synthetic stimulant compounds or synthetic cannabinoid compounds to be eligible to participate in those preguilty plea drug court programs. The bill would set forth additional procedures that would apply in determining eligibility and compliance with the program.
- SB 266 *Probation and mandatory supervision: flash incarceration*
Block Existing law authorizes probation and mandatory supervision, which in each case is a period of time when a defendant is released from incarceration and is subject to specified conditions and supervision by county probation authorities. This bill would, until January 1, 2021, allow a court to authorize the use of flash incarceration, as defined, to detain the offender in county jail for not more than 10 days for a violation of his or her conditions of probation or mandatory supervision, as specified. These provisions would not apply to persons convicted of certain drug possession offenses. The bill would, until January 1, 2021, allow a person to receive credits earned for a period of flash incarceration pursuant to these provisions if his or her probation or mandatory supervision is revoked.
- SB 420 *Prostitution*
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. This bill would recast these provisions to distinguish between the different individuals who are guilty of disorderly conduct by soliciting, agreeing to engage in, or engaging in, any act of prostitution based on whether the person is soliciting or agreeing to receive compensation, money, or anything of value for an act of prostitution, as specified, or the person is soliciting or agreeing to provide compensation, money, or anything of value for an act of prostitution with a minor or with an adult, as specified. This bill would incorporate additional changes to Section 647 of the Penal Code, proposed by SB 1129, SB 1322, and AB 1708, that would become operative only if this bill and one or more of those other bills are enacted and become effective January 1, 2017, and this bill is chaptered last.
- SB 614 *Criminal procedure: legal assistance: ability to pay*

- Hertzberg Existing law requires a court to assign counsel to defend a defendant if the defendant desires the assistance of counsel and cannot afford to pay for counsel. Upon conclusion of the proceedings against the defendant, or withdrawal of counsel, existing law authorizes the court to make a determination of the ability of a defendant to pay all or a portion of his or her defense. Existing law authorizes the court to order a defendant to reimburse the county for those costs. Existing law provides a presumption that a defendant sentenced to state prison is determined not to have a reasonably discernible future financial ability to reimburse the costs of his or her defense, except as specified. This bill would extend that presumption to a defendant sentenced to county jail for a period longer than 364 days.
- SB 759 *Prisoners: segregation housing*
Anderson Existing law establishes the Department of Corrections and Rehabilitation to oversee the state prison system. Existing law authorizes Security Housing Units for segregation of certain prisoners for disciplinary or security purposes, and because of gang membership or association. Existing law requires a prisoner of the Department of Corrections and Rehabilitation to be awarded credit reductions from his or her term of confinement of 6 months for every 6 months of continuous confinement, as specified. Existing law provides for up to 6 weeks of additional credit in a 12-month period for the successful completion of certain rehabilitative programs, for certain inmates, as specified. Existing law makes a person who is placed in a Security Housing Unit, Psychiatric Services Unit, Behavioral Management Unit, or an Administrative Segregation Unit for specified misconduct, or upon validation as a prison gang member or associate, ineligible to earn credits pursuant to these provisions. This bill would repeal those provisions regarding ineligibility to earn credits and instead require the department, no later than July 1, 2017, to establish regulations to allow specified inmates placed in segregation housing to earn credits during the time he or she is in segregation housing.
- SB 813 *Sex offenses: statute of limitations*
Leyva Existing law generally requires that the prosecution of a felony sex offense be commenced within 10 years after the commission of the offense. Under existing law, prosecution for the crimes of rape, sodomy, lewd or lascivious acts, continuous sexual abuse of a child, oral copulation, and sexual penetration, if committed against a victim who was under 18 years of age, may be commenced at any time prior to the victim's 40th birthday. Existing law allows prosecution of an offense punishable by death or by imprisonment for life or for life without the possibility of parole, or for the embezzlement of public money, to be commenced at any time. This bill would allow the prosecution of rape, sodomy, lewd or lascivious acts, continuous sexual abuse of a child, oral copulation, and sexual penetration, that are committed under certain circumstances, as specified, to be commenced at any time. The bill would apply to these crimes committed after January 1, 2017, and to crimes for which the statute of limitations that was in effect prior to January 1, 2017, has not run as of January 1, 2017. This bill would incorporate changes to Section 803 of the Penal Code proposed by both this bill and SB 1088, which would become operative only if both bills are enacted and become effective on or before January 1, 2017, and this bill is chaptered last.
- SB 823 *Criminal procedure: human trafficking*
Block Existing law defines and proscribes the crimes of human trafficking, solicitation, and prostitution. Existing law provides 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. Existing law authorizes 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 of Justice that the defendant was a victim of human trafficking when he or she committed the crime and the relief that has

been ordered. Existing law authorizes a person who was adjudicated a ward of the juvenile court for solicitation or prostitution to, upon reaching 18 years of age, petition the court to have his or her record sealed, as specified. This bill would establish a separate petition process for a person who has been arrested for, convicted of, or adjudicated a ward of the juvenile court for, committing a nonviolent offense, as defined, while he or she was a victim of human trafficking. The bill would require the petitioner to establish that the arrest, conviction, or adjudication was the direct result of being a victim of human trafficking in order to obtain relief. The bill would require the petition for relief to be submitted under penalty of perjury, thereby expanding the scope of a crime. The bill would authorize the court, upon making specified findings, to vacate the conviction or adjudication and issue an order that provides the relief described above and also provides for the sealing and destruction of the petitioner's arrest and court records, as specified. The bill would require that the petition be made within a reasonable time after the person has ceased to be a victim of human trafficking, or within a reasonable time after the person has sought services for being a victim of human trafficking, whichever is later. The bill would provide that official documentation, as defined, of a petitioner's status as a victim of human trafficking may be introduced as evidence that his or her participation in the offense was the result of the petitioner's status as a victim of human trafficking. The bill would provide that a petitioner or his or her attorney is not required to appear in person at a hearing for the relief described above if the court finds a compelling reason why the petitioner cannot attend the hearing and may appear via alternate specified methods. The bill would prohibit the disclosure of the full name of a petitioner in the record of a proceeding related to his or her petition that is accessible by the public. The bill would authorize a petitioner who has obtained the relief described above to lawfully deny or refuse to acknowledge an arrest, conviction, or adjudication that is set aside pursuant to that relief.

SB 869
Hill

Firearms: securing handguns in vehicles

Existing law prohibits a person who is 18 years of age or older, and who is the owner, lessee, renter, or other legal occupant of a residence, who owns a firearm and who knows or has reason to know that another person also residing there is prohibited by state or federal law from possessing, receiving, owning, or purchasing a firearm from keeping a firearm in that residence, unless the firearm is secured, as specified. A violation of this prohibition is a misdemeanor. This bill would require a person, when leaving a handgun in an unattended vehicle, to secure the handgun by locking it in the trunk of the vehicle, locking it in a locked container and placing the container out of plain view, or locking the handgun in a locked container that is permanently affixed to the vehicle's interior and not in plain view. The bill would make a violation of these requirements an infraction punishable by a fine not exceeding \$1,000. The bill would expressly make those requirements inapplicable to the transportation of unloaded firearms by a licensed common carrier in conformance with applicable federal law. The bill would also provide that these provisions do not supersede any local ordinance that regulates the storage of handguns in unattended vehicles if the ordinance was in effect before the date of enactment of this bill.

SB 880
Hall

Firearms: assault weapons

(1) Existing law generally prohibits the possession or transfer of assault weapons, except for the sale, purchase, importation, or possession of assault weapons by specified individuals, including law enforcement officers. Under existing law, "assault weapon" means, among other things, a semiautomatic centerfire rifle or a semiautomatic pistol that has the capacity to accept a detachable magazine and has any one of specified attributes, including, for rifles, a thumbhole stock, and for pistols, a second handgrip. This bill would revise this definition of "assault weapon" to mean a semiautomatic centerfire rifle, or a semiautomatic pistol that does not have a fixed magazine but has any one of those specified attributes. The bill would also define "fixed magazine" to mean an ammunition feeding device contained in, or permanently attached to, a firearm in such a manner that the device cannot be removed without disassembly of the firearm action. By expanding the definition of an existing crime, the bill would impose a state-mandated local program. (2) Existing law requires that any person who, within this state, possesses an

assault weapon, except as otherwise provided, be punished as a felony or for a period not to exceed one year in a county jail. This bill would exempt from punishment under that provision a person who possessed an assault weapon prior to January 1, 2017, if specified requirements are met. (3) Existing law requires that, with specified exceptions, any person who, prior to January 1, 2001, lawfully possessed an assault weapon prior to the date it was defined as an assault weapon, and which was not specified as an assault weapon at the time of lawful possession, register the firearm with the Department of Justice. Existing law permits the Department of Justice to charge a fee for registration of up to \$20 per person but not to exceed the actual processing costs of the department. Existing law, after the department establishes fees sufficient to reimburse the department for processing costs, requires fees charged to increase at a rate not to exceed the legislatively approved annual cost-of-living adjustment for the department's budget or as otherwise increased through the Budget Act. Existing law requires those fees to be deposited into the Dealers' Record of Sale Special Account. Existing law, the Administrative Procedure Act, establishes the requirements for the adoption, publication, review, and implementation of regulations by state agencies. This bill would require that any person who, from January 1, 2001, to December 31, 2016, inclusive, lawfully possessed an assault weapon that does not have a fixed magazine, as defined, and including those weapons with an ammunition feeding device that can be removed readily from the firearm with the use of a tool, register the firearm with the Department of Justice before January 1, 2018, but not before the effective date of specified regulations. The bill would permit the department to increase the \$20 registration fee as long as it does not exceed the reasonable processing costs of the department. The bill would also require registrations to be submitted electronically via the Internet utilizing a public-facing application made available by the department. The bill would require the registration to contain specified information, including, but not limited to, a description of the firearm that identifies it uniquely and specified information about the registrant. The bill would permit the department to charge a fee of up to \$15 per person for registration through the Internet, not to exceed the reasonable processing costs of the department to be paid and deposited, as specified, for purposes of the registration program. The bill would require the department to adopt regulations for the purpose of implementing those provisions and would exempt those regulations from the Administrative Procedure Act.

SB 1004
Hill

Young adults: deferred entry of judgement pilot program

Existing law provides that entry of judgment may be deferred with respect to a defendant who is charged with certain crimes involving possession of controlled substances, who pleads guilty to the charge or charges, and who meets certain criteria, including that he or she has no prior convictions for any offense involving controlled substances and has had no felony convictions within the 5 years prior, as specified. Existing law requires the criminal charge or charges to be dismissed if the defendant has performed satisfactorily in a specified program during the period in which deferred entry of judgment was granted. This bill would authorize specified counties to establish a pilot program to operate a deferred entry of judgment pilot program for eligible defendants. The bill would authorize a defendant to participate in the program within the county's juvenile hall if that person is charged with committing a felony offense, except as specified, he or she pleads guilty to the charge or charges, and the probation department determines that the person meets specified requirements, including that the defendant is 18 years of age or older, but under 21 years of age on the date the offense was committed, is suitable for the program, and shows the ability to benefit from services generally reserved for delinquents. The bill would require the probation department to develop a plan for reentry services. The bill would require the court to grant deferred entry of judgment if the eligible defendant consents to participate in the program, waives his or her right to a speedy trial or a speedy preliminary hearing, pleads guilty to the charge or charges, and waives time for the pronouncement of judgment. The bill would also require the court to render a finding of guilt to the charge or charges pleaded, enter judgment, and schedule a sentencing hearing, and would require the return of the defendant to custody in a county jail if the court finds that the defendant is performing unsatisfactorily in the program or that the defendant is not benefiting from the

services in the program. If the defendant has performed satisfactorily during the period in which deferred entry of judgment was granted, at the end of that period, the bill would require the court to dismiss the criminal charge or charges. The bill would require a county, prior to establishing a pilot program, to apply to the Board of State and Community Corrections for approval of a county institution as a suitable place for confinement for the purpose of the pilot program. The bill would require the board to review and approve or deny the application of the county within 30 days of receiving notice of this proposed use. The bill would also require each county to establish a multidisciplinary team consisting of representatives of specified local entities. The team would be required to meet periodically to review and discuss the implementation, practices, and impact of the program. The bill would require the probation department to submit data relating to the effectiveness of the program to the Division of Recidivism Reduction and Re-Entry, within the Department of Justice. The bill would prohibit a defendant participating in the program from coming into contact with minors within the juvenile hall, would prohibit a defendant from serving longer than one year in custody within a county's juvenile hall pursuant to the program, and would require the board to review a county's pilot program to ensure compliance with the federal Juvenile Justice and Delinquency Prevention Act of 1974, as specified. The bill would require a county that establishes a pilot program pursuant to these provisions to submit data regarding the pilot program to the board, and would require the board to conduct an evaluation of the pilot program's impact and effectiveness, as specified. The bill would require the evaluation to be combined into a comprehensive report and submitted to the Assembly and Senate Committees on Public Safety. The bill would also authorize the board to contract with an independent entity, including, but not limited to, the Regents of the University of California, to carry out these duties. The authority conferred by this bill would be repealed on January 1, 2020. This bill would make legislative findings and declarations as to the necessity of a special statute for the Counties of Alameda, Butte, Napa, Nevada, and Santa Clara.

SB 1016
Monning

Sentencing

Existing law provides that most felonies are punishable by a triad of terms of incarceration in the state prison, comprised of low, middle, and upper terms. Previous law that required the court to impose the middle term, unless there were circumstances in aggravation or mitigation of the crime, was amended to provide that the choice of the appropriate term rests within the sound discretion of the court. Existing provisions related to sentence enhancements involving criminal street gang activity, firearms, and sentencing generally, operative until January 1, 2017, specify that the appropriate term rests within the sound discretion of the court. Existing law, operative on and after January 1, 2017, instead requires the court to impose the middle term, unless there are circumstances in mitigation or aggravation of the crime. This bill would extend to January 1, 2022, the provisions of law that provide that the court shall, in its discretion, impose the term or enhancement that best serves the interests of justice. The bill would also make conforming changes. This bill would incorporate additional changes to Section 1170 of the Penal Code, proposed by SB 1084 and AB 2590, that would become operative only if this bill and one or more of those other bills are enacted and become effective on or before January 1, 2017, and this bill is chaptered last. This bill would amend Proposition 21, an initiative statute adopted by the voters at the March 7, 2000, statewide primary election that provides that its provisions may be amended by the Legislature by a 2/3 vote of the membership of each house, and therefore requires a 2/3 vote.

SB 1064
Hancock

Sexually exploited minors

Existing law, until January 1, 2017, authorizes the Counties of Alameda and Los Angeles, respectively, to create a pilot project, contingent upon local funding, for the purposes of developing a comprehensive, replicative, multidisciplinary model to address the needs and effective treatment of commercially sexually exploited minors, as specified. This bill would extend the operation of this program indefinitely in the County of Alameda. The bill would also expand the definition of a "commercially sexually exploited minor" to include, among others, a minor who has been adjudged a dependent of the juvenile court because he or she is a

commercially sexually exploited child, and would create a presumption that, if a minor has been arrested for engaging in prostitution, or is the subject of a petition to adjudicate him or her a dependent of the juvenile court because he or she is a commercially sexually exploited child, he or she is a commercially sexually exploited minor for the purposes of that definition. This bill would make legislative findings and declarations as to the necessity of a special statute for the County of Alameda.

SB 1084
Hancock

Sentencing

Existing law authorizes a prisoner who was under 18 years of age at the time of committing an offense for which the prisoner was sentenced to life without the possibility of parole to submit a petition for recall and resentencing after he or she has served at least 15 years of his or her sentence. Existing law prohibits a prisoner who tortured his or her victim or whose victim was a public safety official, as defined, from filing a petition for recall and resentencing. Existing law establishes certain criteria, at least one of which shall be asserted in the petition, to be considered when a court decides whether to conduct a hearing on the petition for recall and resentencing and additional criteria to be considered by the court when deciding whether to grant the petition. Existing law requires the court to hold a hearing if the court finds that the statements in the defendant's petition are true, as specified, and grants the court discretion to recall and resentence the defendant in the same manner as if he or she had not previously been sentenced, provided that the new sentence, if any, is not greater than the initial sentence. If the sentence is not recalled, existing law permits the defendant to submit another petition for recall when the defendant has been committed to the custody of the department for at least 20 years, and if the sentence is not recalled at that hearing, existing law allows the defendant to file another petition after having served 24 years. This bill would instead authorize that prisoner to submit the petition for recall and resentencing after he or she has been incarcerated for 15 years. The bill would allow a defendant whose sentence was recalled, but who was resentenced to life without the possibility of parole, to make additional petitions as specified above. The bill would also require a court, if it finds by a preponderance of the evidence that one or more of the qualifying criteria are true, to recall the sentence previously ordered and hold a hearing to resentence the defendant. The bill would make other conforming changes. Under existing law, most felonies are punishable by a triad of terms of incarceration in the state prison, comprised of low, middle, and upper lengths of terms. Until January 1, 2017, the choice of the appropriate term that is to best serve the interests of justice rests within the sound discretion of the court. On and after January 1, 2017, existing law requires the court to impose the middle term, unless there are circumstances in aggravation or mitigation of the crime. This bill would extend to January 1, 2022, the authority of the court to, in its sound discretion, impose the appropriate term that best serves the interests of justice. The bill would, on and after January 1, 2022, require the court to impose the middle term, unless there are circumstances in aggravation or mitigation of the crime.

SB 1129
Monning

Prostitution: sanctions

Existing law provides that a person who solicits or agrees to engage in or engages in lewd or dissolute conduct in public, as specified, or an act of prostitution is guilty of disorderly conduct, a misdemeanor. If a defendant is convicted a 2nd time of an act of prostitution, as specified, existing law requires the defendant to be imprisoned in a county jail for a period of not less than 45 days, as specified, and if the defendant is convicted 3 or more times, that minimum period of imprisonment is not less than 90 days, as specified. This bill would delete those mandatory minimum terms of incarceration imposed for engaging in prohibited acts relating to prostitution.

SB 1235
De León

Ammunition

(1) The proposed Safety for All Act of 2016, to be submitted to the voters at the November 8, 2016, statewide general election, if enacted would, commencing January 1, 2019, allow any person who is 18 years of age or older to apply to the Department of Justice for an ammunition

purchase authorization. The act would allow the sale of ammunition only to persons holding an ammunition purchase authorization or to persons who were approved by the department to receive a firearm from the ammunition vendor if the ammunition is delivered to the person in the same transaction as the firearm. The act would allow the department to charge a fee not to exceed \$50 per person for the issuance of an ammunition purchase authorization or the issuance of a renewal authorization. The act would create the Ammunition Safety and Enforcement Special Fund to receive these fees and would continuously appropriate the funds for the purposes of implementing, operating, and enforcing the ammunition authorization program. The act would authorize its provisions to be amended by a statute that is passed by a vote of 55 percent of the Members of each house of the Legislature and signed by the Governor so long as the amendments are consistent with and further the intent of the act. This bill would, if the Safety for All Act of 2016 is enacted by the voters at the November 8, 2016, statewide general election, amend the act to instead allow ammunition to be sold only to a person whose information matches an entry in the Automated Firearms System and who is eligible to possess ammunition, to a person who has a current certificate of eligibility issued by the department, or to a person who purchases or transfers the ammunition in a single ammunition transaction, as specified. If the act is enacted by the voters, the bill would amend the act to charge ammunition purchasers and transferees a per transaction fee not to exceed \$1, as provided, and would deposit the funds into the Ammunition Safety and Enforcement Special Fund created by the act, which fund would be continuously appropriated by the act, thereby making an appropriation. If the act is enacted by the voters at the November 8, 2016, statewide general election, the other provisions of this bill would not become operative. Because this bill would amend the act, it would require a vote of 55 percent of the Members of each house of the Legislature. The bill would make Legislative findings and declarations that these amendments further the intent of the act. (2) Existing law requires the Attorney General to maintain records, including, among other things, fingerprints, licenses to carry concealed firearms, and information from firearms dealers pertaining to firearms, for purposes of assisting in the investigation of crimes and specified civil actions. In regard to certain of those records, existing law authorizes specified peace officers to disseminate the name of the subject of the record, the number of firearms listed in the record, the description of any firearm, and other information reported to the Department of Justice, as specified, if the subject of the record has been arraigned, is being prosecuted, or is serving a sentence for domestic violence or is the subject of specified protective orders. Existing law requires the law enforcement officer to provide a victim of domestic violence to whom information is disseminated with a "Victims of Domestic Violence" card, and authorizes the victim or other person to whom the information is disseminated to disclose that information as he or she deems necessary to protect himself, herself, or another person from bodily harm by the person who is the subject of the record. This bill would, if the proposed Safety for All Act of 2016 is not enacted by the voters at the November 8, 2016, statewide general election, require the Attorney General to also maintain information about ammunition transactions and ammunition vendor licenses for those purposes. The bill would similarly authorize specified agencies, officials, and officers to disseminate the name of a person and the fact of any ammunition purchases by that person, as specified, if the subject of the record has been arraigned, is being prosecuted, or is serving a sentence for domestic violence or is the subject of specified protective orders. The bill would require the law enforcement officer to provide a victim of domestic violence to whom information regarding an ammunition purchase is disseminated with a "Victims of Domestic Violence" card. By imposing new duties on local law enforcement officers, this bill would impose a state-mandated local program. (3) Existing law, subject to exceptions, requires that the delivery or transfer of ownership of handgun ammunition occur only in a face-to-face transaction and makes a violation of this requirement a crime. This bill would, if the proposed Safety for All Act of 2016 is not enacted by the voters at the November 8, 2016, statewide general election, extend those provisions, subject to exceptions, to any ammunition and would reorganize those provisions. (4) Existing law provides that the term "vendor" for purposes of ammunition sales is a "handgun ammunition vendor" as defined for those and other purposes. This bill would, if the proposed Safety for All Act of 2016 is not

enacted by the voters at the November 8, 2016, statewide general election, provide that the term “vendor” for purposes of ammunition sales means “ammunition vendor” and, commencing January 1, 2018, means a licensed ammunition vendor. The bill would provide that commencing on January 1, 2018, only a licensed ammunition vendor may sell ammunition. The bill would revise the definition of “ammunition” for those purposes. (5) Existing law establishes the Prohibited Armed Persons File, the purpose of which is to cross-reference persons prohibited from possessing firearms with records of firearm transactions to determine if these persons have acquired or attempted to acquire firearms. Under existing law, a person who is prohibited from owning or possessing a firearm is prohibited from owning, possessing, or having under his or her custody or control any ammunition or reloaded ammunition. This bill would, commencing July 1, 2019, if the proposed Safety for All Act of 2016 is not enacted by the voters at the November 8, 2016, statewide general election, use the Prohibited Armed Persons File to cross-reference persons who attempt to acquire ammunition, as specified, to determine if those persons are prohibited from possessing ammunition. (6) Existing law makes it a crime for a person, corporation, or firm to provide ammunition, as specified, to an individual that the person, corporation, or firm knows or should know is prohibited from possessing or owning ammunition. This bill would, if the proposed Safety for All Act of 2016 is not enacted by the voters at the November 8, 2016, statewide general election, apply that prohibition to other business enterprises. The bill would make it a crime for a person, corporation, firm, or other business enterprise to provide, as specified, ammunition to an individual that the person, corporation, firm, or other business entity knows or has cause to believe is not the actual purchaser or transferee of the ammunition or knows or has cause to believe that the ammunition is to be sold or transferred to a person prohibited from possessing or owning ammunition. (7) Existing law prohibits an ammunition vendor from allowing a person the vendor knows or should know is a person who is prohibited from possessing firearms, for specified reasons, from handling, selling, or delivering handgun ammunition in the course and scope of his or her employment. Existing law prohibits an ammunition vendor from selling or otherwise transferring ownership of, offering for sale or otherwise offering to transfer ownership of, or displaying for sale or displaying for transfer of ownership of, any handgun ammunition in a manner that allows that ammunition to be accessible to a purchaser or transferee without the assistance of the vendor or an employee of the vendor. This bill would, if the proposed Safety for All Act of 2016 is not enacted by the voters at the November 8, 2016, statewide general election, extend those prohibitions to any ammunition. The bill would require that when neither party to the ammunition transaction is an ammunition dealer, the transaction be conducted by an ammunition dealer. The bill would, subject to exceptions, require a resident bringing ammunition into the state to have the ammunition delivered to an ammunition dealer for delivery to the person, as specified. The bill would provide that a violation of these provisions is a crime. (8) Existing law, subject to exceptions, requires a handgun ammunition vendor to record specified information at the time of delivery of handgun ammunition to a purchaser, as specified. This bill would, if the proposed Safety for All Act of 2016 is not enacted by the voters at the November 8, 2016, statewide general election, extend those provisions to transactions of any ammunition and would, commencing on July 1, 2019, require the ammunition vendor to submit that information to the Department of Justice, as specified. The bill would require the department to retain the information for 2 years in a database to be known as the Ammunition Purchase Records File and would prescribe the authority of the department and other entities to use the file, as specified. The bill would, commencing on July 1, 2019, and subject to exceptions, require the purchaser of ammunition to be authorized to purchase ammunition by the department, as specified. The bill would require the department to cross-reference the Prohibited Armed Persons File and the Automated Firearms System for those transaction purposes. The bill would require, commencing on July 1, 2019, and subject to exceptions, that only persons listed in the Automated Firearms System, or who purchase a one-time ammunition transaction license from the department, would be able to purchase ammunition. A violation of these provisions would be a crime. The bill would, if the proposed Safety for All Act of 2016 is not enacted by the voters at the November 8, 2016, statewide general election, authorize the department to

accept applications for ammunition vendor licenses, commencing on July 1, 2017. The bill would require an ammunition vendor to be licensed, commencing on January 1, 2018, in order to sell ammunition. The bill would create an application process for ammunition vendors, as specified. The bill would establish the Ammunition Special Account, into which vendor license fees and ammunition transaction fees would be deposited and made available, upon appropriation by the Legislature, to the department for purposes of enforcing the ammunition vendor licensing and ammunition purchasing provisions. The bill would require the ammunition vendor to conduct business at the location specified in the license, except in the case of gun shows or events, as specified. The bill would require ammunition sales at a gun show or event to comply with certain requirements pertaining to ammunition transfers and recordkeeping, the violation of which is a crime.

SB 1322 *Commercial sex acts: minors*

Mitchell Existing law makes it a crime to solicit or engage in any act of prostitution. Existing law makes it a crime to loiter in any public place with the intent to commit prostitution. This bill would make the above provisions inapplicable to a child under 18 years of age who is alleged to have engaged in conduct that would, if committed by an adult, violate the above provisions. The bill would authorize the minor to be taken into temporary custody under limited circumstances.

SB 1433 *Incarcerated persons: contraceptive counseling and services*

Mitchell Existing law requires that any woman inmate in state prison, or any female confined in a local detention facility, as defined, be allowed to continue to use materials necessary for (1) personal hygiene with regard to her menstrual cycle and reproductive system and (2) birth control measures as prescribed by her physician, upon her request. Existing law requires each and every woman inmate or female confined in a local detention facility to be furnished with information and education regarding the availability of family planning services by the Department of Corrections and Rehabilitation or the county, respectively. Existing law requires family planning services to be offered to each and every woman inmate or female confined in a local detention facility at least 60 days prior to a scheduled release date, as specified. Existing law also requires the department or county, respectively, to furnish any woman inmate or female confined in a local detention facility with the services of a licensed physician or with services necessary to meet her family planning needs at the time of her release, as specified, upon her request. This bill would provide that any person incarcerated in state prison who menstruates shall, upon request, have access to and be allowed to use materials necessary for personal hygiene with regard to their menstrual cycle and reproductive system. The bill would provide that any incarcerated person in state prison who is capable of becoming pregnant shall, upon request, have access to, and be allowed to obtain, contraceptive counseling and their choice of birth control method, as specified, unless medically contraindicated. The bill would require that all birth control methods approved by the United States Food and Drug Administration (FDA) be made available to incarcerated persons who are capable of becoming pregnant, except as provided, and would require the California Correctional Health Care Services to establish a formulary that consists of all of these birth control methods. The bill would provide that if a birth control method has more than one FDA-approved therapeutic equivalent, only one version of that method shall be required to be made available, unless another version is specifically indicated by a prescribing provider and approved by the chief medical physician at the facility. The bill would require incarcerated persons to have access to nonprescription birth control methods without the requirement to see a licensed health care provider. The bill would require that any contraceptive service that requires a prescription, or any contraceptive counseling, provided to incarcerated persons capable of becoming pregnant, be furnished by a licensed health care provider who has been provided with training in reproductive health care and be nondirective, unbiased, and noncoercive. The bill would require health care providers furnishing contraceptive services to receive specified training. The bill would require a facility to furnish incarcerated persons who are capable of becoming pregnant with information and education regarding the availability of family planning services and their right to receive nondirective,

unbiased, and noncoercive contraceptive counseling and services. The bill would require each facility to post this information in conspicuous places, as specified. The bill would require that contraceptive and family planning services be offered and made available to all incarcerated persons capable of becoming pregnant at least 60 days, but not longer than 180 days, prior to a scheduled release date.

SB 1446
Hancock

Firearms: magazine capacity

(1) Existing law prohibits the sale, gift, and loan of a large-capacity magazine. A violation of this prohibition is punishable as a misdemeanor with specified penalties or as a felony. This bill would, commencing July 1, 2017, make it an infraction punishable by a fine not to exceed \$100 for the first offense, by a fine not to exceed \$250 for the 2nd offense, and by a fine not to exceed \$500 for the 3rd or subsequent offense, for a person to possess any large-capacity magazine, regardless of the date the magazine was acquired. The bill would require a person in lawful possession of a large-capacity magazine prior to July 1, 2017, to dispose of the magazine, as provided. By creating a new crime, this bill would impose a state-mandated local program.

(2) Existing law creates various exceptions to the crime described in paragraph (1) above, which include, but are not limited to, the sale of, giving of, lending of, importation into this state of, or purchase of, any large-capacity magazine to or by the holder of a special weapons permit for use as a prop for a motion picture, or any federal, state, county, city and county, or city agency that is charged with the enforcement of any law, for use by agency employees in the discharge of their official duties, whether on or off duty, and where the use is authorized by the agency and is within the course and scope of their duties. This bill would make conforming changes to those exceptions by including possession of a large-capacity magazine in those provisions and would establish additional exceptions to the crime described in paragraph (1) above, including exceptions to allow licensed gunsmiths and honorably retired sworn peace officers to possess a large-capacity magazine.

Economic Development and Income

- AB 326
Frazier *Public work: prevailing wage rates: wage and penalty assessments*
Existing law requires the Labor Commissioner to issue a civil wage and penalty assessment to a contractor or subcontractor, or both, if the Labor Commissioner determines, after investigation, that the contractor or subcontractor, or both, violated the laws regulating public works contracts, including the payment of prevailing wages. Existing law also requires the awarding body, as defined, to withhold from payments due under a contract for public work an amount sufficient to satisfy the civil wage and penalty assessment issued by the Labor Commissioner, and to give notice of the withholding to the affected contractor or subcontractor. Existing law permits the affected contractor or subcontractor to obtain review of a civil wage and penalty assessment or a notice of withholding, as specified. Existing law provides that, after 60 days following the service of a civil wage and penalty assessment or notice, the affected contractor, subcontractor, and surety on a bond issued to secure the payment of wages, as provided, become liable for liquidated damages in an amount equal to the amount of unpaid wages, as specified. Existing law provides that there is no liability for liquidated damages if a contractor, subcontractor, or surety deposits the full amount of the assessment or notice, including penalties, with the Department of Industrial Relations to hold in escrow pending administrative or judicial review. Existing law requires the department to release those funds, plus any interest earned, to the persons and entities found to be entitled to the funds at the conclusion of all administrative and judicial review. This bill would require the department to release the funds deposited in escrow plus interest earned to those persons and entities within 30 days following either the conclusion of all administrative and judicial review or upon the department receiving written notice from the Labor Commissioner or his or her designee of a settlement or other final disposition of an assessment issued, as specified, or from the authorized representative of the awarding body of a settlement or other final disposition of a notice issued, as specified.
- AB 488
Gonzalez *Employment discrimination*
Existing law, the California Fair Employment and Housing Act, protects the right to seek, obtain, and hold employment without discrimination because of race, religious creed, physical disability, mental disability, sex, age, and sexual orientation, among other characteristics. The act prohibits various forms of employment discrimination, including discharging or refusing to hire or to select for training programs on a prohibited basis. The act prescribes requirements for filing complaints of employment discrimination with the Department of Fair Employment and Housing and charges this department with investigating and determining whether or not to bring a civil action on behalf of the complainant, among other duties. The act exempts employers from remedies for specified unlawful employment practices, including when the discrimination is on the basis of physical or mental disability and the disability prevents the employee from safely performing essential duties even with reasonable accommodations. The act excludes from the definition of “employee,” any individual employed under a special license in a nonprofit sheltered workshop or rehabilitation facility. A special license permits the employment of individuals with disabilities at a wage less than the legal minimum wage. This bill would authorize an individual employed under a special license in a nonprofit sheltered workshop, day program, or rehabilitation facility to bring an action under the act for any form of harassment or discrimination prohibited by the act. The bill would provide an employer against whom the individual brings this action with an affirmative defense by proving, by a preponderance of evidence, that the challenged action was permitted by statute or regulation and was necessary to serve employees with disabilities under a special license. The bill would exempt an employer’s obtaining a special license, or hiring or employing a qualified individual at a wage less than the minimum wage in conformity with a special license, from the act’s provisions prohibiting discrimination based on disability. The bill would provide that the definition of employee was not intended to permit the harassment of, or discrimination against, an individual employed under a special license in a nonprofit sheltered workshop, day program, or rehabilitation facility.

- AB 806
Dodd *Community development: economic opportunity*
Under existing law, before certain city, county, or city and county property is sold or leased for economic development purposes, approval of the sale or lease by the legislative body by resolution, after a public hearing, is required. Existing law requires that resolution to contain a finding that the sale or lease of the property will assist in the creation of economic opportunity, as defined. This bill would recast these provisions to instead authorize a city, county, or city and county, with the approval of its legislative body by resolution after a public hearing, to acquire, sell, or lease property in furtherance of the creation of an economic opportunity, as defined. The bill would require the resolution to contain a finding that the acquisition, sale, or lease of the property will assist in the creation of economic opportunity and would require the creation of an economic opportunity to be subject to specified public notice and hearing provisions. Existing law prohibits the use of eminent domain for economic development purposes. This bill would prohibit a city, county, or city and county from selling, leasing, or otherwise transferring, at a price that is less than the fair market value, for economic development purposes, any real property that was acquired through eminent domain, except as specified. Existing law authorizes a city, county, or city and county to establish a program under which it loans funds to owners or tenants for the purpose of rehabilitating commercial buildings or structures. This bill would revise that authorization by requiring the loan to be in the form of a written loan agreement that includes a payment schedule, the terms for interest calculation, the rights and remedies of the parties in case of default, and any other material terms of the loan. The bill would require, prior to entering into that loan agreement, the city, county, or city and county to find, after a public hearing, that the assistance is necessary for the economic feasibility of the development and that the assistance cannot be obtained on economically feasible terms in the private market.
- AB 1311
Cooper *Temporary services employees: wages*
Existing law generally requires that an employee of a temporary services employer, as defined, be paid weekly. Existing law provides that a violation of these provisions is punishable as a misdemeanor. This bill would, with certain exceptions, make the weekly pay requirement applicable to a security guard employed by a private patrol operator who is a temporary services employer, as provided. This bill would declare that it is to take effect immediately as an urgency statute.
- AB 1676
Campos *Employers: wage discrimination*
Existing law generally prohibits an employer from paying an employee at wage rates less than the rates paid to employees of the opposite sex in the same establishment for equal work on jobs the performance of which requires equal skill, effort, and responsibility, and which are performed under similar working conditions. Existing law establishes exceptions to that prohibition, including, among others, where the payment is made based on any bona fide factor other than sex, such as education, training, or experience. Existing law makes it a misdemeanor for an employer or other person acting either individually or as an officer, agent, or employee of another person to pay or cause to be paid to any employee a wage less than the rate paid to an employee of the opposite sex as required by these provisions, or who reduces the wages of any employee in order to comply with these provisions. Existing law also makes it a misdemeanor for an employer to refuse or neglect to comply with the above provisions of law. This bill would specify that prior salary cannot, by itself, justify any disparity in compensation under the bona fide factor exception to the above prohibition.
- AB 1847
Mark
Stone *Earned Income Tax Credit Information Act: California Earned Income Tax Credit*
The Personal Income Tax Law allows various credits against the taxes imposed by that law, including certain credits that are allowed in modified conformity to credits allowed by federal income tax laws. Federal income tax laws allow a refundable earned income tax credit for certain low-income individuals who have earned income and who meet certain other requirements. The Personal Income Tax Law, in modified conformity with federal income tax

laws, allows an earned income credit against personal income tax, and a payment in excess of that credit amount, to an eligible individual that is equal to that portion of the earned income tax credit allowed by federal law as determined by the earned income tax credit adjustment factor as set forth in the annual Budget Act. Existing law, the Earned Income Tax Credit Information Act, requires an employer, as defined, to notify all employees that they may be eligible for the federal earned income tax credit, as specified. This bill would require those same employers currently required to notify employees who may be eligible for the federal earned income tax credit to also notify these employees that they may be eligible for the California Earned Income Tax Credit under the same conditions.

AB 1926
Cooper

Public works: prevailing wage: apprentices

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. This bill would require, when a contractor requests the dispatch of an apprentice to perform work on a public works project and requires compliance with certain preemployment activities as a condition of employment, as specified, that the apprentice be paid the prevailing rate for the time spent on any required preemployment activity, including travel time to and from the activity, if any, except as specified.

AB 2062
Lopez

CalWORKs: income or household composition reporting: benefit redetermination

Existing law establishes the California Work Opportunity and Responsibility to Kids (CalWORKs) program, under which each county provides cash assistance and other benefits to qualified low-income families using a combination of federal, state, and county funds. Existing law requires the State Department of Social Services to establish an income reporting threshold for CalWORKs recipients, including CalWORKs assistance units that do not include an eligible adult, and requires a recipient to notify the county, within 10 days, if the recipient's household income exceeds the reporting threshold. Existing law requires a CalWORKs assistance unit that does not include an eligible adult to also notify the county, within 10 days, of any change in the recipient's household composition. Under existing law, if the county determines that the recipient is ineligible for CalWORKs or the recipient's grant amount should be reduced based on an increase in income or a change in household composition, the county is required to discontinue the recipient from CalWORKs or reduce the recipient's grant, with timely and adequate notice, as specified. Existing law provides that current and future grants may be reduced because of prior overpayments. This bill would prohibit the county from assessing an overpayment for the month following a change in income for a recipient of CalWORKs, or following a change in household composition for a CalWORKs assistance unit that does not include an eligible adult, if the recipient has reported the change and the county was unable, before the first of the month following the change in income or household composition, to provide 10 days' notice of the termination or reduction in benefits. By increasing the administrative duties of counties, this bill would impose a state-mandated local program. The bill would require the State Department of Social Services to issue an all-county letter or similar instruction by July 1, 2017, and adopt regulations by July 1, 2018, as necessary to implement these provisions. 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 2288
Burke

Apprenticeship programs: building and construction trades

Existing law provides that the California Workforce Development Board is responsible for assisting the Governor in the development, oversight, and continuous improvement of California's workforce investment system. Existing law requires that the California Workforce

Development Board and each local workforce development board ensure that programs and services funded by the federal Workforce Innovation and Opportunity Act of 2014 and directed to apprenticeable occupations are conducted in coordination with apprenticeship programs approved by the Division of Apprenticeship Standards, as specified. Existing law also requires the California Workforce Development Board and each local workforce development board to develop a policy of fostering collaboration between community colleges and approved apprenticeship programs in the geographic area. This bill would require the California Workforce Development Board and each local board to ensure that federal Workforce Innovation and Opportunity Act of 2014 funds respectively awarded by them for preapprenticeship training in the building and construction trades fund programs and services that follow the Multi-Craft Core Curriculum implemented by the State Department of Education and that develop a plan to help increase the representation of women in those trades, as specified. The bill would require the California Workforce Development Board to develop policies to implement these provisions.

AB 2337
Burke

Employment protections: victims of domestic violence, sexual assault, or stalking

Existing law prohibits an employer from discharging or in any manner discriminating or retaliating against an employee who is a victim of domestic violence, sexual assault, or stalking for taking time off from work for specified purposes related to addressing the domestic violence, sexual assault, or stalking. Existing law provides that any employee who is discharged, threatened with discharge, demoted, suspended, or in any manner discriminated or retaliated against in the terms and conditions of employment by his or her employer because the employee has taken time off for those purposes is entitled to reinstatement and reimbursement for lost wages and work benefits caused by the acts of the employer, as well as appropriate equitable relief, and is allowed to file a complaint with the Division of Labor Standards Enforcement within the Department of Industrial Relations. Existing law establishes the Labor Commissioner as the head of the Division of Labor Standards Enforcement. This bill would require employers to inform each employee of his or her rights established under those laws by providing specific information in writing to new employees upon hire and to other employees upon request. The bill would also require the Labor Commissioner, on or before July 1, 2017, to develop a form an employer may elect to use to comply with these provisions and to post it on the commissioner's Internet Web site. Employers would not be required to comply with the notice of rights requirement until the commissioner posts the form.

AB 2393
Campos

School employees: sick leave: parental leave

Under existing law, when a person employed in a position requiring certification qualifications exhausts all available sick leave, as specified, and continues to be absent from his or her duties on account of illness or accident for an additional period of up to 5 school months, he or she, during that additional period, receives the difference between his or her salary and the sum that is actually paid a substitute employee employed to fill his or her position during his or her absence or, if no substitute employee was employed, the amount that would have been paid to the substitute had he or she been employed. Existing law also provides the differential pay benefit described above for up to 12 school weeks if the person employed in a position requiring certification qualifications is absent on account of maternity or paternity leave. Existing law provides that the 12-week period shall be reduced by any period of sick leave, including accumulated sick leave, taken during a period of maternity or paternity leave. Existing law prohibits a person employed in a position requiring certification qualifications on maternity or paternity leave pursuant to the Moore-Brown-Roberti Family Rights Act from being denied access to differential pay while on that leave. This bill would additionally provide that if a school district maintains a rule that credits a person employed in a position requiring certification qualifications at least 100 working days of sick leave paid at no less than 50% of his or her regular salary, when he or she has exhausted all available sick leave, including all accumulated sick leave, and continues to be absent from his or her duties on account of parental leave, the person employed in a position requiring certification qualifications would be

compensated at no less than 50% of his or her regular salary for the remaining portion of the 12-workweek period of parental leave. The bill would no longer require a person employed in a position requiring certification qualifications to have 1,250 hours of service with the employer during the previous 12-month period, as required by the Moore-Brown-Roberti Family Rights Act, in order to take parental leave pursuant to these provisions. The bill would require that parental leave taken pursuant to these provisions run concurrently with parental leave taken pursuant to the act, and that the aggregate amount of parental leave taken pursuant to either these provisions or under the act not exceed 12 workweeks in a 12-month period. Under existing law, when a classified school employee in certain school districts and community college districts exhausts all available sick leave, as specified, and continues to be absent from his or her duties on account of illness or accident for an additional period of up to 5 school months, the employee during that additional period receives the difference between his or her salary and the sum that is actually paid a substitute employee employed to fill his or her position during his or her absence. Under existing law, when a classified school employee in certain other school districts and community college districts exhausts all available sick leave, as specified, and continues to be absent from his or her duties on account of illness or accident for an additional period of up to 5 school months, the employee during that additional period receives at least 50% of the employee's regular salary. This bill would additionally provide the differential pay benefits described above for up to 12 workweeks if the classified school employee is absent on account of parental leave, as defined. The bill would provide that the 12-workweek period shall be reduced by any period of sick leave, including accumulated sick leave, taken during a period of parental leave. The bill would no longer require a classified employee to have 1,250 hours of service with the employer during the previous 12-month period, as required by the Moore-Brown-Roberti Family Rights Act, in order to take parental leave pursuant to these provisions. The bill would require that parental leave taken pursuant to these provisions run concurrently with parental leave taken pursuant to the act, and that the aggregate amount of parental leave taken pursuant to either these provisions or under the act not exceed 12 workweeks in a 12-month period. Under existing law, when a person employed in an academic position in a community college district exhausts all available sick leave, as specified, and continues to be absent from his or her duties on account of illness or accident for an additional period of up to 5 school months, the person employed in an academic position during that additional period receives the difference between his or her salary and the sum that is actually paid a temporary employee employed to fill his or her position during his or her absence or, if no temporary employee was employed, the amount that would have been paid to the temporary employee had he or she been employed. This bill would additionally provide the differential pay benefit described above for up to 12 workweeks if the person employed in an academic position is absent on account of parental leave, as defined, as specified. The bill would provide that the 12-workweek period shall be reduced by any period of sick leave, including accumulated sick leave, taken during a period of parental leave. The bill would additionally provide that if a community college district maintains a rule that credits a person employed in an academic position at least 100 working days of sick leave paid at no less than 50% of the employee's regular salary, when an employee has exhausted all available sick leave, including all accumulated sick leave, and continues to be absent from his or her duties on account of parental leave, the employee would be compensated at no less than 50% of the employee's regular salary for the remaining portion of the 12-workweek period of parental leave. The bill would no longer require a person employed in an academic position to have 1,250 hours of service with the employer during the previous 12-month period, as required by the Moore-Brown-Roberti Family Rights Act, in order to take parental leave pursuant to these provisions. The bill would require that parental leave taken pursuant to these provisions run concurrently with parental leave taken pursuant to the act, and that the aggregate amount of parental leave taken pursuant to either these provisions or under the act not exceed 12 workweeks in a 12-month period.

AB 2899 *Minimum wage violations: challenges*

Roger Hernández Under existing law, any employer or other person acting either individually or as an officer, agent, or employee of another person, who pays or causes to be paid to any employee a wage less than the minimum fixed by applicable state or local law or an order of the Industrial Welfare Commission, is subject to a civil penalty, restitution of wages, liquidated damages payable to the employee, and any applicable specified penalties, as provided. Existing law provides notice and hearing requirements under which a person against whom a citation has been issued can request a hearing to contest proposed assessment of a civil penalty, wages, liquidated damages, and any applicable penalties. Existing law further provides that after a hearing with the Labor Commissioner, a person contesting a citation may file a writ of mandate, within 45 days, with the appropriate superior court. This bill would require a person seeking a writ of mandate contesting the Labor Commissioner's ruling to post a bond with the Labor Commissioner, as specified, in an amount equal to the unpaid wages assessed under the citation, excluding penalties. The bill would require that the bond be issued in favor of the unpaid employees and ensure that the person seeking the writ makes prescribed payments pursuant to the proceedings. The bill would provide that the proceeds of the bond, sufficient to cover the amount owed, would be forfeited to the employee if the employer fails to pay the amounts owed within 10 days from the conclusion of the proceedings, as specified

SB 3 *Minimum wage: in-home supportive services: paid sick days*

Leno (1) Under existing law, the Healthy Workplaces, Healthy Families Act of 2014, an employee who, on or after July 1, 2015, works in California for the same employer for 30 or more days within a year from the commencement of employment is entitled to paid sick days, as specified. Existing law requires an employee to accrue paid sick days at the rate of not less than one hour per every 30 hours worked subject to specified use and accrual limitations. For the purposes of the act, an "employee" does not include a provider of in-home supportive services, as described. This bill, on and after July 1, 2018, would entitle a provider of in-home supportive services who works in California for 30 or more days within a year from the commencement of employment to paid sick days, subject to specified full amount of leave time amounts and that rate of accrual. The bill would require the State Department of Social Services, in consultation with stakeholders, to convene a workgroup to implement paid sick leave for in-home supportive services providers and to issue guidance in that regard by December 1, 2017. The bill would authorize the department to implement that paid sick leave without complying with the Administrative Procedure Act. (2) On and after July 1, 2014, existing law requires the minimum wage for all industries to be not less than \$9 per hour. On and after January 1, 2016, existing law requires the minimum wage for all industries to be not less than \$10 per hour. This bill would require the minimum wage for all industries to not be less than specified amounts to be increased from January 1, 2017, to January 1, 2022, inclusive, for employers employing 26 or more employees and from January 1, 2018, to January 1, 2023, inclusive, for employers employing 25 or fewer employees, except when the scheduled increases are temporarily suspended by the Governor, based on certain determinations. The bill would also require the Director of Finance, after the last scheduled minimum wage increase, to annually adjust the minimum wage under a specified formula. On or before July 28, 2017, and on or before every July 28 thereafter until the minimum wage is a specified amount for employers employing 26 or more employees, the bill would require the Director of Finance to annually determine, based on certain factors, whether economic conditions can support a scheduled minimum wage increase and certify that determination to the Governor and the Legislature. The bill would also require the State Board of Equalization to publish specified retail sales and use tax information on its Internet Web site to be used by the Director of Finance in making that determination. On or before July 28, 2017, and on or before every July 28 thereafter until the minimum wage is a specified amount for employers employing 26 or more employees, in order to ensure that the General Fund can support the next scheduled minimum wage increase, the bill would also require the Director of Finance to annually determine and certify to the Governor and the

Legislature whether the General Fund would be in a deficit in the current fiscal year, or in either of the following 2 fiscal years.

- SB 954
Hertzberg *Public works: prevailing wage: per diem wages*
Existing law requires, except for public works projects of \$1,000 or less, that workers employed on public works be paid not less than the general prevailing rate of per diem wages for work of a similar character in the locality that the public work is performed, and not less than the general prevailing rate of per diem wages for holiday and overtime work fixed, as prescribed. Existing law requires the Director of Industrial Relations to determine the general prevailing rate of per diem wages for work of a similar character in the locality in which the public work is to be performed, and the general prevailing rate of per diem wages for holiday and overtime work. Existing law includes, as per diem wages, employer payment for industry advancement and collective bargaining agreements administrative fees, provided that these payments are required under a collective bargaining agreement pertaining to the particular craft, classification, or type of work within the locality or the nearest labor market area at issue. Per diem wages also include employer payments for other purposes similar to those specified, including, but not limited to, certain apprenticeship or other training programs, to the extent that the cost of training is reasonably related to the amount of the contributions, and worker protection and assistance programs or committees established under the federal Labor Management Cooperation Act of 1978, to the extent that the activities of the programs or committees are directed to the monitoring and enforcement of laws related to public works. This bill would instead require per diem wages to include industry advancement and collective bargaining agreements administrative fees if the payments are made pursuant to a collective bargaining agreement to which the employer is obligated. The bill would also exclude from per diem wages, if the payments are not made pursuant to a collective bargaining agreement to which the employer is obligated, employer payments for other purposes similar to certain apprenticeship or other training programs, worker protection and assistance programs or committees established under the federal Labor Management Cooperation Act of 1978, and industry advancement and collective bargaining agreements administrative fees, as specified. Existing law provides that employer payments are credits against the obligation to pay the general prevailing rate of per diem wages. Credit is prohibited for benefits required to be provided by other state or federal law or for payments made to monitor and enforce laws related to public works if those payments are not made to a program or committee established under the federal Labor Management Cooperation Act of 1978. This bill would also prohibit credit for payments for industry advancement and collective bargaining agreement administrative fees if those payments are not made pursuant to a collective bargaining agreement to which the employer is obligated.
- SB 1001
Mitchell *Employment: unfair practices*
Existing law prohibits an employer or any other person from engaging in, or directing another person to engage in, an unfair immigration-related practice against a person for the purpose of or intent to retaliate against any person for exercising a protected right, as specified. Existing law defines requesting more or different documents than are required under federal law, or refusing to honor documents tendered that on their face reasonably appear to be genuine, as an unfair immigration-related practice. This bill would make it unlawful for an employer to request more or different documents than are required under federal law, to refuse to honor documents tendered that on their face reasonably appear to be genuine, to refuse to honor documents or work authorization based upon the specific status or term of status that accompanies the authorization to work, or to reinvestigate or reverify an incumbent employee's authorization to work, as specified. The bill would authorize an applicant for employment or an employee who is subject to an unlawful act that is prohibited by these provisions, or a representative of that applicant for employment or employee, to file a complaint with the Division of Labor Standards Enforcement. The bill would specify that any person who violates these provisions shall be subject to a penalty imposed by the Labor Commissioner not exceeding \$10,000, and be liable for equitable relief.

- SB 1015 *Domestic work employees: labor standards*
Leyva Existing law regulates the wages, hours, and working conditions of any man, woman, or minor employed in any occupation, trade, or industry, whether the amount of compensation is measured by time, piece, or otherwise, except as specified. An existing order of the Industrial Welfare Commission regulates wages, hours, and working conditions for household occupations. Existing law makes violations of certain of these provisions and this order a misdemeanor. Existing law, the Domestic Worker Bill of Rights, regulates the hours of work of domestic work employees who are personal attendants and provides an overtime compensation rate for those employees. The Domestic Worker Bill of Rights defines terms for its purposes and requires the Governor to convene a committee to study and report to the Governor on the effects of its provisions on personal attendants and their employers. Existing law repeals the Domestic Worker Bill of Rights as of January 1, 2017. This bill would delete the repeal date.
- SB 1063 *Conditions of employment: wage differential: race or ethnicity*
Hall Existing law prohibits an employer from paying any of its employees at wage rates less than the rates paid to employees of the opposite sex for substantially similar work, when viewed as a composite of skill, effort, and responsibility, and performed under similar working conditions, unless the employer demonstrates that specific, reasonably applied factors account for the entire wage differential. Existing law authorizes an employee paid lesser wages in violation of this prohibition to file a complaint with the Division of Labor Standards Enforcement, and authorizes the employee, the division, or the Department of Industrial Relations to commence a civil action for the wages the employee was deprived of because of the violation, interest on those wages, and liquidated damages. Under existing law, an employer or other person who violates or causes a violation of that prohibition, or who reduces the wages of any employee in order to comply with that prohibition, is guilty of a misdemeanor. This bill would also prohibit an employer from paying any of its employees at wage rates less than the rates paid to employees of another race or ethnicity for substantially similar work, as specified above.
- SB 1073 *Personal income taxes: earned income credit: credit percentage: phaseout percentage*
Monning The Personal Income Tax Law allows various credits against the taxes imposed by that law, including certain credits that are allowed in modified conformity to credits allowed by federal income tax laws. Federal income tax laws allow a refundable earned income tax credit for certain low-income individuals who have earned income from specified sources and who meet certain other requirements. The Personal Income Tax Law, for taxable years beginning on or after January 1, 2015, in modified conformity with federal income tax laws, allows an earned income credit against personal income tax, and a payment from the Tax Relief and Refund Account for an allowable credit in excess of tax liability, to an eligible individual in an amount determined in accordance with federal law as applicable for federal income tax purposes for the taxable year, multiplied by the earned income tax credit adjustment factor, as specified. Existing law creates the Tax Relief and Refund Account, which is continuously appropriated, and provides that required payments to be made to taxpayers or other persons from the Personal Income Tax Fund are to be paid from that account, including amounts allowable as an earned income credit in excess of any tax liability. The Personal Income Tax Law provides that the amount of the credit is calculated as a percentage of the eligible individual's earned income and is phased out above a specified amount as income increases. Under existing law, the credit percentage and the phaseout percentage is based on the number of qualifying children of the eligible individual. Existing law provides, in modified conformity with federal income tax law, in the case of an eligible individual with 3 or more qualifying children, for taxable years beginning before January 1, 2016, the credit percentage and phaseout percentage is 45%, and for taxable years beginning on or after January 1, 2016, the credit percentage and phaseout percentage is the same as for an eligible individual with 2 or more children, which is 40%. This bill, for taxable years beginning on and after January 1, 2016, would instead provide that, in the

case of an eligible individual with 3 or more qualifying children, the credit percentage and phaseout percentage is 45%, thereby increasing the credit percentage and the phaseout percentage for those eligible individuals for taxable years beginning on and after January 1, 2016. By increasing the allowable credit amount, this bill would authorize new payments from the Tax Relief and Refund Account for additional amounts in excess of personal income tax liabilities, thereby making an appropriation.

SB 1234
De León

Retirement savings plans

Existing federal law provides for tax-qualified retirement plans and individual retirement accounts or individual retirement annuities by which private citizens may save money for retirement. Existing law, the California Secure Choice Retirement Savings Trust Act, establishes the California Secure Choice Retirement Savings Program, administered by the California Secure Choice Retirement Savings Investment Board, contingent on specified funding and interest criteria being met. Existing law prescribes the composition of the board and its duties and provides that it acts as trustee in entering contracts and accepting moneys, among other things. Existing law prohibits the board from permitting enrollment in the program until enactment of a statute expressing legislative approval of program implementation. The program requires specified eligible employers, as defined, to offer a payroll deposit retirement savings arrangement and requires eligible employees, as defined, who do not opt out of the program, to contribute a portion of their salary or wages to a retirement savings account in the program, as specified. Existing law requires contributions from the wages of employees participating in the program to be deposited in the California Secure Choice Retirement Savings Trust, which is continuously appropriated and administered by the board. Existing law authorizes the board to adjust the employee contribution amount between 2% and 4%, inclusive, of the employee's annual salary or wages, as specified. This bill would express legislative approval of the program and its implementation on January 1, 2017. The bill would require the board, prior to opening the program for enrollment, to make a report to the Governor and Legislature affirming that certain requirements have been met, including that the program is structured to meet a United States Department of Labor regulation, as specified. The bill would require the board to design and implement the program and would prescribe certain parameters that the board is to consider and utilize in establishing the design. The bill would require the board, for up to 3 years following implementation, to establish managed accounts invested in United States Treasury securities, in myRAs, as defined, or in similar investments and would make conforming changes in this connection in provisions related to mitigating risk in the investment portfolio and payment of the costs of administration. The bill would require the board, after this period, to annually prepare and adopt a written statement of investment policy containing specified elements. The bill would require the board to consider the statement and any changes in the investment policy at a public hearing. The bill would specify that funding and first year administrative costs may be appropriated in the annual budget from the General Fund and would require the board to repay the amount appropriated, plus interest, as specified. On and after 6 years from the date the program is implemented, the bill would prohibit expenditures for the purpose of paying operative costs and administering the trust from exceeding 1% of the total program fund. The bill would revise the purposes for which administrative and program funds may be expended. The bill would provide that investment policy decisions, including asset allocation and investment options, are entrusted to the board as a fiduciary, and would revise certain principles that the board is to consider in connection with investment policy. The bill would exempt the California Secure Choice Retirement Savings Trust from specified provisions regarding the qualification of securities for sale. The bill would make various changes to existing duties of the board, including those regarding dissemination of information and the entities with which the board is to collaborate and cooperate. The bill would require the Treasurer to appoint an executive director of the board, to serve at its pleasure, and to determine the duties of the office and its compensation. The bill would eliminate the duty of the board to ensure that insurance or some other mechanism is in place to protect the value of individual accounts and would eliminate the requirement to secure private underwriting and reinsurance, as

specified. The bill would repeal the duty of the board to conduct an initial market analysis to determine if the condition for the implementation of the program can be met and associated provisions. The bill would eliminate the authority of the board to establish certain investment options. This bill would require eligible employers that do not offer specified retirement plans or accounts to have a payroll deposit retirement savings arrangement so that employees may participate in the program within specified time periods based on the number of eligible employees that the employer has, and the bill would authorize the board to extend these time periods. The bill would provide that employers retain the right at all times to set up and offer their own qualified retirement plans. The bill would define an employer of a provider of in-home supportive services as an employer if a specified determination and certification are made and would require the state or a county that makes a direct payment to a provider to assume obligations regarding retirement savings accounts, including payroll deposit IRA arrangements offered under the program. The bill would authorize the board to adjust the employee contribution amount described above up to 5% and would prescribe other limits on increasing employee contributions. The bill would authorize the board to make annual, automatic escalations of employee contributions subject to certain limitations, including that the employee may opt out, as specified. By authorizing the board to increase moneys that are deposited into the California Secure Choice Retirement Savings Trust, which is continuously appropriated, the bill would make an appropriation. The bill would authorize the board to adopt regulations to implement the program and would provide that the adoption, amendment, repeal, or readoption of a regulation authorized by this section is deemed to address an emergency.

Education

- AB 526
Holden *Pupils: attendance at community college*
Existing law authorizes the governing board of a school district to authorize a pupil who meets specified criteria to attend community college. Existing law limits the number of pupils a principal is authorized to recommend for community college summer session pursuant to those provisions to 5% of the total number of pupils in any grade level, as specified. This bill, until January 1, 2020, would exempt from the 5% limitation pupils who meet specified requirements and who enroll in certain community college courses. The bill would require the Chancellor of the California Community Colleges to annually report to the Department of Finance the number of pupils who enrolled and received a passing grade in a community college summer session course. This bill would declare that it is to take effect immediately as an urgency statute.
- AB 801
Bloom *Postsecondary education: Success for Homeless Youth in Higher Education Act*
(1) Existing law, the Donahoe Higher Education Act, sets forth the missions and functions of the segments of postsecondary education in this state. Among other things, the act requires the California State University and each community college district, and requests the University of California, with respect to each campus in their respective jurisdictions that administers a priority enrollment system, to grant priority in that system for registration for enrollment to foster youth, as defined, or former foster youth, until the repeal of this provision on January 1, 2017. This bill would enact the Success for Homeless Youth in Higher Education Act. The bill would delete the repeal date of, and thereby extend indefinitely, the above-referenced priority requirement, with respect to the California State University and community college districts, and the request for the granting of priority, with respect to the University of California. The bill would extend that priority requirement, and that request, to include homeless youth until January 1, 2020. To the extent that this provision would impose new duties on community college districts, it would constitute a state-mandated local program. (2) Existing provisions of the Donahoe Higher Education Act set forth various duties and responsibilities for state entities, such as the California State University, the California Community Colleges, the University of California, and the Treasurer, with respect to federal assistance to higher education. Existing provisions of the Ortiz-Pacheco-Poochigian-Vasconcellos Cal Grant Program set forth the requirements for status as a “qualifying institution” whose students are eligible, if as individuals they meet pertinent program requirements, to receive Cal Grant awards. This bill would require qualifying institutions, other than the University of California, which would be requested to do so, to designate a staff member who is employed within the financial aid office, or another appropriate office or department, of the institution to serve as a Homeless and Foster Student Liaison and to inform current and prospective students of the institution about student financial aid and other assistance available to homeless youth and current and former foster youth, as specified. To the extent that this provision would impose new duties on community college districts, it would constitute a state-mandated local program. (3) Existing law establishes the Student Aid Commission and assigns to it numerous duties with respect to student financial aid programs, including the Community College Student Financial Aid Outreach Program and the Student Opportunity and Access Program. Both of these programs include provisions addressing the needs of youth from low-income households and specifically include low-income youth within the scope of the respective programs. This bill would additionally place homeless youth, as defined, within the scope of these programs. (4) Existing law establishes the California Community Colleges under the administration of the Board of Governors of the California Community Colleges. Existing law requires the governing board of each community college district to charge an enrollment fee of \$46 per unit per semester, but authorizes the waiver of this fee for students meeting specified requirements. This bill would add persons who are, at the time of enrollment, homeless youths, as defined, to the groups of persons eligible for this fee waiver. To the extent that this provision would impose new duties on community college districts, it would constitute a state-mandated local program.

- AB 1014 *Education finance: Safe Neighborhoods and Schools Fund: Learning Communities for School Success Program*
Thurmond
Existing law, the Safe Neighborhoods and Schools Act, enacted by Proposition 47, as approved by the voters at the November 4, 2014, statewide general election, among other things, established the Safe Neighborhoods and Schools Fund, a continuously appropriated fund, which is funded by savings that accrue to the state from the implementation of the act. The act provides that, among other purposes, 25% of the funds shall be disbursed to the State Department of Education to administer a grant program to public agencies aimed at improving outcomes for public school pupils by reducing truancy and supporting pupils who are at risk of dropping out of school or are victims of crime. This bill would establish the Learning Communities for School Success Program for the purpose of implementing that grant program, subject to an appropriation to the Safe Neighborhoods and Schools Fund in the annual Budget Act or another statute for the purposes of the bill. The bill would specify the administrative duties and responsibilities of the department with respect to the program, including administering grants and coordinating assistance to local educational agencies, as defined. The bill would set forth criteria to guide the department in awarding grants under the program, and would specify the purposes for which grant funds may be used. The bill would require the department to submit a final evaluation of the program to the Legislature on or before January 31, 2020.
- AB 1449 *Student financial aid: California Community College Transfer Cal Grant Entitlement Program*
Lopez
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 California Community College Transfer Cal Grant Entitlement Program, a student who transfers from a California community college to a qualifying institution that offers a baccalaureate degree receives a Cal Grant A or B award if the student meets specified requirements, among which is that the student graduate from a California high school or its equivalent during or after the 2000–01 academic year. This bill would, commencing with the 2017–18 academic year, exempt a student from the requirement that the student graduate from a California high school or its equivalent if he or she did not graduate from high school or its equivalent and was a California resident, as determined pursuant to specified provisions of law, on his or her 18th birthday.
- AB 1557 *School facilities: use by nonprofit youth organizations: recreational youth sports leagues*
Mathis
Existing law, known as the Civic Center Act, authorizes the governing board of a school district to grant the use of school facilities or grounds as a civic center, for specified purposes, upon terms and conditions deemed proper by the governing board of the school district. The act requires the governing board of a school district to authorize the use of school facilities or grounds by a nonprofit organization, or by a club or an association organized to promote youth and school activities, including, but not necessarily limited to, the Girl Scouts, the Boy Scouts, Camp Fire USA, the YMCA, a parent-teacher association, or a school-community advisory council. The act authorizes and requires the governing board of a school district to charge certain fees for use of its school facilities or grounds. This bill would specifically authorize a governing board of a school district to authorize the use of school facilities or grounds by a nonprofit organization, or by a club or an association organized to promote youth and school activities, that is a recreational youth sports league that charges participants an average of no more than \$60 per month.
- AB 1639 *Pupil health: The Eric Paredes Sudden Cardiac Arrest Prevention Act*

Maienschein Existing law requires a school district, charter school, or private school that elects to offer an athletic program to comply with certain requirements relating to pupil safety, including, among other things, removing an athlete who is suspected of sustaining a concussion or head injury from an athletic activity. This bill would create the Eric Paredes Sudden Cardiac Arrest Prevention Act and would require the State Department of Education to post on its Internet Web site guidelines, videos, and an information sheet on sudden cardiac arrest symptoms and warning signs, and other relevant materials relating to sudden cardiac arrest. The bill would require a pupil in any public school, including a charter school, or private school that elects to conduct athletic activities, and the pupil's parent or guardian, to sign and return an acknowledgment of receipt of an information sheet on sudden cardiac arrest symptoms and warning signs each school year before the pupil participates in an athletic activity, as specified. The bill would require an athletic director, coach, athletic trainer, or authorized person, as defined, to remove from participation a pupil who passes out or faints while participating in or immediately following an athletic activity, and would require a coach of an athletic activity to complete a sudden cardiac arrest training course every other school year. The bill would impose penalties, on and after July 1, 2019, for a violation of the provision requiring a coach to complete a sudden cardiac arrest training course, as specified. The bill would make the act's provisions operative on July 1, 2017.

AB 1654 *Student safety: crime reporting*
Santiago The federal Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act) requires eligible institutions of higher education participating in federal student assistance financial grant programs or federal work study programs to collect and annually prepare, publish, and distribute to current students and employees, and to applicants for enrollment or employment upon request, an annual security report containing information with respect to the campus security policies and campus crime statistics of that institution. The federal act further requires that the institutions annually file statistics concerning the occurrence of crimes on campus or on noncampus buildings or property, with the United States Secretary of Education. The federal Violence Against Women Reauthorization Act of 2013 requires each of these institutions to include in these reports a statement of policy regarding the institution's programs to prevent domestic violence, dating violence, sexual assault, and stalking and the procedures the institution will follow once an incident of domestic violence, dating violence, sexual assault, or stalking has been reported, as specified. Existing law requires the State Auditor, every 3 years, to report the results of an audit of a sample of not less than 6 institutions of postsecondary education that receive federal student aid, to evaluate the accuracy of their statistics and the procedures used by the institutions to identify, gather, and track data for publishing, disseminating, and reporting accurate crime statistics in compliance with the Clery Act, and to report the results of those audits to the respective chairs of the Assembly Committee on Higher Education and the Senate Committee on Education. This bill would require the State Auditor to include in this audit an evaluation of the institutions' compliance with state law governing crime reporting and the development and implementation of student safety policies and procedures.

AB 1741 *California College Promise Innovation Grant Program*
Rodriguez 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. The board appoints a chief executive officer known as the Chancellor of the California Community Colleges. Under existing law, community college districts are authorized, among other things, to maintain and operate campuses, employ faculty and other employees, and provide instruction to students. This bill would establish the California College Promise Innovation Grant Program, under the administration of the Office of the Chancellor of the California Community Colleges, which would require the chancellor's office to distribute grants, upon appropriation by the Legislature, to the governing boards of community college districts, who meet certain requirements, to support the establishment of

regional programs with the goals of increasing college preparation, college access, and college success. These provisions would be repealed on January 1, 2021.

AB 1748
Mayes

Pupils: pupil health: opioid antagonist

(1) Existing law authorizes a pharmacy to furnish epinephrine auto-injectors to a school district, county office of education, or charter school if certain conditions are met. Existing law requires the school district, county office of education, or charter school to maintain records regarding the acquisition and disposition of epinephrine auto-injectors furnished by the pharmacy for a period of 3 years from the date the records were created. This bill would authorize a pharmacy to furnish naloxone hydrochloride or another opioid antagonist to a school district, county office of education, or charter school if certain conditions are met. The bill would require the school district, county office of education, or charter school to maintain records regarding the acquisition and disposition of naloxone hydrochloride or another opioid antagonist furnished by the pharmacy for a period of 3 years from the date the records were created. (2) Under existing law, the governing board of a school district is required to give diligent care to the health and physical development of pupils and may employ properly certified persons for that work. Existing law requires school districts, county offices of education, and charter schools to provide emergency epinephrine auto-injectors to school nurses or trained volunteer personnel and authorizes 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, as provided. This bill would authorize a school district, county office of education, or charter school to provide emergency naloxone hydrochloride or another opioid antagonist to school nurses and trained personnel who have volunteered, as specified, and authorizes school nurses and trained personnel to use naloxone hydrochloride or another opioid antagonist to provide emergency medical aid to persons suffering, or reasonably believed to be suffering, from an opioid overdose. The bill would expressly authorize each public and private elementary and secondary school in the state to voluntarily determine whether or not to make emergency naloxone hydrochloride or another opioid antagonist and trained personnel available at its school and to designate one or more school personnel to receive prescribed training regarding naloxone hydrochloride or another opioid antagonist from individuals in specified positions. The bill would require the Superintendent of Public Instruction to establish minimum standards of training for the administration of naloxone hydrochloride or another opioid antagonist, to review these standards every 5 years or sooner as specified, and to consult with organizations and providers with expertise in administering naloxone hydrochloride or another opioid antagonist and administering medication in a school environment in developing and reviewing those standards. The bill would require the State Department of Education to include on its Internet Web site a clearinghouse for best practices in training nonmedical personnel to administer naloxone hydrochloride or another opioid antagonist to pupils. The bill would require a school district, county office of education, or charter school choosing to exercise the authority to provide emergency naloxone hydrochloride or another opioid antagonist to provide the training for the volunteers at no cost to the volunteers and during the volunteers' regular working hours. The bill would require a qualified supervisor of health or administrator at a school district, county office of education, or charter school electing to utilize naloxone hydrochloride or another opioid antagonist for emergency medical aid to obtain the prescription for naloxone hydrochloride or another opioid antagonist from an authorizing physician and surgeon, as defined, and would authorize the prescription to be filled by local or mail order pharmacies or naloxone hydrochloride or another opioid antagonist manufacturers. The bill would authorize school nurses or, if the school does not have a school nurse, a person who has received training regarding naloxone hydrochloride or another opioid antagonist to immediately administer naloxone hydrochloride or another opioid antagonist under certain circumstances. The bill would provide that volunteers may administer naloxone hydrochloride or another opioid antagonist only by nasal spray or by auto-injector, as specified. The bill would prohibit an authorizing physician and surgeon from being subject to professional review, being liable in a civil action, or being subject to criminal prosecution for any act in the issuing of a prescription

or order, pursuant to these provisions, unless the act constitutes gross negligence or willful or malicious conduct. The bill would prohibit a person trained under these provisions who administers naloxone hydrochloride or another opioid antagonist, in good faith and not for compensation, to a person who appears to be experiencing an opioid overdose from being subject to professional review, being liable in a civil action, or being subject to criminal prosecution for this administration.

- AB 2212 *Pupils: suspension and expulsions: bullying: electronic acts: video*
Harper Existing law prohibits the suspension, or recommendation for expulsion, of a pupil from school unless the superintendent of the school district or the principal of the school determines that the pupil has committed any of various specified acts, including, but not limited to, engaging in an act of bullying by means of an electronic act. Existing law defines “electronic act” as the creation or transmission originated on or off the schoolsite, by means of an electronic device, including, but not limited to, a telephone, wireless telephone, or other wireless communication device, computer, or pager, of a communication, including, but not limited to, a message, text, sound, or image, or a post on a social network Internet Web site. This bill would expressly include a video within the definition of what constitutes an electronic act.
- AB 2246 *Pupil suicide prevention policies*
O’Donnell Existing law establishes a system of public elementary and secondary schools in this state and provides for the establishment of school districts and other local educational agencies to operate these schools and provide instruction to pupils. Existing law establishes the State Department of Education in state government and vests the department with specified powers and duties relating to the state’s public school system. This bill would require the governing board or body of a local educational agency, as defined, that serves pupils in grades 7 to 12, inclusive, to, before the beginning of the 2017–18 school year, adopt a policy on pupil suicide prevention, as specified, that specifically addresses the needs of high-risk groups. By imposing additional duties on local educational agencies, the bill would impose a state-mandated local program. The bill would require the department to develop and maintain a model policy to serve as a guide for local educational agencies.
- AB 2259 *School accountability: dropout recovery high schools*
Medina Existing law requires the Superintendent of Public Instruction, with approval of the State Board of Education, to develop an Academic Performance Index (API), as part of the Public School Performance Accountability Program, to measure the performance of schools and school districts, especially the academic performance of pupils. The API consists of a variety of indicators including specified achievement test scores, attendance rates, and graduation rates. Existing law requires the Superintendent, with approval of the state board, to develop an alternative accountability system for specified types of schools, including, among others, community day schools and continuation schools. Existing law allows these schools to receive an API score, but prohibits them from being included in the API rankings of schools. Existing law, until January 1, 2017, requires the Superintendent and the state board, as part of the alternative accountability system for schools, or any successor system, to allow no more than 10 dropout recovery high schools, as defined, to report the results of an individual pupil growth model that is proposed by the school and certified by the Superintendent pursuant to specified criteria instead of reporting other indicators. This bill would extend the repeal date of that provision to January 1, 2020, and would update cross-references.
- AB 2306 *Juvenile court school pupils*
Frazier Existing law provides for the administration and operation of juvenile court schools by the county board of education. This bill would express the Legislature’s intent that juvenile court schools have a rigorous curriculum that includes a course of study that prepares pupils for high school graduation and career entry and fulfills the requirements for admission to the California

State University and the University of California. Existing law prescribes the course of study a pupil is required to complete while in grades 9 to 12, inclusive, in order to receive a diploma of graduation, and authorizes the governing board of a school district to prescribe other coursework requirements that are in addition to the statewide requirements. Existing law exempts pupils in foster care and pupils who are homeless children or youths from local graduation requirements and also requires a school district and county office of education to accept coursework satisfactorily completed by those pupils while attending another public school, a juvenile court school, or a nonpublic, nonsectarian school. This bill would make that exemption and requirement to accept coursework satisfactorily completed applicable to former juvenile court school pupils, as defined. The bill would also require a county office of education to issue a diploma of graduation to a pupil who completes statewide coursework requirements for graduation while attending a juvenile court school but does not complete coursework and other requirements that are in addition to the statewide graduation requirements.

AB 2536
Chau

Pupil discipline and safety: cyber sexual bullying

(1) Existing law prohibits the suspension of a pupil from school or the recommendation of a pupil for expulsion from school unless the school district superintendent or the principal of the school in which the pupil is enrolled determines that the pupil has committed any of several specified acts, including, but not limited to, engaging in acts of bullying by means of an electronic act. This bill would include engaging in an act of cyber sexual bullying, as defined, as an act of bullying by means of an electronic act for which a pupil may be suspended or expelled from school. (2) Existing law requires the State Department of Education to display current information, and periodically update information, on curricula and other resources that specifically address bias-related discrimination, harassment, intimidation, and bullying based on certain actual or perceived characteristics on the California Healthy Kids Resource Center Internet Web site and other appropriate department Internet Web sites where information about discrimination, harassment, intimidation, and bullying is posted. This bill would add cyber sexual bullying to this list of topics on which the department would be required to provide information. The bill would require the department to annually inform school districts of the information on the California Healthy Kids Resource Center Internet Web site and other appropriate department Internet Web sites where information about cyber sexual bullying is posted. The bill would encourage school districts to inform pupils regarding the available information and resources on the department's Internet Web sites regarding the dangers and consequences of cyber sexual bullying to help reduce the instances of cyber sexual bullying.

AB 2537
O'Donnell

Pupils: school attendance: residency requirements

Existing law provides that a pupil is deemed to have complied with the residency requirements for school attendance in a school district if the pupil satisfies one of the specified requirements. Until July 1, 2017, existing law authorizes a school district within the boundaries of which at least one parent or the legal guardian of a pupil is physically employed for a minimum of 10 hours during the school week to allow that pupil to attend a school in that school district through grade 12 if the parent or legal guardian of the pupil so chooses and if the parent or legal guardian of the pupil continues to be physically employed by an employer situated within the attendance boundaries of the school district. This bill would indefinitely extend the operation of the provision authorizing the school district within the boundaries of which a parent or legal guardian of a pupil is physically employed for a minimum of 10 hours during the school week to allow that pupil to attend a school in that school district.

AB 2615
Wood

After school programs

(1) Existing law establishes the 21st Century High School After School Safety and Enrichment for Teens program, under the administration of the State Department of Education, 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. This bill would, among other things, authorize a school program participating in the state program to charge family fees, as specified, authorize the department to withhold or terminate grant allocations that do not comply with specified reporting requirements required by the department, and allow participating school programs to transfer program services to another schoolsite within the same local educational agency under specified circumstances. (2) Existing law establishes the After School Education and Safety Program (ASES) to serve pupils in kindergarten and grades 1 to 9, inclusive, at participating public elementary, middle, junior high, and charter schools, as specified. This bill would, among other things, specify that grades to be served by participating school programs may be determined by local needs, require participating school programs that charge family fees to waive or reduce the cost of these fees for pupils who are eligible for free or reduced-price meals, and state the intent of the Legislature that participating middle school or junior high school pupils participate in the full day of the program every day during which pupils participate, except as specified. (3) 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 40% of the total amount appropriated pursuant to the 21st CCLC program, except as specified, to be allocated to programs serving elementary and middle school pupils and at least 50% of the total amount appropriated, except as specified, to be allocated on a priority basis for after school grants to community learning centers serving high school pupils. This bill would require the department to allocate those funds to each geographic region of the state, as specified.

AB 2654
Bonilla

Postsecondary education: Equity in Higher Education Act

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. A provision of the act applies to the University of California only to the extent that the Regents of the University of California, by appropriate resolution, act to make the provision applicable. A portion of the Donahoe Education Act known as the Equity in Higher Education Act requires, among other things, each postsecondary educational institution in the State of California to have a written policy on sexual harassment. Existing law requires the postsecondary educational institution's written policy on sexual harassment to include information on where to obtain the specific rules and procedures for reporting charges of sexual harassment and for pursuing available remedies. This bill would require a postsecondary educational institution to post its written policy on sexual harassment on its Internet Web site. The bill would require the policy to include information on the complaint process and the timeline for the complaint process. The bill would require the policy to include information on where to obtain the specific rules and procedures for pursuing available remedies and resources, both on and off campus.

AB 2785
O'Donnell

Special education: English learners: manual

Existing law requires local educational agencies to actively and systematically seek out all individuals with exceptional needs, from birth to 21 years of age, inclusive, including children not enrolled in public school programs, who reside in a school district or are under the jurisdiction of a special education local plan area or a county office of education. This bill would require the State Department of Education, on or before July 1, 2018, to develop a manual providing guidance to local educational agencies on identifying, assessing, supporting, and reclassifying English learners who may qualify for special education services and pupils with disabilities who may be classified as English learners, as specified, with the goal of providing guidance, for voluntary use by local educational agencies, charter schools, and the state special schools on evidence-based and promising practices for the identification, assessment, support, and reclassification of those pupils and to promote a collaborative approach among general education teachers, special education teachers, school administrators, paraprofessionals, other involved personnel, and parents in determining the most appropriate academic placements and services for these pupils. The bill would require the department to post the manual on its Internet

Web site and on its professional development Internet Web site. In developing the manual, the bill would require the department to review manuals and other resources produced on this topic by local educational agencies, special education administrators, other organizations, other states, and the federal government, and to establish and consult with a stakeholder group comprised of specified experts and practitioners. As part of implementing these provisions, the bill would require the department, with input from the stakeholder group, to develop a plan for the dissemination of the manual and the means of providing professional development on the content of the manual, as specified, but would condition the actual implementation of the plan on an appropriation for that purpose in the annual Budget Act or another enacted statute. The bill would require the department to submit the plan to the State Board of Education, the Department of Finance, the Legislative Analyst's Office, the California Collaborative for Educational Excellence, the Advisory Commission on Special Education, and the appropriate policy and fiscal committees of the Legislature on or before July 1, 2018. The bill would state the intent of the Legislature that its provisions be funded with federal funds, to the extent permissible.

AB 2845
Williams

School safety: Safe Place to Learn Act

Existing law establishes the system of public elementary and secondary schools in this state, and provides for the establishment of local educational agencies to operate these schools and provide instruction to pupils. Existing law states the policy of the State of California to afford all persons in public schools, regardless of their disability, gender, gender identity, gender expression, nationality, race or ethnicity, religion, sexual orientation, or any other specified characteristic, equal rights and opportunities in the educational institutions of the state. Existing law, the Safe Place to Learn Act, requires the State Department of Education, as part of its regular monitoring and review of a local educational agency, to assess whether the local educational agency has, among other things, adopted a policy that prohibits discrimination, harassment, intimidation, and bullying, as specified, and has publicized that policy to pupils, parents, employees, agents of the governing board, and the general public. Existing law also requires the department to assess whether the local educational agency has provided to certificated schoolsite employees who serve pupils in any of grades 7 to 12, inclusive, information on existing schoolsite and community resources related to the support of lesbian, gay, bisexual, transgender, and questioning pupils, as specified. This bill would express legislative findings and declarations relating to pupils who are subject to verbal, physical, and online harassment. The bill would add the support of pupils who face bias or bullying on the basis of religious affiliation, or perceived religious affiliation. Existing law requires the Superintendent of Public Instruction to post, and annually update, on the department's Internet Web site and provide to each school district a list of statewide resources, including community-based organizations, that provide support to youth who have been subjected to school-based discrimination, harassment, intimidation, or bullying, and their families. This bill would instead provide that that list include statewide resources, including community-based organizations, that provide support to youth, and their families, who have been subjected to school-based discrimination, harassment, intimidation, or bullying on the basis of religious affiliation, nationality, race, or ethnicity, or perceived religious affiliation, nationality, race, or ethnicity.

SB 66
Leyva

Career technical education

(1) Existing law establishes various career technical education programs, including regional occupational centers and programs, specialized secondary programs, partnership academies, and agricultural career technical education programs. Existing law provides for numerous boards, bureaus, commissions, or programs within the Department of Consumer Affairs that administer the licensing and regulation of various businesses and professions. This bill would require the department to make available, upon request by the Office of the Chancellor of the California Community Colleges, and only to the extent specified, to the chancellor's office specified information with respect to every licensee for the sole purpose of enabling the office of the chancellor to measure employment outcomes of students who participate in career technical

education programs offered by the California Community Colleges and recommend how these programs may be improved. (2) Existing law requires the Chancellor of the California Community Colleges to implement performance accountability outcome measures for the California Community Colleges Economic and Workforce Development Program. This bill would urge the chancellor to align these measures with the performance accountability measures of the federal Workforce Innovation and Opportunity Act.

SB 412
Glazer

Public postsecondary education: The California Promise

Existing law establishes the California State University, under the administration of the Trustees of the California State University, and the California Community Colleges, under the administration of the Board of Governors of the California Community Colleges, as 2 of the segments of public postsecondary education in this state. This bill would establish the California Promise, which would require specified minimum numbers of campuses of the California State University to establish a California Promise program by which the campus would enter into a pledge with a student who satisfies specified criteria to support the student in earning a baccalaureate degree within 4 academic years, or if the student is a community college transfer student who earned an associate degree for transfer, within 2 academic years, of the academic year of the student's first year of enrollment, as specified. The bill would require the trustees to submit, by July 1, 2021, a report to the appropriate policy and fiscal committees of the Legislature that includes specified information about students who participate in the program and a summary description of significant differences in implementation of the program by campuses. The bill would require the trustees to submit recommendations, by March 15, 2017, to the appropriate policy and fiscal committees of the Legislature regarding potential financial incentives that could benefit students who participate in the program. The bill's provisions would be repealed as of January 1, 2026.

SB 527
Liu

Education finance: Safe Neighborhoods and Schools Fund: Learning Communities for School Success Program

Existing law, the Safe Neighborhoods and Schools Act, enacted by Proposition 47, as approved by the voters at the November 4, 2014, statewide general election, among other things, established the Safe Neighborhoods and Schools Fund, a continuously appropriated fund, which is funded by savings that accrue to the state from the implementation of the act. The act provides that, among other purposes, 25% of the funds shall be disbursed to the State Department of Education to administer a grant program to public agencies aimed at improving outcomes for public school pupils by reducing truancy and supporting pupils who are at risk of dropping out of school or are victims of crime. This bill would establish the Learning Communities for School Success Program for the purpose of implementing that grant program, subject to an appropriation to the Safe Neighborhoods and Schools Fund in the annual Budget Act or another statute for the purposes of the bill. The bill would specify the administrative duties and responsibilities of the department with respect to the program, including administering grants and coordinating assistance to local educational agencies, as defined. The bill would set forth criteria to guide the department in awarding grants under the program, and would specify the purposes for which grant funds may be used. The bill would require the department to submit a final evaluation of the program to the Legislature on or before January 31, 2020.

SB 1068
Leyva

Homeless children and youths: local educational agency liaisons: training materials

Existing law requires a local educational agency liaison for homeless children and youths to ensure that public notice of the educational rights of homeless children and youths is disseminated in schools, as specified. This bill would require the State Department of Education to provide specified informational and training materials to local educational agency liaisons for homeless children and youths, including informational materials on the educational rights of homeless children and youths and the resources available to schools to assist homeless children

and youths. The bill would require the department to adopt policies and practices to ensure that local educational agency liaisons for homeless children and youths participate in professional development and other technical assistance programs deemed appropriate by the Superintendent of Public Instruction.

SB 1123
Leyva

Pupil instruction: high school graduation requirements

Existing law requires each pupil completing grade 12 to satisfy certain requirements as a condition of receiving a diploma of graduation from high school. These requirements include the completion of designated coursework in grades 9 to 12, inclusive. The coursework requirements include, among others, the completion of one course in visual or performing arts, foreign language, or, commencing with the 2012–13 school year and continuing until the end of the 2016–17 school year on July 1, 2017, or until the occurrence of a specified event relating to career technical education requirements of the University of California and the California State University, whichever occurs earlier, career technical education, as specified. This bill would instead require that the coursework requirements include, among others, the completion of one course in visual or performing arts, foreign language, or, commencing with the 2012–13 school year and continuing until the end of the 2021–22 school year on July 1, 2022, or until the occurrence of a specified event relating to career technical education requirements of the University of California and the California State University, whichever occurs earlier, career technical education, as specified.

SB 1146
Lara

Discrimination: postsecondary education

The Equity in Higher Education Act, among other things, prohibits a person from being subjected to discrimination on the basis of specified attributes, including sex, in any program or activity conducted by a postsecondary educational institution that receives, or benefits from, state financial assistance or enrolls students who receive state student financial aid. Existing federal law, known as Title IX of the Education Amendments of 1972, prohibits a person, on the basis of sex, from being excluded from participation in, being denied the benefits of, or being subject to discrimination under, any education program or activity receiving federal financial assistance. Both the federal and state laws do not apply to an educational institution that is controlled by a religious organization if the application would not be consistent with the religious tenets of that organization. Title IX provides a private right of action for violation of its provisions by a public postsecondary educational institution. This bill would require an institution that has an exemption from either the Equity in Higher Education Act or Title IX to make specified disclosures to the institution’s current and prospective students, faculty members, and employees, and to the Student Aid Commission, concerning the institution’s basis for having the exemption. The bill would require the commission to collect the information it receives and post and maintain a list on the commission’s Internet Web site of all institutions with the exemption and their respective bases for having the exemption.

SB 1375
Jackson

Educational equity: sex equity in education: federal Title IX notifications

Existing law, the Sex Equity in Education Act, states the policy of the state that elementary and secondary school classes and courses, including nonacademic and elective classes and courses, be conducted without regard to the sex of the pupil enrolled in these classes or courses. Existing federal law, known as Title IX, prohibits a person, on the basis of sex, from being excluded from participation in, being denied the benefits of, or being subject to discrimination under, any education program or activity receiving federal financial assistance. This bill would require, on or before July 1, 2017, all public schools, private schools that receive federal funds and are subject to the requirements of Title IX, school districts, county offices of education, and charter schools to post in a prominent and conspicuous location on their Internet Web sites specified information relating to Title IX. The bill would require the Superintendent of Public Instruction to annually send a letter through electronic means to all public schools, private schools that receive federal funds and are subject to the requirements of Title IX, school districts, county

offices of education, and charter schools informing them of the new requirement that would be created by this bill and of their responsibilities under Title IX.

SB 1435

Jackson

School curriculum: health framework: healthy relationships

Existing law requires the Instructional Quality Commission, during the next revision after January 1, 2016, of the publication “Health Framework for California Public Schools,” to consider including comprehensive information for grades 9 to 12, inclusive, on sexual harassment and violence, as specified. This bill would require the commission to consider including during the next revision of the health framework after January 1, 2017, comprehensive information, for kindergarten and grades 1 to 8, inclusive, on the development of healthy relationships, as specified.

Housing

AB 723

Chiu

Housing: finance

(1) Existing law requires the Department of Housing and Community Development to allocate funds under the federal Community Development Block Grant Program to cities and counties. Existing law requires the department to determine and announce, in the applicable Notice of Funding Availability, the maximum amount of grant funds that may be used for economic development projects and programs, housing for persons and families of low or moderate income or for purposes directly related to the provision or improvement of housing opportunities for these persons and families, and for cities and counties that apply on behalf of certain Indian tribes. Existing law requires the department to develop and use certain eligibility criteria and requirements for certain economic development fund applications. This bill would authorize the Department of Housing and Community Development to issue a Notice of Funding Availability under which the director of the department could determine that an applicant previously awarded funds is eligible to apply for, and receive, additional funds pursuant to the Community Development Block Grant Program, without regard to whether the applicant has expended at least a certain percentage of funds previously awarded. (2) Existing law authorizes the Housing Finance Agency to issue revenue bonds for the purpose of financing the acquisition, construction, rehabilitation, refinancing, or development of multifamily rental housing and for the provision of capital improvements in connection with, and determined necessary to, that multifamily rental housing. Existing law requires no less than 20%, or 15% for those multifamily rental housing developments located in a target area, as defined, of the total number of units in a multifamily rental housing development, financed or for which financing has been extended or committed from the proceeds of sale of each bond issuance of the agency, to be for occupancy on a priority basis by lower income households. Existing law further requires that not less than 1/2 of the units required for occupancy on a priority basis by lower income households be for occupancy on a priority basis for very low income households. This bill would authorize the agency to waive the priority requirements for very low income households upon approval of the board and a specified determination. Existing law prohibits rental payments on units required for occupancy by very low income households paid by persons occupying the units from exceeding 30% of 50% of the area median income, and sets forth occupancy assumptions for adjusting rents for household size, as specified. This bill would, commencing September 1, 2016, authorize the agency to also utilize occupancy assumptions that it has determined are appropriate and commercially reasonable for financing extended pursuant to these provisions. Existing law provides that the authorization to issue revenue bonds for these purposes constitutes an alternative method to issue bonds for making construction loans and mortgage loans for multifamily rental housing. This bill would instead provide that the authorization to issue revenue bonds for these purposes constitutes an alternative method to finance construction loans and mortgage loans for multifamily rental housing. (3) This bill would declare that it is to take effect immediately as an urgency statute.

AB 1920

Chau

California Tax Credit Allocation Committee: low-income housing credit: fines

Under existing law, the California Tax Credit Allocation Committee administers the federal and state low-income housing tax credit programs. Existing law requires the committee to allocate the housing credit on a specified regular basis and requires the committee to only allocate credits to a project if the housing sponsor enters into a specified regulatory agreement. Existing law authorizes the committee to make any allocation or reservation of the state's housing credit ceiling to a housing credit applicant subject to specified terms and conditions. Existing law establishes the Housing Rehabilitation Loan Fund, which is continuously appropriated to the Department of Housing and Community Development, to fund various housing-related purposes. This bill would authorize the committee to establish a specified schedule of fines for violations of the terms and conditions, the regulatory agreement, other agreements, or program regulations. The bill would require the committee to define serious violations and, except for

serious violations, would require a first-time property owner violator to be given the opportunity to correct the violation before the fine is imposed. The bill would authorize a property owner to appeal a fine to the committee. The bill would require these fines to be deposited in the Housing Rehabilitation Loan Fund and would authorize the committee to record a property lien if the fine has not been paid within a specified period of time. By depositing these fines into the Housing Rehabilitation Loan Fund, a continuously appropriated fund, the bill would make an appropriation.

AB 2031
Bonta *Local government: affordable housing: financing*
Existing law requires, from February 1, 2012, to July 1, 2012, inclusive, and for each fiscal year thereafter, the county auditor-controller in each county to allocate property tax revenues in the county's Redevelopment Property Tax Trust Fund, established to receive revenues equivalent to those that would have been allocated to former redevelopment agencies had those agencies not been dissolved, towards the payment of enforceable obligations and among entities that include, among others, a city, county, or city and county. This bill would authorize a city or county to reject its allocations of property tax revenues that it would otherwise receive pursuant to specified statutory provisions governing the dissolution of redevelopment agencies. The bill would except from this authorization a city, county, or city and county that became the successor agency to the redevelopment agency and did not receive a finding of completion from the Department of Finance, as specified, and any designated local authority of a redevelopment agency, formed as specified, that did not receive the finding of completion from the Department of Finance. The bill would direct those rejected distributions of property tax revenues to an affordable housing special beneficiary district, established as a temporary and distinct local governmental entity for the express purposes of receiving rejected distributions of property tax revenues and providing financing assistance to promote affordable housing within its boundaries. The bill would require a beneficiary district to be governed by a 5-member board and comply with specified open meeting and public record laws. The bill would automatically require a beneficiary district to cease to exist on a specifically calculated date and prohibit a beneficiary district from undertaking any obligation that requires its action past that date. The bill would transfer any funds and public records of a beneficiary district remaining after the date the beneficiary district ceases to exist to the city or county that rejected its distributions of property tax revenues that were thereafter directed to that beneficiary district, as specified.

AB 2208
Santiago *Local planning: housing element: inventory of land for residential development*
Existing law, the Planning and Zoning Law, requires a city or county to adopt a comprehensive, long-term general plan for the physical development of the city or the county and of any land outside its boundaries that bears relation to its planning. That law requires the general plan to contain specified mandatory elements, including a housing element. Existing law requires the housing element to contain an inventory of land suitable for residential development, as defined, and requires that inventory to be used to identify sites that can be developed for housing within the planning period and that are sufficient to provide for the jurisdiction's share of the regional housing need for all income levels. This bill would revise the definition of land suitable for residential development to include the airspace above sites owned or leased by a city, county, or city and county. By imposing new duties upon local agencies with respect to the housing element of the general plan, this bill would impose a state-mandated local program. The bill would require the department to provide guidance to local governments to properly survey, detail, and account for sites listed within the local governments inventory of land suitable for residential development.

AB 2299
Bloom *Land use: housing: 2nd units*
The Planning and Zoning Law authorizes the legislative body of a city or county to regulate, among other things, the intensity of land use, and also authorizes a local agency to provide by ordinance for the creation of 2nd units in single-family and multifamily residential zones, as

specified. Existing law authorizes the ordinance to designate areas within the jurisdiction of the local agency where 2nd units may be permitted, to impose specified standards on 2nd units, and to provide that 2nd units do not exceed allowable density and are a residential use, as specified. This bill would replace the term “second unit” with “accessory dwelling unit.” The bill would, instead, require the ordinance to include the elements described above and would also require the ordinance to require accessory dwelling units to comply with specified conditions. This bill would require ministerial, nondiscretionary approval of an accessory dwelling unit under an existing ordinance. The bill would also specify that a local agency may reduce or eliminate parking requirements for any accessory dwelling unit located within its jurisdiction. Existing law requires that parking requirements for 2nd units not exceed one parking space per unit or per bedroom. Under existing law, additional parking may be required provided that a finding is made that the additional parking requirements are directly related to the use of the 2nd unit and are consistent with existing neighborhood standards applicable to residential dwellings. This bill would delete the above-described authorization for additional parking requirements.

AB 2406 *Housing: junior accessory dwelling units*

Thurmond

The Planning and Zoning Law authorizes a local agency to provide by ordinance for the creation of 2nd units in single-family and multifamily residential areas, as prescribed. This bill would, in addition, authorize a local agency to provide by ordinance for the creation of junior accessory dwelling units, as defined, in single-family residential zones. The bill would require the ordinance to include, among other things, standards for the creation of a junior accessory dwelling unit, required deed restrictions, and occupancy requirements. The bill would prohibit an ordinance from requiring, as a condition of granting a permit for a junior accessory dwelling unit, additional parking requirements. This bill would declare that it is to take effect immediately as an urgency statute.

AB 2442 *Density bonuses*

Holden

The Planning and Zoning Law requires, when an applicant 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 for 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. This bill would additionally require a density bonus to be provided to a developer that agrees to construct a housing development that includes at least 10% of the total units for transitional foster youth, disabled veterans, or homeless persons, as defined. The bill would require that these units be subject to a recorded affordability restriction of 55 years and be provided at the same affordability level as very low income units. The bill would set the density bonus at 20% of the number of these units.

AB 2501 *Housing: density bonuses*

Bloom

Existing law, the Planning and Zoning Law, requires, when an applicant 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 for the donation of land within the development if the developer, among other things, agrees to construct a specified percentage of units for very low income, low-income, or moderate-income households or qualifying residents. Existing law authorizes the waiver or reduction of development standards that would preclude this development. Existing law requires continued affordability for 55 years or longer, as specified, of all very low income and low-income units that qualified an applicant for a density bonus. Existing law requires a city, county, or city and county to adopt an ordinance to implement these requirements and to establish procedures to carry them out. This bill would revise and recast these provisions to require the local government to adopt procedures and timelines for processing a density bonus application, provide a list of documents and information required to

be submitted with the application in order for it to be deemed complete, and notify the applicant whether it is complete. By increasing the duties of local officials, this bill would impose a state-mandated local program. The bill would prohibit a local government from requiring additional reports or studies to be prepared as a condition of an application. The bill would additionally require each component of any density calculation that results in fractional units to be rounded up to the next whole number, and would provide that this provision is declaratory of existing law. Existing law defines the term “density bonus” for these purposes to mean a density increase over the otherwise maximum allowable residential density as of the date of the application and provides that the applicant may elect to accept a lesser percentage of density bonus. This bill would specify that the term “density bonus” means a density increase over the maximum allowable gross residential density at the time of the date of the application, or, if elected by the applicant, a lesser percentage of density increase or no increase in density. Existing law requires a local government to grant a proposal for specific incentives or concessions requested by an applicant unless the local government makes written findings, based on substantial evidence, that, among other things, the concession or incentive is not required in order to provide affordable housing costs or for rents for the targeted units, as specified. This bill would, instead, provide that the local government is required to provide the requested concessions or incentives unless it finds, based on substantial evidence, that the concession or incentive does not result in identifiable and actual cost reductions, to provide for affordable housing costs or rents for the targeted units, as specified. Existing law defines the term “housing development” for these purposes to mean a development project for 5 or more residential units. This bill would expand that definition to include mixed-use housing.

AB 2556
Nazarian

Density bonuses

The Planning and Zoning Law requires, when an applicant proposes a housing development within the jurisdiction of a 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 for 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. That law makes an applicant ineligible for a density bonus if the housing development is proposed on property with existing or certain former dwelling units subject to specific affordability requirements, including a form of rent or price control through a public entity’s valid exercise of its police power, or on property with existing units occupied by lower or very low income households, unless the proposed housing development replaces those units as prescribed. That law defines “replace” for those purposes to mean, among other things, providing the same number of equivalent units to persons or families in the same or lower income categories. This bill would revise that definition of “replace” to require a rebuttable presumption, based on certain federal data, regarding the proportion of lower income renter households that occupy existing units, if the income category of the households in occupancy is not known. The bill, if the property for the proposed housing development is subject to a form of rent or price control through a local government’s valid exercise of its police power and is or was occupied by a person or family with an income above lower income, would authorize the city, county, or city and county either to require replacement units to be made available at affordable rent or affordable housing cost to, and occupied by, low-income persons or families, as specified, or to require the units to be replaced in compliance with the rent or price control ordinance of the jurisdiction.

AB 2584
Daly

Land use: housing development

The Housing Accountability Act, among other things, prohibits a local agency from disapproving a housing development project for very low, low-, or moderate-income households or an emergency shelter or conditioning approval in a manner that renders the project infeasible unless the local agency makes specified written findings. The act authorizes an applicant or person who would be eligible to apply for residency in the development or emergency shelter to bring an action to enforce the act. This bill would, in addition, authorize a housing organization,

as defined, to bring an action challenging the disapproval of a housing development pursuant to these provisions.

AB 2685

Housing elements: adoption

Lopez

The Planning and Zoning Law requires a city or county to adopt a comprehensive, long-term general plan for the physical development of the city or county and of any land outside its boundaries that bears relation to its planning. That law also requires the general plan to contain specified mandatory elements, including a housing element for the preservation, improvement, and development of housing. Existing law prescribes requirements for the preparation of the housing element, including a requirement that a planning agency submit a draft of the element or draft amendment to the element to the Department of Housing and Community Development prior to the adoption of the element or amendment to the element. This bill would require the planning agency staff to collect and compile public comments and provide them to each member of the legislative body prior to the adoption of the housing element.

SB 866

Veterans housing

Roth

Existing law, the Veterans Housing and Homeless Prevention Bond Act of 2014, authorizes the issuance of bonds in the amount of \$600,000,000 for expenditure by the California Housing Finance Agency, the Department of Housing and Community Development, and the Department of Veterans Affairs (the departments) to provide multifamily housing and services to veterans pursuant to the Veterans Housing and Homeless Prevention Act of 2014. Existing law requires the departments to establish and implement programs pursuant to those purposes. This bill would authorize a housing developer or service provider that provides housing or services pursuant to those provisions to provide housing or services to veterans and their children in women-only facilities in limited instances, as specified.

SB 944

Housing omnibus

Committee on
Transportation
and Housing

(1) Existing law, the Contractors' State License Law, provides for the licensure and regulation of contractors by the Contractors' State License Board. Existing law imposes specified requirements on home improvement contracts and service and repair contracts. Existing law makes it a misdemeanor for a person to engage in the business or act in the capacity of a contractor without a license and provides certain exemptions from that licensure requirement, including exemptions for owner-builders, as specified. This bill would provide an additional exemption for a nonprofit corporation providing assistance to an owner-builder who is participating in a mutual self-help housing program, as specified. (2) The Mobilehome Residency Law governs tenancies in mobilehome parks and, among other things, authorizes the management of a mobilehome park, under specified circumstances, to either remove the mobilehome from the premises and place it in storage or store the mobilehome on its site. Existing law provides the management with a warehouse lien for these costs and imposes various duties on the management to enforce this lien, including requiring the management to file a notice with the county tax collector of the management's intent to apply to have the mobilehome designated for disposal after a warehouse lien sale and a notice of disposal with the Department of Housing and Community Development no less than 10 days after the date of sale to enforce the lien against the mobilehome in order to dispose of a mobilehome after a warehouse lien sale, as specified. This bill would instead require the management to file a notice of intent to apply to have a mobilehome designated for disposal with the tax collector and a notice of disposal with the department no less than 30 days after the date of sale to enforce the lien against the mobilehome. Existing law also establishes procedures by which the management may dispose of an abandoned mobilehome, including requiring that the management file a notice of disposal with the department, and to post and mail a notice of intent to dispose of the abandoned mobilehome, as specified. The Manufactured Housing Act of 1980 requires the department to enforce various laws pertaining to manufactured housing, mobilehomes, park trailers, commercial coaches, special purpose commercial coaches, and recreational vehicles.

This bill would require the management to post and mail the notice of intent to dispose of the abandoned mobilehome within 10 days following a judgment of abandonment and would require the management to file a notice of disposal with the department within 30 days following a judgment of abandonment, as specified. This bill would authorize the department to adopt guidelines related to procedures and forms to implement the above-described disposal procedures for mobilehomes after a warehouse lien sale and for abandoned mobilehomes until regulations are adopted by the department to replace those guidelines. (3) Existing law specifies cause for eviction of participants in transitional housing programs, as defined, and establishes a procedure for evicting program participants for specified serious violations of the program's requirements, rules, or regulations. Existing law authorizes a program operator to seek, on his or her own behalf or on behalf of other participants or persons residing within 100 feet of the program site, a temporary restraining order and an injunction prohibiting abuse or misconduct by the participant, the violation of which is a misdemeanor. Existing law provides procedures for the program operator to exclude the participant from the program site and recover the dwelling unit. This bill would recast these provisions and repeal identical provisions regarding eviction of participants in transitional housing programs in the Health and Safety Code. (4) Existing law voids 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. Existing law defines "electric vehicle charging station" or "charging station" for these purposes as a station designed in compliance with specified provisions of the National Electrical Code that delivers electricity from a source outside an electric vehicle into one or more electric vehicles. This bill would instead define the term "electric vehicle charging station" or "charging station" by reference to specified provisions of the California Electrical Code. (5) The Davis-Stirling Common Interest Development Act, among other things, requires that the declaration, as defined, of a common interest development include certain specified information and allows for amendments to the declaration pursuant to either the declaration or the provisions of the act. Under existing law, an amendment to a declaration is generally effective after certain specified requirements are met, except as provided. This bill would clarify that the exception from those requirements includes alternative procedures established in other specified provisions of the act for approving, certifying, or recording an amendment. Existing law also provides that any provision, except for a reasonable restriction, as defined, of a governing document, as defined, of a common interest development is void and unenforceable if it effectively prohibits or unreasonably restricts the use of a clothesline or a drying rack, as defined, in an owner's backyard. This bill would make nonsubstantive changes to this provision. Existing law also requires the association of a common interest development to distribute to its members an Assessment and Reserve Funding Disclosure Summary form containing specified information, including whether currently projected reserve account balances will be sufficient at the end of each year to meet the association's obligation for repair or replacement of major components during the next 30 years and that all major components are included in the reserve study and its calculations. Existing law defines "major component" for these purposes by reference to a specified statute. This bill would correct an erroneous reference to the statutory definition of "major component" for these purposes. (6) Under the California Fair Employment and Housing Act, the owner of a housing accommodation is prohibited from discriminating against or harassing any person on the basis of certain personal characteristics, including familial status. The act provides that its provisions relating to discrimination based on familial status do not apply to housing for older persons, defined to include, among others, mobilehome parks that meet the standards for "housing for older persons" contained in the federal Fair Housing Amendments Act of 1988. This bill would instead require, for this purpose, mobilehome parks to meet the standards for "housing for older persons" contained in the federal Fair Housing Act, as amended by Public Law 104-76. (7) The Planning and Zoning Law requires a city or county to prepare and adopt a comprehensive, long-term general plan and requires the general plan to include certain mandatory elements, including a housing element. That law also requires the

housing element, in turn, to include, among other things, an assessment of housing needs and an inventory of resources and constraints relevant to the meeting of those needs. That law further requires the Department of Housing and Community Development, for specified revisions of the housing element, to determine the existing and projected need for housing for each region, as specified. This bill would make technical, nonsubstantive changes to this provision. (8) A provision of the Planning and Zoning Law requires an owner of an assisted housing development proposing the termination of a subsidy contract or prepayment of governmental assistance or of an assisted housing development in which there will be the expiration of rental restrictions to provide a notice of the proposed change to each affected tenant household residing in the assisted housing development, as specified. For the purposes of this requirement, existing law defines “assisted housing development” to mean a multifamily rental housing development that receives governmental assistance under specified programs, including tax-exempt private activity mortgage revenue bonds pursuant to a specified federal statute. This bill would provide that “assisted housing development” includes a development receiving assistance from tax-exempt private activity mortgage revenue bonds pursuant to the predecessors of that specified federal statute. (9) The California Building Standards Law provides for the adoption of building standards by state agencies by requiring all state agencies that adopt or propose adoption of any building standard to submit the building standard to the California Building Standards Commission for approval and adoption. Existing law requires an adopting agency to submit the notice and initial statement of reasons for proposed building standards to the commission. If, after review, the commission determines that the notice and initial statement of reasons comply with the Administrative Procedure Act, existing law requires that the commission submit those documents to the Office of Administrative Law for the sole purpose of inclusion in the California Regulatory Notice Register. This bill would instead require that the commission submit only the notice to the Office of Administrative Law. (10) Existing law defines the term “housing sponsor” for the purpose of various housing and home finance programs administered by the Department of Housing and Community Development to include various entities, including the duly constituted governing body of an Indian reservation or rancheria, certified by the California Housing Finance Agency as qualified to either own, construct, acquire, or rehabilitate a housing development and subject to the regulatory powers of the agency, as specified. This bill would expand the definition of “housing sponsor” to include a tribally designated housing entity. The bill would define “tribally designated housing entity” by reference to a specified provision of the federal Native American Housing Assistance and Self-Determination Act of 1996. (11) The State Housing Law requires the Department of Housing and Community Development to notify specified entities of the dates that each of the uniform codes published by specified organizations are approved by the California Building Standards Commission. Existing law also requires the building regulations and rules adopted by the department to impose substantially the same requirements as are contained in the more recent editions of various uniform industry codes, as specified. This bill would additionally require the department to notify those entities of the dates that each of the international codes published by specified organizations are approved by the California Building Standards Commission. The bill would additionally require the building regulations and rules adopted by the department to impose substantially the same requirements as are contained in the most recent editions of various international industry codes, as specified, and would make conforming changes. (12) Existing law requires all water closets and urinals installed or sold in this state to meet specified requirements. Under existing law, these provisions are operative until January 1, 2014, or until the date on which the California Building Standards Commission includes standards in the California Building Standards Code that conform to these requirements. This bill would repeal this provision. (13) Existing law, until January 1, 1998, authorized the use of Chlorinated polyvinyl chloride (CPVC) piping in building construction in California, as specified. This bill would repeal this provision. (14) Existing law prohibits a residential structure that is moved into, or within, the jurisdiction of a local agency or the department from being treated as a new building structure, as specified. This bill would make a technical change to this provision. (15) Existing law requires a city or county to administratively approve applications to install

solar energy systems through the issuance of a building permit or similar nondiscretionary permit, as specified. This bill would make a technical change to this provision. (16) Existing law authorizes the Department of Housing and Community Development to make loans from the Mobilehome Park Rehabilitation and Purchase Fund, a continuously appropriated fund, to, among other things, make loans to resident organizations or qualified nonprofit sponsors for the purpose of assisting lower income households in making needed repairs or accessibility-related upgrades to their mobilehomes, if specified criteria are met. This bill would additionally authorize loans to these entities to assist lower income households in replacing their mobilehomes. By authorizing the expenditure of moneys in a continuously appropriated fund for a new purpose, this bill would make an appropriation. (17) Existing law requires the Department of Housing and Community Development to administer the Emergency Housing and Assistance Program. Under the program, moneys from the continuously appropriated Emergency Housing and Assistance Fund are available for the purposes of providing shelter, as specified, to homeless persons at as low of a cost and as quickly as possible, without compromising the health and safety of shelter occupants, to encourage the move of homeless persons from shelters to a self-supporting environment as soon as possible, to encourage provision of services for as many persons at risk of homelessness as possible, to encourage compatible and effective funding of homeless services, and to encourage coordination among public agencies that fund or provide services to homeless individuals, as well as agencies that discharge people from their institutions. The Housing and Emergency Shelter Trust Fund Acts of 2002 and 2006, enacted as Proposition 46 at the November 5, 2002, statewide general election and Proposition 1C at the November 7, 2006, statewide general election, respectively, authorized the issuance of bonds pursuant to the State General Obligation Bond Law to fund various housing programs administered by the department, including the Multifamily Housing Program. Under the acts, specified amounts of funds are transferred to the Emergency Housing and Assistance Fund to be distributed in the form of capital development grants under the Emergency Housing and Assistance Program and for supportive housing. This bill would authorize the department to transfer any unobligated Proposition 46 and Proposition 1C bond funds in the Emergency Housing and Assistance Fund to the Housing Rehabilitation Loan Fund, less any funds needed for state operations to support outstanding awards as determined by the Department of Housing and Community Development, to be expended for the Multifamily Housing Program for supportive housing for a specified target population.

SB 1380
Mitchell

Homeless Coordinating and Financing Council

Existing law establishes various programs, including, among others, the Emergency Housing and Assistance Program, to provide assistance to homeless persons. This bill would require a state agency or department that funds, implements, or administers a state program that provides housing or housing-related services to people experiencing homelessness or at risk of homelessness, except as specified, to revise or adopt guidelines and regulations to include enumerated Housing First policies. The bill would also establish the Homeless Coordinating and Financing Council to oversee the implementation of the Housing First guidelines and regulations and, among other things, to identify resources, benefits, and services that can be accessed to prevent and end homelessness in California.

SB 1413
Leno

School districts: employee housing

Existing law establishes various housing and home loan programs throughout the state to help low-income families and other specified groups. Existing law authorizes the governing board of any school district, when leasing a building for housing of school district employees, to lease the building for any period they deem necessary. This bill would authorize a school district to establish and implement programs, as provided, that address the housing needs of teachers and school district employees who face challenges in securing affordable housing.

Immigration

- AB 1593 *Pupil attendance: excused absences: naturalization*
 Obernolte Existing law requires a pupil to be excused from school for specified types of absences and prohibits those excused absences from generating state apportionment payments by deeming them as absences in computing average daily attendance. This bill would include attending the pupil's naturalization ceremony to become a United States citizen as another type of excused absence.
- AB 2027 *Victims of crime: nonimmigrant status*
 Quirk Existing federal law provides a Form I-914, Petition for T Nonimmigrant Status (Form I-914) to request temporary immigration benefits for a person who is a victim of certain qualifying criminal activity. Existing federal law also provides a form for certifying that a person submitting a Form I-914 is a victim of human trafficking and a declaration as to cooperation by the person regarding investigating or prosecuting trafficking (Form I-914 Supplement B). Existing state law establishes certain rights of victims and witnesses of crimes, including, among others, to be notified and to appear at all sentencing proceedings, upon request, to be notified and to appear at parole eligibility hearings, and, for certain offenses, to be notified when a convicted defendant had been ordered placed on probation. This bill would require, upon request, that an official from a state or local entity certify "victim cooperation" on the Form I-914 Supplement B declaration, when the requester was a victim of human trafficking and has been cooperative, is being cooperative, or is likely to be cooperative regarding the investigation or prosecution of human trafficking. The bill would establish a rebuttable presumption that a victim is cooperative, has been cooperative, or is likely to be cooperative if the victim has not refused or failed to provide information and assistance reasonably requested by law enforcement. The bill would require the certifying entity to process a Form I-914 Supplement B declaration within 90 days of request, unless the noncitizen is in removal proceedings, in which case the declaration is required to be processed within 14 days of request. The bill would require a certifying entity that receives a request for a Form I-914 Supplement B declaration to report to the Legislature, on or before January 1, 2018, and annually thereafter, the number of victims who requested Form I-914 Supplement B declarations from the entity, the number of those declaration forms that were signed, and the number that were denied.
- AB 2159 *Evidence: immigration status*
 Gonzalez Existing law provides that all relevant evidence is admissible in an action before the court, including evidence relevant to the credibility of a witness or hearsay declarant, subject to specified exceptions. This bill would provide that, in civil actions for personal injury or wrongful death, evidence of a person's immigration status is not admissible and discovery of a person's immigration status is not permitted. The bill would also provide that these restrictions do not affect the standards of relevance, admissibility, or discovery under other specified provisions of law.
- AB 2792 *Local law enforcement agencies: federal immigration policy enforcement: ICE access*
 Bonta Existing federal law authorizes issuance of an immigration detainer that serves to advise another law enforcement agency that the federal department seeks custody of an alien presently in the custody of that agency, for the purpose of arresting and removing the alien. Existing federal law provides that the detainer is a request that the agency advise the department, prior to release of the alien, in order for the department to arrange to assume custody in situations when gaining immediate physical custody is either impracticable or impossible. Existing law, commonly known as the TRUST Act, prohibits a law enforcement official, as defined, from detaining an individual on the basis of a United States Immigration and Customs Enforcement hold after that individual becomes eligible for release from custody, unless, at the time that the individual

becomes eligible for release from custody, certain conditions are met, including, among other things, that the individual has been convicted of specified crimes. Existing law defines specified terms for purposes of these provisions. This bill, the Transparent Review of Unjust Transfers and Holds (TRUTH) Act, would require a local law enforcement agency, prior to an interview between the United States Immigration and Customs Enforcement (ICE) and an individual in custody regarding civil immigration violations, to provide the individual a written consent form, as specified, that would explain, among other things, the purpose of the interview, that it is voluntary, and that the individual may decline to be interviewed. The bill would require the consent form to be available in specified languages. The bill would require a local law enforcement agency to provide copies of specified documentation received from ICE to the individual and to notify the individual regarding the intent of the agency to comply with ICE requests. The bill would require that the records related to ICE access be public records for purposes of the California Public Records Act. The bill, commencing January 1, 2018, would require the local governing body of any county, city, or city and county in which a local law enforcement agency has provided ICE access to an individual during the last year, to hold at least one public community forum during the following year, as specified, to provide information to the public about ICE's access to individuals and to receive and consider public comment.

SB 10
Lara

Health care coverage: immigration status

Existing law, the federal Patient Protection and Affordable Care Act (PPACA), requires each state to establish an American Health Benefit Exchange that facilitates the purchase of qualified health plans by qualified individuals and qualified small employers, and meets certain other requirements. PPACA specifies that an individual who is not a citizen or national of the United States or an alien lawfully present in the United States shall not be treated as a qualified individual and may not be covered under a qualified health plan offered through an exchange. Existing law creates the California Health Benefit Exchange (the Exchange) for the purpose of facilitating the enrollment of qualified individuals and qualified small employers in qualified health plans as required under PPACA. This bill would require the Exchange to apply to the United States Department of Health and Human Services for a waiver to allow individuals who are not eligible to obtain health coverage through the Exchange because of their immigration status to obtain coverage from the Exchange. The bill would require the Exchange, after that waiver has been granted, to require an issuer that offers a qualified health plan in the individual market through the Exchange to concurrently offer a California qualified health benefit plan, as specified, to these individuals. The requirement to offer California qualified health plans would become operative on January 1, 2018, for coverage effective for California qualified health plans beginning January 1, 2019, as specified. The bill would require that individuals eligible to purchase California qualified health plans pay the cost of coverage without federal assistance and meet other specified requirements. The bill would require that information provided by an applicant for coverage under the bill be used only for the purposes of, and to the extent necessary for, ensuring the efficient operation of the Exchange, including verifying the eligibility of an individual to enroll through the Exchange, and would prohibit that information from being disclosed to any other person except as provided by the bill. This bill would declare that it is to take effect immediately as an urgency statute.

SB 1139
Lara

Health professional: medical degree programs: healing arts residency training programs: undocumented immigrant: nonimmigrant aliens: Scholarships, loans, and loan repayment

(1) Existing law, known as the Medical Practice Act, provides for licensing and regulation of physicians and surgeons by the Medical Board of California and imposes various requirements in that regard. Existing law requires an applicant for a license as a physician and surgeon to successfully complete a specified medical curriculum, a clinical instruction program, and a training program. Existing law provides that nothing in the Medical Practice Act shall be

construed to prohibit a foreign medical graduate from engaging in the practice of medicine whenever and wherever required as part of a clinical service program, subject to certain conditions. This bill would prohibit a student, including a person without lawful immigration status, a person who is exempt from nonresident tuition pursuant to a specified statute, or a person who fits into both of those categories, who meets the requirements for admission to a medical degree program at any public or private postsecondary educational institution that offers such a program from being denied admission to that program based on his or her citizenship status or immigration status. The bill would also prohibit such a student from being denied admission, based on his or her citizenship status or immigration status, to a healing arts residency training program whose participants are not paid. These provisions would not apply, except as provided, to a nonimmigrant alien, as defined in a specified provision of federal law.

(2) Existing law establishes the Office of Statewide Health Planning and Development and makes the office responsible for administering various programs with respect to the health care professions. This bill would prohibit specified programs administered by the office from denying an application based on the citizenship status or immigration status of the applicant.

Land Use and Transportation

- AB 620 *High-occupancy toll lanes: exemptions from tolls*
Roger Hernández Existing law authorizes a value-pricing and transit development program involving high-occupancy toll (HOT) lanes to be conducted, administered, developed, and operated on State Highway Routes 10 and 110 in the County of Los Angeles by the Los Angeles County Metropolitan Transportation Authority (LACMTA) under certain conditions. Existing law requires LACMTA, in implementing the program, to continue to work with the affected communities in the respective corridors and provide mitigation measures for commuters and transit users of low income, including reduced toll charges and toll credits. Existing law requires eligible commuters and transit users to meet the eligibility requirements for specified assistance programs. This bill would require LACMTA to take additional steps, beyond the previous implementation of a low-income assistance program, to increase enrollment and participation in the low-income assistance program, as specified, through advertising and work with community organizations and social service agencies. The bill would also require LACMTA and the Department of Transportation to report to the Legislature by December 31, 2018, on efforts to improve the HOT lane program, including efforts to increase participation in the low-income assistance program.
- AB 1919 *Local transportation authorities: bonds*
Quirk The Local Transportation Authority and Improvement Act provides for the creation in any county of a local transportation authority and authorizes the imposition of a retail transactions and use tax by ordinance, subject to approval of the ordinance by 2/3 of the voters. Existing law authorizes the ballot proposition submitted to the voters to include a provision authorizing bonds to be issued that would be payable from the proceeds of the transactions and use tax. Existing law requires the bond proceeds to be placed in the treasury of the local transportation authority and to be used for allowable transportation purposes, except that accrued interest and premiums received on the sale of the bonds are required to be placed in a fund to be used for the payment of bond debt service. This bill would instead require the premiums received on the sale of the bonds to be placed in the treasury of the local transportation authority to be used for allowable transportation purposes.
- AB 1934 *Planning and zoning: development bonuses: mixed-use projects*
Santiago The Planning and Zoning Law requires, when an applicant 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 for 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. This bill, when an applicant for approval of a commercial development has entered into an agreement for partnered housing with an affordable housing developer to contribute affordable housing through a joint project or 2 separate projects encompassing affordable housing, would, until January 1, 2022, require a city, county, or city and county to grant to the commercial developer a development bonus, as specified. The bill would define the development bonus to mean incentives mutually agreed upon by the developer and the jurisdiction that may include but are not limited to, specified changes in land use requirements. This bill would also require a city or county to submit to the Department of Housing and Community Development information describing an approved commercial development bonus.
- AB 1943 *Parking: county transportation commissions*
Linder Existing law establishes county transportation commissions in Los Angeles, Orange, Riverside, San Bernardino, and Ventura counties for the coordination of public transportation services and

the performance of various transportation planning activities. Existing law authorizes each commission to make contracts of any nature whatsoever, including to employ labor. This bill would authorize the Riverside County Transportation Commission to enter into contracts with private vendors for the enforcement of parking regulations and the removal of vehicles parked in violation of parking regulations adopted by the commission. Existing law prohibits a person from driving or parking a vehicle or animal upon the driveways, paths, parking facilities, or grounds of specified public entities, including a public transportation agency and a county transportation commission, except with the permission of, and subject to any condition or regulation that may be imposed by, the governing body of the specified public entity. Existing law defines “public transportation agency” for these purposes. This bill would revise the definition of “public transportation agency” to include a county transportation commission.

AB 2180
Ting

Land use: development project review

The Permit Streamlining Act within the Planning and Zoning Law requires the lead agency that has the principal responsibility for approving a development project, as defined, to approve or disapprove the project within 180 days from the date of certification of an environmental impact report. Existing law requires approval or disapproval within 90 days from the date of certification if at least 49% of the units within the development project are affordable to very low or low-income households. Existing law also requires approval or disapproval within 60 days from the date of the adoption of a negative declaration, or the determination by the lead agency that the project is exempt from the California Environmental Quality Act. This bill would require approval or disapproval within 120 days from the date of certification of an environmental impact report when the development project consists of either residential units only or mixed use development in which the nonresidential uses are less than 50% of the total square footage of the development, among other conditions. The Planning and Zoning Law requires any public agency that is a responsible agency for a development project to approve or disapprove a development project that has been approved by the lead agency within the longer of 180 days from the date on which the lead agency has approved the project or within 180 days of the date on which the completed application for the development project has been accepted as complete by that responsible agency. This bill would, for a public agency other than the California Coastal Commission, reduce each time period to within 90 days when the development project consists of either residential units only or mixed use development in which the nonresidential uses are less than 50% of the total square footage of the development and other conditions are met.

AB 2289
Frazier

Department of Transportation: capital improvement projects

Existing law requires the Department of Transportation to prepare a state highway operation and protection program for the expenditure of transportation funds for major capital improvements that are necessary to preserve and protect the state highway system and that include capital projects relative to maintenance, safety, and rehabilitation of state highways and bridges that do not add a new traffic lane to the system. This bill would add to the program capital projects relative to the operation of those state highways and bridges.

AB 2492
Alejo

Community revitalization

The Community Redevelopment Law authorizes the establishment of redevelopment agencies in communities to address the effects of blight, as defined, by means of redevelopment projects financed by the issuance of bonds serviced by tax increment revenues derived from the project area. Existing law dissolved redevelopment agencies and community development agencies, as of February 1, 2012, and provides for the designation of successor agencies to wind down the affairs of the dissolved agencies and to fulfill the enforceable obligations of those agencies. Existing law also provides for various economic development programs that foster community sustainability and community and economic development initiatives throughout the state. Existing law authorizes certain local agencies to form a community revitalization and

investment authority (authority) within a community revitalization and investment area, as defined, to carry out provisions of the Community Redevelopment Law in that area for purposes related to, among other things, infrastructure, affordable housing, and economic revitalization. Existing law requires not less than 80% of the land calculated by census tracts or census block groups, as defined by the United States Census Bureau, within the area to be characterized by several conditions, including a condition that the land has an annual median household income of less than 80% of the statewide annual median income. This bill would authorize the calculation to be made with a combination of census tracts and census block groups. The bill would also revise the conditions to require, among other things, an annual median household income that is less than 80% of the statewide, countywide, or citywide annual median household income. The bill would also authorize an authority to carry out a community revitalization plan if the census tract or census block groups within the community revitalization and investment area are within a disadvantage community, as prescribed. Existing law authorizes certain entities that receive ad valorem property taxes to adopt a resolution in a specified manner to allocate their share of tax increment funds within the area covered by a community revitalization plan to the authority. Existing law authorizes an authority to borrow money, receive grants, or accept financial or other assistance or investment from the state or any other public agency for any project within its area of operation. This bill would authorize an authority to also receive funds allocated to it pursuant to a resolution adopted by a city, county, or special district to transfer these funds from certain tax and assessment revenues, subject to specified requirements as to the use of those funds.

SB 734
Galgiani

Environmental quality: Jobs and Economic Improvement Through Environmental Leadership Act of 2011

(1) The California Environmental Quality Act (CEQA) requires a lead agency, as defined, to prepare, or cause to be prepared, and certify the completion of an environmental impact report 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. The Jobs and Economic Improvement Through Environmental Leadership Act of 2011 authorizes the Governor, until January 1, 2016, to certify projects meeting certain requirements, including the requirement that the project creates high-wage, highly skilled jobs that pay prevailing wages and living wages, for streamlining benefits provided by that act. The act provides that if a lead agency fails to approve a project certified by the Governor before January 1, 2017, then the certification expires and is no longer valid. The act requires a lead agency to prepare the record of proceedings for the certified project concurrent with the preparation of the environmental documents. The act is repealed by its own terms on January 1, 2017. This bill would extend the authority of the Governor to certify a project to January 1, 2018. The bill would provide that the certification expires and is no longer valid if the lead agency fails to approve a certified project before January 1, 2019. If a project is certified by the Governor, the bill would require contractors and subcontractors to pay to all construction workers employed in the execution of the project at least the general prevailing rate of per diem wages and would provide for the enforcement of this requirement. The bill would repeal the act on January 1, 2019. Because the bill would extend the obligation of the lead agency to prepare concurrently the record of proceedings, this bill would impose a state-mandated local program. This bill would, notwithstanding any other law, require a multifamily residential project certified pursuant to the act to provide private vehicle parking spaces that are priced and rented or purchased separately from dwelling units, except as provided. (2) This bill would declare that it is to take effect immediately as an urgency statute.

SB 998 *Vehicles: public transit bus lanes*
Wieckowski Existing law makes it unlawful for a person to stop or park a motor vehicle in specified places, including an area designated as a fire lane by the fire department or fire district, as specified. A violation of these provisions is an infraction. This bill would prohibit a person from operating a motor vehicle, or stopping, parking, or leaving a vehicle standing, on a portion of the highway designated for the exclusive use of public transit buses, subject to specified exceptions. Because a violation of these provisions would be a crime, this bill would impose a state-mandated local program. The bill would also require a public transit agency to place and maintain signs and traffic control devices indicating that a portion of a highway is designated for the exclusive use of public transit buses, as specified.

SB 1000 *Land use: general plans: safety and environmental justice*
Leyva The Planning and Zoning Law requires the legislative body of each county and city to adopt a comprehensive, long-term general plan for the physical development of the county or city and of any land outside its boundaries that bears relation to its planning. That law requires this general plan to include several elements, including, among others, a safety element for the protection of the community from unreasonable risks associated with the effects of various geologic hazards, flooding, wildland and urban fires, and climate adaptation and resilience strategies. That law requires that the safety element be reviewed and updated, in the case of flooding and fire hazards, upon the next revision of the housing element after specified dates or, in the case of climate adaptation and resilience strategies, upon either the next revision of a local hazard mitigation plan after a specified date or on or before January 1, 2022, as applicable. That law also requires, after the initial revision of the safety element to address flooding, fires, and climate adaptation and resilience strategies, that for each subsequent revision the planning agency review and, if necessary, revise the safety element to identify new information that was not available during the previous revision of the safety element. This bill would instead require a planning agency to review and revise the safety element to identify new information, as described above, only to address flooding and fires. This bill would, in addition, add to the required elements of the general plan an environmental justice element, or related goals, policies, and objectives integrated in other elements, that identifies disadvantaged communities, as defined, within the area covered by the general plan of the city, county, or city and county, if the city, county, or city and county has a disadvantaged community. The bill would also require the environmental justice element, or related environmental justice goals, policies, and objectives integrated in other elements, to identify objectives and policies to reduce the unique or compounded health risks in disadvantaged communities, as specified, identify objectives and policies to promote civil engagement in the public decisionmaking process, and identify objectives and policies that prioritize improvements and programs that address the needs of disadvantaged communities. The bill would require the environmental justice element, or the environmental justice goals, policies, and objectives in other elements, to be adopted or reviewed upon the adoption or next revision of 2 or more elements concurrently on or after January 1, 2018. By adding to the duties of county and city officials, this bill would impose a state-mandated local program.

SB 1069 *Land use: zoning*
Wieckowski The Planning and Zoning Law authorizes the legislative body of a city or county to regulate, among other things, the intensity of land use, and also authorizes a local agency to provide by ordinance for the creation of 2nd units in single-family and multifamily residential zones, as specified. That law makes findings and declarations with respect to the value of 2nd units to California's housing supply. This bill would replace the term "second unit" with "accessory dwelling unit" throughout the law. The bill would additionally find and declare that, among other things, allowing accessory dwelling units in single-family or multifamily residential zones provides additional rental housing stock, and these units are an essential component of housing supply in California. The Planning and Zoning Law authorizes the ordinance for the creation of

2nd units in single-family and multifamily residential zones to include specified provisions regarding areas where accessory dwelling units may be located, standards, including the imposition of parking standards, and lot density. Existing law, when a local agency has not adopted an ordinance governing 2nd units as so described, requires the local agency to approve or disapprove the application ministerially, as provided. This bill would instead require the ordinance for the creation of accessory dwelling units to include the provisions described above. The bill would prohibit the imposition of parking standards under specified circumstances. The bill would revise requirements for the approval or disapproval of an accessory dwelling unit application when a local agency has not adopted an ordinance. The bill would also require the ministerial approval of an application for a building permit to create one accessory dwelling unit within the existing space of a single-family residence or accessory structure, as specified. The bill would prohibit a local agency from requiring an applicant for this permit to install a new or separate utility connection directly between the unit and the utility or imposing a related connection fee or capacity charge. The bill would authorize a local agency to impose this requirement for other accessory dwelling units.

SB 1279
Hancock

California Transportation Commission: funding prohibition: coal shipment

Existing law creates the California Transportation Commission, with various duties and responsibilities relative to the programming and allocation of funds for transportation capital projects. This bill would, except as specified, prohibit the commission from programming or allocating any state funds for new bulk coal terminal projects, as defined. The bill would require terminal project grantees to annually report to the commission that the project is not being used to handle, store, or transport coal in bulk.

Voting and Elections

AB 278 *Municipal elections*

Roger Hernández Existing law Existing law authorizes the legislative body of a city to submit to voters at any municipal or special election an ordinance providing for the election of members of the legislative body by districts, from districts, by districts with an elective mayor, or from districts with an elective mayor. Existing law also authorizes such an ordinance to be submitted to the voters by means of an initiative measure. Existing law requires that the ordinance state the number of legislative districts, describe the boundaries of each, number the districts, and state the method for electing the members of the legislative body, as described above. This bill would delete the requirement that the ordinance describe the boundaries, and number, of each legislative district and would instead require the legislative body to prepare a proposed map describing the boundaries and numbers of the legislative districts after the ordinance is passed or enacted, as specified. The bill would require a legislative body changing from a from district method of election to a by district method of election, or adjusting the district boundaries, to hold public hearings on the change or adjustments, as specified. The bill would also make numerous technical, nonsubstantive changes to these provisions. Existing law applies certain procedures if a majority of votes on the subject of incorporating a new city are in favor of incorporation and in favor of a by district method of election, including, among other things, requiring the boundaries of the districts of the legislative body to be as nearly equal in population as possible. This bill would also require the districts to comply with applicable provisions of the federal Voting Rights Act of 1965. Existing law authorizes the legislative body of a city with a population of fewer than 100,000 people to adopt an ordinance that requires the members of the legislative body to be elected by district or by district with an elective mayor without submitting the ordinance for voter approval. This bill would extend this authority to the legislative body of any city, regardless of its population.

AB 1494 *Voting: marked ballots*

Levine Existing law prohibits a voter from showing his or her ballot to any person after it is marked in such a way as to reveal its contents. Existing law provides that a person who interferes or attempts to interfere with the secrecy of voting is guilty of a felony, and authorizes the Secretary of State, the Attorney General, or a local elections official to bring an action to impose additional civil penalties for committing those acts. This bill would create an exception to that prohibition that would permit a voter to voluntarily disclose how he or she voted if that voluntary act does not violate any other law.

AB 1921 *Elections: vote by mail ballots*

Gonzalez Existing law requires that the vote by mail ballot be available to any registered voter. Under existing law, a voter who is unable to return his or her vote by mail ballot may designate his or her spouse, child, parent, grandparent, grandchild, brother, sister, or person residing in the same household as the vote by mail voter to return the vote by mail ballot. Except in the case of a candidate or the spouse of a candidate, existing law prohibits the return of a voter's vote by mail ballot by one of those designees who is also a paid or volunteer worker of a general purpose committee, controlled committee, or any other group or organization at whose behest the individual designated to return the ballot is performing a service. This bill would remove those restrictions and instead authorize the designation of any person to return a vote by mail ballot. The bill would prohibit a person designated to return a vote by mail ballot from receiving any form of compensation, as defined, based on the number of ballots that the person has returned and would prohibit an individual, group, or organization from providing compensation on this basis. The bill would state that any person in charge of a vote by mail ballot who knowingly and willingly engages in criminal acts related to that ballot is subject to the appropriate punishment pursuant to existing law.

- AB 1970
Low
Elections: vote by mail and provisional ballots
Existing law requires the Secretary of State to prepare and distribute to appropriate elections officials a uniform application and uniform electronic application format for a vote by mail voter's ballot that conforms to specified requirements. Existing law requires the Secretary of State to establish a free access system that permits any voter who casts a provisional ballot to discover whether the voter's provisional ballot was counted and if not, the reason why it was not counted. Existing law authorizes the Secretary of State to adopt regulations to ensure the uniform application of statutory provisions regarding provisional voting. This bill would additionally require the Secretary of State to promulgate regulations establishing guidelines for county elections officials relating to the processing of vote by mail and provisional ballots.
- AB 2010
Ridley-Thomas
Voter's pamphlet: electronic candidate statement
Existing law permits a candidate for a nonpartisan elective office in any local agency, which includes any city, county, city and county, or district, to prepare a written statement, pursuant to specified guidelines, to be included in a voter's pamphlet that is mailed to each voter. Existing law requires each voter's pamphlet to contain a notice in the heading of the first page of that pamphlet in heavy-faced gothic type that, among other things, each candidate's statement in the pamphlet is volunteered by the candidate. Existing law requires an elections official to provide a Spanish translation to those candidates who wish to have one. Existing law authorizes a county or city elections official to establish procedures designed to permit a voter to opt out of receiving his or her voter's pamphlet and other related materials by mail, and instead obtain them electronically via email or by accessing them on the county's or city's Internet Web site, provided specified conditions are met. This bill would authorize the governing body of a local agency to permit a candidate for nonpartisan elective office in the local agency to prepare a written statement for electronic distribution if the elections official who is conducting the election permits electronic distribution of a candidate's statement. This bill would require the statement to be posted on the Internet Web site of the elections official, permit the statement to be included in a voter's pamphlet that is electronically distributed, and prohibit the statement from being included in a voter's pamphlet that is printed and mailed to voters. This bill would require the elections official to provide a Spanish translation to those candidates who wish to have one. This bill would require the notice in the heading of the first page of the voter's pamphlet, in certain circumstances, to specify that additional statements are available on the Internet Web site of the elections official, and would delete the requirement that the notice appear in heavy-faced gothic type.
- AB 2021
Ridley-Thomas
Election process: public observation: international election observers
Existing law generally permits the public to observe the election process. Existing law requires the precinct board member to conduct certain election day procedures in the presence of all persons assembled at the polling place. Existing law requires the semifinal official canvass and official canvass to be open to the public. Existing law requires the processing of vote by mail ballot return envelopes and the processing and counting of vote by mail ballots to be open to the public. Existing law requires a recount to be conducted publicly. Existing law permits interested persons to participate in a public review and public hearing process for the certification or conditional approval of a ballot marking system. This bill would allow an international election observer, as defined, to be provided uniform and nondiscriminatory access to all stages of the election process that are open to the public. This bill would prohibit an international election observer from interfering with a voter in the preparation or casting of the voter's ballot, with a precinct board member of an elections official in the performance of his or her duties, or with the orderly conduct of an election.
- AB 2071
Harper
Vote by mail ballots
Existing law requires that all vote by mail ballots cast be received by the elections official from whom they were obtained or by the precinct board no later than the close of the polls on election

day or no later than 8 p.m. on election day, as specified. Notwithstanding this requirement, existing law provides that a vote by mail ballot is considered timely cast if it is received by the voter's election official via the United States Postal Service or a bona fide private mail delivery company no later than 3 days after election day if a specified requirement is met. This bill would define "bona fide private mail delivery company" for purposes of the above-described exception for ballots delivered after election day.

AB 2220
Cooper

Elections in cities: by or from district

Existing law generally requires all elective city offices, including the members of a city council, to be filled at large by the city electorate at a general municipal election. Existing law, at any municipal election or special election held for this purpose, authorizes the legislative body of a city to submit to the registered voters an ordinance providing for the election of members of the legislative body by district or from district, as defined, and with or without an elective mayor. Existing law also authorizes the legislative body of a city with a population of fewer than 100,000 people to adopt an ordinance that requires the members of the legislative body to be elected by district or by district with an elective mayor without being required to submit the ordinance to the voters for approval. This bill would delete the population limitation in that provision, thereby authorizing the legislative body of a city to adopt an ordinance that requires the members of the legislative body to be elected by district or by district with an elective mayor without being required to submit the ordinance to the voters for approval.

AB 2252
Ting

Elections: remote accessible vote by mail systems

Existing law regulates the voting procedures for military or overseas voters and provides that a military or overseas voter has the right to register for, and to vote by a vote by mail ballot in, any election within the state. Existing law defines a "ballot marking system" as any mechanical, electromechanical, or electronic system and its software that is used for the sole purpose of marking a ballot for a military or overseas voter. This bill would rename a "ballot marking system" as a "remote accessible vote by mail system." The bill would define a "remote accessible vote by mail system" as a mechanical, electromechanical, or electronic system and its software that is used for the sole purpose of marking an electronic vote by mail ballot remotely, outside a polling location, for a voter with disabilities or a military or overseas voter who would then be required to print the paper cast vote record to be submitted to the elections official.

AB 2265
Mark
Stone

County ballot measures: impartial analysis

Existing law requires the county counsel or district attorney of a county in which an election on a county measure is to be held to prepare an impartial analysis of the measure showing the effect of the measure on the existing law and the operation of the measure. Existing law requires the analysis to include a statement indicating whether the measure was placed on the ballot by a petition signed by the requisite number of voters or by the board of supervisors. This bill would authorize the county counsel to prepare a summary of the impartial analysis in a format that answers the questions "What does a yes vote mean?" and "What does a no vote mean?" for the measure. The bill would prohibit the summary from exceeding 75 words for each question and would authorize the summary information to be included in the voter information portion of the sample ballot.

AB 2389
Ridley-
Thomas

Special districts: district-based elections reapportionment

Existing law provides for political subdivisions, including special districts, that encompass areas of representation within the state. With respect to these areas, public officials are generally elected by all of the voters of the political subdivision (at-large) or by or from districts formed within the political subdivision (district-based). Under existing law, the manner of election of a governing body of a special district is generally specified in the statutes creating the district. If a political subdivision changes from an at-large method of election to a district-based election, existing law generally requires the political subdivision to submit to the voters an ordinance or

resolution providing for the election of members of the governing body by district. This bill would authorize a governing body of a special district, as defined, to require, by resolution, that the members of its governing body be elected using district-based elections without being required to submit the resolution to the voters for approval. This bill would require the resolution to include a declaration that the change in the method of election is being made in furtherance of the purposes of the California Voting Rights Act of 2001.

AB 2455 *Voter registration: public postsecondary educational institutions: California New*
Chiu *Motor Voter Program*

Under existing law, a person may not be registered to vote except by affidavit of registration. Pursuant to the Student Voter Registration Act of 2003, the Secretary of State is required to annually provide every high school, community college, California State University, and University of California campus with voter registration forms. The act also requires every community college and California State University campus that operates an automated class registration system, in coordination with the Secretary of State, to permit students during the class registration process to apply to register to vote online by submitting an affidavit of voter registration electronically on the Internet Web site of the Secretary of State. The act encourages the University of California to comply with this provision. This bill would require the California State University and the California Community Colleges to implement a process and the infrastructure to allow a person who enrolls online at the institution to submit an affidavit of voter registration electronically on the Internet Web site of the Secretary of State by July 1, 2018. The bill would encourage the University of California to comply with this provision. By requiring community colleges to provide a higher level of service, the bill would impose a state-mandated local program. Existing law, the California New Motor Voter Program, requires the Department of Motor Vehicles to electronically provide to the Secretary of State the records of each person who submits an application for a driver's license or identification card or who provides the department with a change of address. The person's motor vehicle records will then constitute a completed affidavit of registration and the person will be registered to vote, except as specified. This bill would require the Secretary of State, if he or she receives from the Department of Motor Vehicles the records of a person who is currently registered to vote, to use the information in the records to update the voter's registration information. If the Secretary of State does not receive information for the voter for which space is provided on the affidavit of registration, but that information was provided in the voter's previous affidavit of registration, this bill would require that the information from the voter's previous affidavit of registration remain part of the voter's record.

AB 2466 *Voting: felons*

Weber

The California Constitution requires the Legislature to provide for the disqualification of electors while mentally incompetent or imprisoned or on parole for the conviction of a felony. Existing law provides that a person is entitled to register to vote if he or she is a United States citizen, a resident of California, not imprisoned or on parole for the conviction of a felony, and at least 18 years of age at the time of the next election. This bill, for purposes of determining who is entitled to register to vote, would define imprisoned as currently serving a state or federal prison sentence and would define parole as a term of supervision by the Department of Corrections and Rehabilitation. The bill would clarify that conviction does not include a juvenile adjudication. Existing law requires any program adopted by a county pursuant to certain provisions that is designed to encourage the registration of electors, with respect to any printed literature or media announcements made in connection with the program, to contain a statement that a person entitled to register to vote must be a United States citizen, a California resident, not in prison or on parole for conviction of a felony, and at least 18 years of age at the time of the election. This bill would instead require that the statement, as described above, state that a person entitled to register to vote must be a United States citizen, a California resident, not currently in state or federal prison or on state parole for the conviction of a felony, and at least

18 years of age at the time of the election. By requiring a county to change the statement included as part of its voter registration program, as described above, the bill would impose a state-mandated local program. Existing law requires the clerk of the superior court of each county, on the basis of the records of the court, to furnish to the chief elections official of the county, at least on April 1 and September 1 of each year, a statement showing the names, addresses, and dates of birth of all persons who have been convicted of felonies since the clerk's last report. Existing law requires the elections official to cancel the affidavits of registration of those persons who are currently imprisoned or on parole for the conviction of a felony. This bill would instead require that the statement furnished by the clerk of the superior court of each county to the county elections official show the names, addresses, and dates of birth of all persons who have been committed to state prison as the result of the conviction of a felony since the clerk's last report.

AB 2686
Mullin

Elections: all-mailed ballot elections

Existing law generally does not allow special elections to fill vacancies in state offices, the Legislature, or Congress to be conducted wholly by mail. Existing law authorizes, until January 1, 2021, San Diego County to conduct, as a pilot program, an all-mailed ballot special election or special consolidated election (1) to fill a congressional or legislative vacancy if the congressional or legislative district lies wholly within San Diego County, (2) to fill a vacancy in the legislative body or governing body, and (3) for certain local initiative and referendum measures. This bill would authorize San Diego County to additionally conduct such an all-mailed ballot special election (1) to fill a congressional or legislative vacancy if the congressional or legislative district lies partially within San Diego County, and (2) for the recall of a local officer. This bill would also authorize, until January 1, 2021, any county to conduct, as a pilot program, an all-mailed ballot special election or special consolidated election to fill a congressional or legislative vacancy only if 50 percent or more of the total number of voters within the county are permanent vote by mail voters and the county board of supervisors adopts a resolution approving the county's participation in the pilot program. The bill would impose specific requirements for an all-mailed ballot special election or special consolidation election to be conducted under the pilot program. If a county conducts an all-mailed ballot special election or special consolidation election pursuant to these provisions, the bill would require the county to submit a report to the Legislature and the Secretary of State that includes certain information regarding the success of the election, including any statistics on the cost to conduct the election.

AB 2911
Committee
on Elections
and
Redistricting

Voting: voter information guides

Under existing law, numerous provisions related to voting refer to ballot pamphlets, state ballot pamphlets, voter pamphlets, statewide voter pamphlets, and sample ballots. This bill would replace these terms with state voter information guide, county voter information guide, and voter information guide, as appropriate, and make necessary conforming changes. The bill would also make technical, nonsubstantive changes to these provisions. Existing law prohibits a voting system from being used, and prohibits a jurisdiction from purchasing or contracting for a voting system, unless the voting system has received the approval of the Secretary of State. Existing law authorizes a vendor or county that has submitted a voting system for federal qualification before September 1, 2013, and has obtained federal qualification before January 1, 2015, to request approval from the Secretary of State based on the examination and review requirements in place before January 1, 2014. This bill would remove the requirement that a voting system be submitted for federal qualification before September 1, 2013, and would change the date by which the voting system is required to receive federal qualification to April 28, 2016, in order for a vendor or county to request the Secretary of State to approve a voting system using the examination and review requirements in place before January 1, 2014.

SB 450
Allen

Elections: vote by mail voting and mail ballot elections

Existing law requires all vote by mail ballots to be voted on or before the day of the election and requires the vote by mail voter to return the ballot by mail or in person, as specified, to the elections official who issued the ballot. This bill would require an elections official who receives a vote by mail ballot that he or she did not issue to forward that ballot to the elections official who issued the ballot no later than 8 days after receipt. By requiring an elections official to forward a ballot to the elections official who issued the ballot, the bill would impose a state-mandated local program. Existing law authorizes cities with a population of fewer than 100,000 persons, school districts, and special districts to conduct an all-mailed ballot special election to fill a vacancy on the legislative or governing body of those entities under specified conditions. This bill, the California Voter's Choice Act, would, on or after January 1, 2018, authorize specified counties, and on or after January 1, 2020, authorize any county except the County of Los Angeles, to conduct any election as an all-mailed ballot election if certain conditions are satisfied, including conditions related to ballot dropoff locations, vote centers, and plans for the administration of all-mailed ballot elections. The bill would require the Secretary of State, within 6 months of each all-mailed ballot election conducted by a county pursuant to these provisions, to report certain information to the Legislature regarding that election. The bill would require the county that conducted the all-mailed ballot election to submit to the Secretary of State the information needed for the Secretary of State to prepare the report. This bill would, on or after January 1, 2020, authorize the County of Los Angeles to conduct any election as a vote center election if certain conditions are satisfied, including conditions related to ballot dropoff locations and vote centers. The bill would, on or after January 1, 2020, authorize the County of Los Angeles to conduct a special election as an all-mailed ballot election pursuant to specified provisions that apply to every county that chooses to conduct a special election as an all-mailed ballot election. This bill would also require the Secretary of State to establish a taskforce that includes certain individuals to review all-mailed ballot elections conducted pursuant to these provisions and to provide comments and recommendations to the Legislature within 6 months of each all-mailed ballot election or vote center election.

SB 1107
Allen

Political Reform Act of 1974

Existing law prohibits a person who has been convicted of a felony involving bribery, embezzlement of public money, extortion or theft of public money, perjury, or conspiracy to commit any of those crimes, from being considered a candidate for, or elected to, a state or local elective office. Existing law, the Political Reform Act of 1974, provides that campaign funds under the control of a former candidate or elected officer are considered surplus campaign funds at a prescribed time, and it prohibits the use of surplus campaign funds except for specified purposes. This bill would prohibit an officeholder who is convicted of one of those enumerated felonies from using funds held by that officeholder's candidate controlled committee for purposes other than certain purposes permitted for the use of surplus campaign funds. The bill would also require the officeholder to forfeit any remaining funds held 6 months after the conviction became final, and it would direct those funds to be deposited in the General Fund. The Political Reform Act of 1974 prohibits a public officer from expending, and a candidate from accepting, public moneys for the purpose of seeking elective office. This bill would permit a public officer or candidate to expend or accept public moneys for the purpose of seeking elective office if the state or a local governmental entity established a dedicated fund for this purpose, as specified. A violation of the act's provisions is punishable as a misdemeanor. By expanding the scope of an existing crime, this bill would impose a state-mandated local program. The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement. This bill would provide that no reimbursement is required by this act for a specified reason. The Political Reform Act of 1974, an initiative measure, provides that the Legislature may amend the act to further the act's purposes upon a 2/3 vote of each house and compliance with specified procedural requirements.

- SB 1108
Allen *Elections: state and local reapportionment*
Existing law authorizes a county board of supervisors to appoint a committee, composed of county residents, to study the matter of changing the boundaries of its supervisorial districts. Existing law directs a committee created pursuant to that provision to report its findings to the board of supervisors, as specified, and it expressly states that recommendations of the committee are advisory only. Existing law similarly authorizes a city council to appoint a committee, composed of city residents, to study the matter of changing the boundaries of its council districts, directs a committee so created to report its findings to the city council, and expressly states that recommendations of the committee are advisory only. This bill would delete those provisions and instead authorize a county or general law city to establish a commission, composed of residents of the county or city, to either change the boundaries of the districts or recommend to the governing body changes to the boundaries of the districts. The bill would also require an advisory commission that recommends changes to district boundaries to report to the governing body its findings on the need for changes to the boundaries. For a commission empowered to change district boundaries, this bill would prohibit the appointment of a person or family member, as defined, of a person who engaged in specified activities during the preceding 8 years, and it would also prohibit commission members from engaging in specified activities while serving and for a specified period of time after serving.
- SB 1349
Hertzberg *Political Reform Act of 1974: Secretary of State: online filing and disclosure system*
The Political Reform Act of 1974 generally requires elected officials, candidates for elective office, and committees formed primarily to support or oppose a candidate for public office or a ballot measure, along with other entities, to file periodic campaign statements. The act requires that these campaign statements contain prescribed information related to campaign contributions and expenditures of the filing entities. Existing law, the Online Disclosure Act, requires the Secretary of State, in consultation with the Fair Political Practices Commission, to develop online and electronic filing processes for use by these persons and entities. This bill, in addition, would require the Secretary of State, in consultation with the Commission, to develop and certify for public use an online filing and disclosure system for campaign statements and reports that provides public disclosure of campaign finance and lobbying information in a user-friendly, easily understandable format. The Political Reform Act of 1974, an initiative measure, provides that the Legislature may amend the act to further the act's purposes upon a 2/3 vote of each house and compliance with specified procedural requirements. This bill would declare that it furthers the purposes of the act.