



LEGISLATION COMMITTEE

June 8, 2020

1:00 P.M.

To slow the spread of COVID-19, the Health Officer's Shelter Order of April 29, 2020, prevents public gatherings ([Health Officer Order](#)). In lieu of a public gathering, the Legislation Committee meeting will be conducted via remote access per Governor's Executive Order N29-20.

Supervisor Karen Mitchoff, Chair
Supervisor Diane Burgis, Vice Chair

Meeting Process:

Items may be taken out of order based on the business of the day and preference of the Committee
Persons who wish to address the Legislation Committee during public comment or with respect to an item that is on the agenda may submit public comments before or during the meeting by email, voicemail or online participation as described below:

1) Email to lara.delaney@cao.cccounty.us In the subject line, please include "Legislation" and enter the agenda item number and description.

2) Voicemail at (925) 335-1097. The caller should start the message by stating "Legislation Committee public comments – not on the agenda" or "Legislation Committee public comments – agenda item #", followed by the caller's name and comments.

3) To participate directly in the meeting please click the following link:

<https://us02web.zoom.us/j/3501763799>

Request to speak by using the "raise hand" function.

4) To participate directly in the meeting by phone call: 1-669-900-6833 (Toll Free), ID 350 176 3799. Request to speak by dialing #2.

* Commenters will be limited to three (3) minutes each;

* Comments submitted by email or voicemail will be included in the record of the meeting but will not be read or played during the meeting.

1. Introductions
2. Public comment on any item under the jurisdiction of the Committee and not on this agenda (speakers may be limited to three minutes).
3. **RECEIVE and APPROVE the Record of Action for the March 9, 2020 meeting of the Legislation Committee, with any necessary corrections.**
4. **RECEIVE the report on the State Budget and State Legislation of Interest and provide direction to staff and advocates, as needed.**
5. **CONSIDER recommending to the Board of Supervisors a position of "Support" on AB 2959 (Calderon): Solid Waste: Byproducts from Processing of Food.**
6. The next meeting is currently scheduled for July 13, 2020 at 1:00 p.m.
7. Adjourn

The Legislation Committee will provide reasonable accommodations for persons with disabilities planning to attend Legislation Committee meetings. Contact the staff person listed below at least 72 hours before the meeting.

Any disclosable public records related to an open session item on a regular meeting agenda and distributed by the County to a majority of members of the Legislation Committee less than 96 hours prior to that meeting are available for public inspection at 651 Pine Street, 10th floor, during normal business hours.

Public comment may be submitted via electronic mail on agenda items at least one full work day prior to the published meeting time.

For Additional Information Contact:

Lara DeLaney, Committee Staff
Phone (925) 335-1097, Fax (925) 646-1353
lara.delaney@cao.cccounty.us



Contra Costa County Board of Supervisors

Subcommittee Report

LEGISLATION COMMITTEE

3.

Meeting Date: 06/08/2020
Subject: Record of Action for Legislation Committee Meeting
Submitted For: LEGISLATION COMMITTEE,
Department: County Administrator
Referral No.: 2020-10
Referral Name: Record of Action
Presenter: L. DeLaney **Contact:** L. DeLaney, 925-335-1097

Referral History:

County Ordinance requires that each County body keep a record of its meetings. Though the record need not be verbatim, it must accurately reflect the agenda and the decisions made in the meeting.

Referral Update:

Attached is the draft Record of Action for the March 9, 2020 meeting.

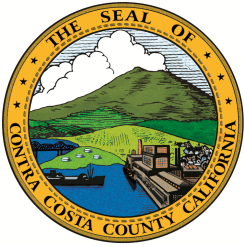
Recommendation(s)/Next Step(s):

RECEIVE and APPROVE the Record of Action for the March 9, 2020 meeting.

Attachments

DRAFT Record of Action

DRAFT



LEGISLATION COMMITTEE

RECORD OF ACTION FOR
March 9, 2020

Supervisor Karen Mitchoff, Chair
Supervisor Diane Burgis, Vice Chair

Present: Karen Mitchoff, Chair
Diane Burgis, Vice Chair

Staff Present: Lara DeLaney, Sr. Deputy County Administrator; Mark Goodwin, Chief of Staff,
District III; Chris Wickler, Field Representative, District IV; Jill Ray, Field
Representative, District II

Attendees: Douglas Dunn, Sean Kerns

1. Introductions

Chair Mitchoff and Vice Chair Burgis introduced themselves, as did those in attendance. Michelle Rubalcava from Nielsen Merksamer was on the conference line.

2. Public comment on any item under the jurisdiction of the Committee and not on this agenda (speakers may be limited to three minutes).

No public comment was received.

3. RECEIVE and APPROVE the Record of Action.

The Record of Action for the February 10, 2020 meeting of the Committee was approved as presented.

AYE: Chair Karen Mitchoff
Vice Chair Diane Burgis

4. RECEIVE the report and provide direction, as needed.

The report on State Budget and State Legislation of interest was received and discussed. No direction was provided to staff.

AYE: Chair Karen Mitchoff
Vice Chair Diane Burgis

5. DIRECT staff on the process for procuring federal advocacy services for the period beginning July 1, 2020.

The Committee members indicated there was no need for another procurement process for the federal advocacy services at this time. The Committee directed staff to send a recommendation to the Board of Supervisors to authorize a contract extension for Alcalde & Fay for continued advocacy services through the period of time specified in the 2019 RFQ.

AYE: Chair Karen Mitchoff
Vice Chair Diane Burgis

6. CONSIDER recommending to the Board of Supervisors a position of "Support" on H.R. 5823, the "State and Local Cybersecurity Improvement Act" and directing staff to send the item to the Board at the next available opportunity for their consideration on Consent.

The Committee requested additional information from our federal advocate regarding California representatives' co-sponsorship of the bill and directed staff to return the bill for consideration in the future.

7. CONSIDER the recommendations of the Contra Costa County Mental Health Commission and direct staff, as needed.

The Committee received the report and testimony from Douglas Dunn. The recommendation from the Mental Health Commission regarding programs and funding of the Mental Health Services Act (MHSA) was expected to be considered by the Family and Human Services Committee at their April meeting (although the meeting was subsequently cancelled due to the Shelter at Home caused by the pandemic). With regard to the recommendation from the Mental Health Commission surrounding the permanent repeal of the Institute of Mental Diseases (IMD) Medi-Cal reimbursement, the Board's adopted 2020 Federal Platform includes a principle aligned with this recommendation: SUPPORT policies and approaches that would enhance the ability of county officials and our partners to prevent and treat mental health and substance use disorders, both in the community and within the confines of the criminal justice system.

AYE: Chair Karen Mitchoff
Vice Chair Diane Burgis

8. The next meeting is currently scheduled for April 6, 2020 at 11:00 a.m. (**Note time change.**)

Due to the Shelter at Home Order, this meeting was subsequently cancelled.

9. Adjourn

Prior to adjournment, the Field Representative for Assembly Member Frazier, who was not present during Public Comment, provided a brief update on proposed legislation carried by the Assembly Member, including AB 1853.

For Additional Information Contact:

Lara DeLaney, Committee Staff
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Contra Costa County Board of Supervisors

Subcommittee Report

LEGISLATION COMMITTEE

4.

Meeting Date: 06/08/2020

Subject: State Budget and Legislation of Interest to Contra Costa County

Submitted For: LEGISLATION COMMITTEE,

Department: County Administrator

Referral No.: 2020-12

Referral Name: State Budget and Legislative Update

Presenter: L. DeLaney and Nielsen Merksamer
Team

Contact: L. DeLaney,
925-335-1097

Referral History:

The Legislation Committee regularly receives updates from staff and the County's legislative advocates on State Budget and legislation of interest to the County.

Referral Update:

Despite the ongoing challenges of the worldwide COVID-19 pandemic, national civic unrest, and continued economic strain, the Governor and Legislature continue their work at the Capitol to address the State Budget for FY 2020-21 and legislation of vital importance to the state.

According to the most recent media reports, Assembly and Senate Democrats have announced an agreement on a State Budget, in advance of the June 15 deadline and July 1 start date. This agreement, as anticipated, rejects a host of cuts initially proposed by Governor Newsom in his May Revision budget. The deal largely adheres to the framework passed by the Senate Budget and Fiscal Review Committee last week, which avoids cuts to health care and social services that Newsom said would occur if the federal government does not provide a \$14 billion lifeline. California faces a projected \$54 billion deficit. The Legislature is expected to vote on the main Budget bill and trailer bills at the June 15 deadline. The next legislative discussion will occur June 4 in an Assembly budget subcommittee. It does not appear that the two houses will meet in a conference committee. Significant elements of the joint Budget include the following:

- "Protects" \$1.2 billion in Proposition 56 funding that provides supplemental rate increases for Medi-Cal providers. Governor Newsom had proposed eliminating those rate increases to free up funds for more Medi-Cal patients, a major point of contention for doctors, dentists and other providers.
- Assumes that the administration has overestimated the financial burden California's safety net programs will face in the next year. Their plan projects saving \$4 billion on costs for Medi-Cal and CalWORKs below what the Department of Finance has calculated, which could be problematic for counties.

- Eliminates most of Governor Newsom's January spending proposals.
- Relies on suspending corporate tax deductions to generate more than \$4 billion in the next fiscal year, but does not propose any broad-based, long-term tax increases.
- Proposes to provide the state's earned income tax credit to undocumented immigrant parents with young children. They also still want to provide Medi-Cal to undocumented residents over age 65 but delay implementation to 2022.
- Treats the Governor's federal "trigger" mechanism differently by giving the federal government until Sept. 1 to provide aid to states before deciding whether to use Plan "B." That backup plan would still impose cuts on the University of California and California State University systems, as well as state courts. It would dip deeper into the state's reserves and change the state's Managed Care Organization tax to raise an additional \$1 billion.
- Compared to the Senate budget, the two-house plan provides more money for homelessness programs, more funds to counties for realignment responsibilities, and the 5 percent boost to UC and CSU that Governor Newsom proposed in January — as long as the federal government comes through with relief.

The Budget also proposes an increase in legislative control over COVID-19 spending, moving to cut budget language that allows the Governor to direct coronavirus response funds how he sees fit, though recognizing that the specifics will still be worked out with the Governor.

Attachment A: Pending Senate Version of the Budget, Draft 5/27

Attachment B: California Statewide COVID-19 Actions, prepared by Nielsen Merksamer

Attachment C: Master List of Bills of Interest to Contra Costa County

From CalMatters, Emily Hoeven. June 3, 2020:

“Floyd death could spark change

Will George Floyd’s death and the protests sweeping the nation galvanize California to make massive policy changes or reexamine controversial proposals with new eyes?

Today, a powerful Assembly committee will vote on a [proposed amendment to the state Constitution](#) that would reinstate affirmative action policies in state colleges, universities and agencies — after voters rejected such policies two decades ago. (The proposed amendment will appear on the November ballot if passed by two-thirds of both the Assembly and Senate.)

It will also vote on a bill [that would establish a reparations committee](#) to educate Californians about the lingering effects of slavery and recommend how the state might compensate African Americans for decades of inequality and discrimination.

- **Audrey Dow, vice president of the Campaign for College Opportunity:** Recent headlines “are forcing us to recognize that we are not beyond race as a country or state. We have not achieved the nirvana of being colorblind. Race matters.”

Although Gov. Gavin Newsom [emphasized Monday](#) that “program-passing is not problem-solving” and “you’ve got to change culture, not just laws,” a number of public officials have already moved to change policies.

- **The San Francisco Public Defender’s Office** [called Tuesday](#) for an overhaul of use-of-force policies at the city’s police department.
- **San Diego Mayor Kevin Faulconer** said Monday police [will no longer use a controversial neck hold](#) that critics had asked the city for years to stop using.
- **A group of Bay Area district attorneys** asked the state bar to [prevent prosecutors from taking money from police unions](#) on the grounds that it creates a conflict of interest when investigating police misconduct.
- **And Superintendent of Public Instruction Tony Thurmond** [pledged to improve implicit bias education](#) for students and teachers.

Meanwhile, U.S. Sen. Kamala Harris, a California Democrat, [is calling for a stricter national standard](#) for when police are legally able to use deadly force. Harris didn’t take a position on the issue in 2019, [when California passed a landmark law](#) raising the state standard from “reasonable” to “necessary.”

Harris is also calling for independent investigations of police departments, though [she didn’t back a California bill to that effect](#) as attorney general.”

Recommendation(s)/Next Step(s):

RECEIVE the report and provide direction to staff, as needed.

Attachments

Attachment A: Pending Senate Version of the Budget, Draft 5/27

Attachment B: COVID-19 Actions Memo

Attachment C: Master List of Bills of Interest

Pending Senate Version of the Budget

DRAFT 5/27

2020-21

Summary:

After spending months preparing for the challenge of this year's budget as the impacts of the COVID-19 virus ravaged the economy, the Senate Committee on Budget and Fiscal Review worked at break-neck speed and under surreal conditions to craft the Senate Version of the Budget.

The Senate Versions closes the \$54 billion budget shortfall and ends with total reserves of \$11.3 billion, including:

- \$2.0 billion in the Regular Reserve;
- \$900 million in the Safety Net Reserve; and
- \$8.35 billion in the Rainy Day Fund.

These figures are all based on the Department of Finance's revenue forecast, but does reflect the LAO's caseload forecast for health and human services programs.

The Senate Version builds on the reasonable framework presented by the Governor and follows the guidelines set forth by the Budget Chair prior to the release of the May Revision:

➤ **Be Responsible.** The Senate Version:

- Looks beyond just the upcoming budget year and preserves 55% of reserves for future years.
- Relies on the sober forecast of the Department of Finance, which forecasts lower revenues than even the Legislative Analyst's most pessimistic scenario.
- Avoids balancing the budget with solutions that may not happen. This includes building in trigger solutions should expected Federal Funds not materialize and not assuming savings from employee pay that need to go through the collective bargaining process.

➤ ***Do Not Become Part of the Problem.*** The Senate Version:

- Protects core education programs rather than past actions that resulted in layoffs of tens of thousands of teachers. In fact, the Senate Version actually provides a slight increase to school funding over the current year, even if additional funds do not materialize and trigger solutions are required.
- Makes use of the historic reserves – rather than draconian cuts – in the event federal funds do not materialize. The Legislature championed the Rainy Day Fund and the Safety Net Reserve precisely to avoid having to immediately resort to deep and harmful cuts that cause ongoing economic harm.
- Avoids cuts to critical safety net programs that cause more long term harm than short term budget gain, including protecting job training programs for struggling Californians, aging programs that avoid costly nursing home costs, and access to health care that would otherwise require lower income seniors to pay a “senior penalty” of several hundred dollars each month.

By following these guidelines, the Senate Version provides a strong budget to keep the state on solid footing as the state enters challenging economic times.

Different Trigger Approach Between May Revision & Senate Version:

While both the May Revision and the Senate Version contain a Federal Funds / Trigger Solutions interaction, the two versions differ in the presumed starting point and other key details of trigger solutions.

- The Governor’s May Revision proposes \$14 billion in budget cuts that would take effect, but then be triggered off if Federal Funds materialize to replace the proposed cuts.
- The Senate Version flips the presumption, and instead budgets as though the Federal Funds will come in, but then triggers on the solutions should the Federal Funds not materialize.
 - As discussed in more detail below, under the Senate Version the most draconian cuts – to schools and health and human services – are taken off the table and instead replaced with other solutions that have always been intended to be used prior to draconian cuts being implemented.

- The trigger solutions effective date is October 1, 2020, ensuring there is time for the federal government to act to provide more relief for state and local governments.
- While much attention has been given to the trigger cuts proposed in the May Revision, there is growing confidence that the federal government will act and the trigger solutions contained in the Senate Version will not be implemented.

Summary of Solutions:

The Senate Version of the budget follows the same categories of solutions as the Governor's May Revision, as follows:

Summary of Solutions (Preliminary Accounting / In billions)	
Category	Senate Version
Reserves	8.3
Borrowing/Transfers/Deferrals	9.3
Temporary Revenues	4.4
Existing Federal Funds	8.2
Cancellations & Other	6.3
HHS Caseload Savings	3.6
Anticipated Federal Funds	14.0
Totals	54.2
<i>Regular Reserve Under above solutions:</i>	<i>2.0</i>
<i>If Federal Funds Do Not Materialize:</i>	
Reduced Federal Funds	-14.0
Trigger Solutions	13.1
Totals	53.3
<i>Regular Reserve under Trigger Solutions</i>	<i>1.1</i>

Major Changes to the Governor's Proposed Solutions:

➤ *Reserves:*

- The Governor's May Revision proposes to draw down \$450 million from the Safety Net Reserve.
- The Senate Version preserves all \$900 million in the Safety Net Reserve to protect critical programs in future years.

➤ *Borrowing/Transfers/Deferrals, Temporary Revenues, and Existing Federal Funds are fairly consistent between the May Revision and the Senate Version.*

➤ *Cancellations of Recent Actions and Other Reductions:*

- The Senate Version approves the vast majority of the Governor's proposals in this category.
- The Senate Version rejects proposed cancellations of Legislative priorities, including:
 - Rejects proposal to reinstate the Senior Penalty in Medi-Cal that would result in increased costs of healthcare for lower income seniors by hundreds of dollars per month.
 - Rejects cuts to critical affordable housing funds.
 - Rejects cuts to child care rate increases, which would further restrict access to child care for working families.
 - Protects one time investments for local homelessness programs, clean water programs, enforcing sexual assault laws, and other priorities.

➤ *Trigger Solutions:*

- The Senate Version rejects solutions subject to the trigger in the May Revision, and replaces them with alternative trigger solutions.
- The Senate Version trigger mechanism follows the trigger practice used in 2011 and 2012. Under this trigger mechanism, the federal funds are assumed to arrive and are deposited into the General Fund. But, if by

September 1, 2020 the federal funds have not materialized, the trigger solutions take effect October 1, 2020.

- If the trigger solutions are implemented, the Senate Version's Regular Reserve will be \$1.1 billion. The trigger solutions are as followings:
 - \$1.8 billion by maximizing use of the Rainy Day Fund, the full 50% of the required deposits will still remain in the Rainy Day Fund (about \$6.7 billion).
 - \$900 million by maximizing the Safety Net Reserve, which will protect draconian cuts proposed in the May Revision.
 - \$1.8 billion by reinstating deferral that were in place until the current year. It is unlikely they would have been turned off had the state known these challenging times would come so soon.
 - \$1.1 billion in a Special Fund loan associated with the reinstating of the deferrals.
 - \$5.3 billion in a Prop 98 deferral, which along with the \$2.7 billion funding increase will provide about \$8.1 billion in programmatic spending over what the May Revision contained in its trigger proposal.
 - \$1 billion by adjusting the Managed Care Organizations charge, in lieu of any cut to Prop 56 funds.
 - \$600 million reduction to the Legislative augmentation to county realignment funds.
 - \$400 million reduction to University of California (\$200 million) and the California State University (\$200 million).
 - \$100 million reduction to the Judiciary (Dependency counsel, self help, court interpreters, and Equal Access Fund are not subject to this cut).
 - \$70 million reduction to Corrections to reflect savings in certain programs due to delays caused by COVID-19.
 - Any Collectively bargained changes to state employee compensation will impact the savings total as well. This Senate

does not presume a specific amount of impact while the collective bargaining is in progress.

Key Issues Associated with the Senate Version of the Budget:

➤ *Economic Recovery.*

- On May 12th, Senate Democrats unveiled two economic recovery proposals stemming from an internal caucus working group on economic recovery.
- The proposals do not necessarily need to be enacted with the budget on June 15, but will be pursued expeditiously to address major economic challenges facing Californians today. The proposals are:
 - *Tenant/Landlord Stabilization.* This proposal address the challenge of Californians struggling due to the COVID-19 crisis being unable to pay their rent and the economic stress it passes along to property owners.

Under this proposal, renters will be forgiven for past due rents and will be protected from eviction. Landlords will be provided transferable future tax credits equal to, or nearly equal to, the value of the missed rent payments. Renters that have the ability to do so, will reimburse the state for the costs of the tax credits over a ten year period beginning in 2024.

- *\$25 Billion Economic Recovery Fund.* This proposal generates \$25 billion over two years for economic stimulus investments to prevent the economy falling further and to assist the economic rebound.

Under this proposals, tax payers and others can prepay future taxes in exchange for future tax vouchers that have a higher face value to reflect inflation and to incentivize participation.

The accelerated revenues will be available for purposes that include but are not limited to, small business assistance, worker retraining, jump starting infrastructure projects, filling gaps in the education system and safety net, and addressing homelessness.

➤ *Generating Additional Resources.*

- The Senate Version acknowledges efforts to authorize and regulate sports wagering in California.

While this will not have a direct near term budget impact, tax revenues from bringing sports wagering activities into legal status will have future budget benefits and help provide resources to combat negative impacts of gaming that we know exist today.

Major Differences with May Revision, by Subcommittee:

Subcommittee 1 on Education Finance

Major changes to the Governor's May Revision:

- Rejects \$8.1 billion of proposed cuts to Proposition 98 funding that were contained in the Governor's May Revision trigger proposal, this includes rejecting cuts to:
 - K-12 Local Control Funding Formula;
 - K-12 Categorical programs, including the After School Education Safety Program and Career Technical Education Programs;
 - State Preschool and Child Care reimbursement rates; and
 - Community Colleges, including career technical education.
- Includes no Proposition 98 cuts in the Senate Version trigger solution plan, instead if federal funds do not materialize \$5.3 billion of school and community college funding will be converted to a deferral, which preserves programmatic funding.
- Provides an Average Daily Attendance hold harmless for Local Educational Agencies in the 2020-21 fiscal year and requires distance learning in the event of school closures.
- Amends the Governor's Special Education proposal to provide \$545 million to increase base rates and \$100 million for the low incidence disabilities cost pool.
- Reduces the nearly \$800 million of proposed cuts to the University of California (\$376 million) and the California State University (\$398 million) that were contained in the Governor's May Revision trigger proposal to \$200 million for each the UC and CSU in the Senate Version trigger solution plan.

- Rejects the \$27.5 million proposed cut to the UC Merced-UCSF Fresno Partnership Branch Medical School and the UC Riverside School of Medicine.

Subcommittee 2 on Resources, Environmental Protection, and Transportation

Major changes to the Governor's May Revision:

- ❑ Requires the California Air Resources Board to conduct a rulemaking to consider improvements to the Cap-and-Trade Program.
- ❑ Rejects the Governor's proposal to roll back the sunset on funding to the Habitat Conservation Fund, which will preserve funding for conservation efforts.
- ❑ Rejects a proposed transfer from the State Highway Account and provides an additional \$130 million for transportation projects
- ❑ Provides statutory relief to transit agencies dealing with the fallout of COVID-19 on ridership and revenues

Subcommittee 3 on Health and Human Services

Major Health program changes to the Governor's May Revision:

- Rejects proposal to reinstate the "senior penalty" and preserves the Medicare Part B disregard adopted in the 2019 Budget Act, preserving health coverage for low-income seniors.
- Rejects cuts to previously approved programs, such as the medical interpreters pilot project in Medi-Cal, funding for behavioral health counselors in emergency departments, caregiver resource centers, and the black infant health program.
- Rejects implementation of a maximum inpatient fee schedule in Medi-Cal managed care, which would have resulted in significant cuts in reimbursement for both public and private hospitals.
- Maintains Governor's January proposal to expand Medi-Cal to all seniors 65 and over, regardless of immigration status, but delays the start date to January 1, 2022. The action includes authority for the Governor to further delay implementation based on ability of budget to afford the cost.

- Rejects all proposed “trigger” reductions to health programs proposed by the Administration. For example, the Senate version of the budget:
 - Rejects elimination of Medi-Cal optional benefits, including dental, optometry, optician/optical lab, audiology, incontinence creams/washes, pharmacist-delivered services, speech therapy, podiatry, acupuncture, nurse anesthetists, occupational therapy, physical therapy, and the diabetes prevention program.
 - Rejects elimination of Proposition 56 supplemental payments for Medi-Cal providers including physicians, dentists, women’s health, family planning, developmental screenings, trauma screenings, community-based adult services, non-emergency medical transportation, and hospital-based pediatric physicians.
 - Rejects cancellation of the Proposition 56 Physician and Dentist Loan Repayment Program, which provides loan repayments for providers willing to devote nearly a third of their practice to serving Medi-Cal patients.
 - Rejects elimination of the multipurpose senior services program (MSSP) benefit and community-based adult services (CBAS).
 - Rejects renewed estate recovery provisions from deceased Medi-Cal beneficiaries
 - Rejects elimination of rate carve-outs for community clinics (FQHCs and RHCs).
 - Rejects elimination of General Fund support for the Song-Brown Healthcare Workforce Training Program.
- Includes in the Senate Version trigger solution plan an adjustment to the Managed Care Organization charge to generate \$1 billion budget benefit should the anticipated funds not materialize. This proposal replaces the proposed cut to Proposition 56 included in the May Revision trigger.

Major Human Services changes to the Governor’s May Revision:

- Provides \$600 million for counties to backfill lost 1991 realignment revenues, with the expectation these funds will assist child welfare services costs. (This augmentation is subject to being triggered off under the Senate trigger solution plan.)

- Returns the CalWORKs time clock to the historic 60-month time period beginning in 2022, improving access to critical services for struggling Californians working to get back on track.
- Rejects proposed cuts In-Home Supportive Services (IHSS) program that would have caused some recipients to lose services and allowed the contracting out of services currently provided by county staff.
- Rejects proposed cuts to supplemental provider rate adjustments for providers that serve individuals with developmental disabilities. These include infant development programs, independent living programs, and early start specialized therapeutic services.
- Rejects all proposed cuts to human services program that the May Revision includes in their “trigger category.” This includes:
 - \$300 million cut to Developmental Services;
 - Various cuts targeting seniors, such as funding cuts to senior nutrition programs and programs that help keep seniors at home and out of nursing homes;
 - Cut to the federal SSI/SSP COLA; and
 - Cut to IHSS service hours by seven percent.

Subcommittee 4 on General Government

Major changes to the Governor’s May Revision:

- Adds tax filers with Individual Taxpayer Identification Numbers with at least one child six years of age or younger to the Earned Income Tax Credit and the Young Child tax Credit.
- Defers the proposed, additional, \$1 per 20 mg nicotine-based tax on E-cigarette or vaping products.
- Defers the expansion of Department of Business Oversight into the new Department of Financial Protection and Innovation.
- Includes \$35 million in additional funds to support the November 2020 general elections.

- Preserves nearly \$250 million for affordable housing development in 2020-21.
- Provides \$13 million for transitional housing and housing navigators for foster youth.
- Provides \$250 million in state funds for homelessness programs for local governments.
- Rejects reductions subject to the May Revision proposed trigger, including the proposed closure of the Barstow Veterans Home. Instead requires the California Department of Veteran Affairs to work with the community stakeholders and submit a closure plan to the Legislature.
- Excludes proposed savings related to reduction of employee pay and suspending employee pay increases subject to the May Revision proposed trigger. Any savings achieved through the collective bargaining process will increase the Senate Version's final reserve.

Subcommittee 5 on Public Safety

Major changes to the Governor's May Revision:

- Approves \$146 million in cuts to California Department of Corrections and Rehabilitation that were not proposed in the Governor's May Revision.
- Rejects several proposed cuts to courts and public safety that the May Revision includes in their trigger category, including:
 - \$166 million in cuts for the state-level judiciary, the trial courts, and other Judicial Branch local assistance programs, including indigent defense, Dependency Counsel, Court Interpreters, Court Appointed Special Advocate Program, Model Self-Help Program, Equal Access Fund; Family Law Information Centers, and Civil Case Coordination.
 - \$37 million in cuts to grants that continue to support the warm hand-off and reentry of offenders transitioning from state prison to communities;
 - \$1.8 million in cuts that limit expansion of state prison oversight.
- Includes in the Senate Version trigger solution:

- \$100 million reduction to the Judiciary, but the reduction cannot impact Dependency Counsel, Court Interpreters, Court Appointed Special Advocate Program, Model Self-Help Program, Equal Access Fund; Family Law Information Centers, and Civil Case Coordination.
- \$70 million, one-year reduction to the Integrated Substance Use Disorder Program due to likely delays tied to COVID-19.

Major policy included in the Governor's May Revision:

- Announces the intention to close one state prison beginning in 2021-22 and a second state prison beginning in 2022-23.
 - The closures are estimated to result in savings of \$100 million in 2021-22, \$300 million in 2022-23 and \$400 million ongoing.
- Includes statutory changes that support thoughtful and responsible achievement of Administration's long term budget reduction proposals.
- Permanently stops intake into the state Division of Juvenile Justice on January 1, 2021, and transfers responsibility for all youth commitments to counties.

To: NIELSEN MERKSAMER CLIENTS

From: NM Government Law Section

Date: June 3, 2020

Re: California Statewide COVID-19 Actions

To keep the public informed of all COVID-19 developments, the state has created a webpage, <https://www.covid19.ca.gov/>, to provide up-to-date information and resources that contains links to all relevant state departments and local government websites.

EXECUTIVE ORDERS:

The state's public health experts have determined that gatherings should be postponed or canceled across the state until further notice. Nonessential gatherings must be limited to no more than 10 people, while also following social distancing guidelines.

March 4: [Emergency Declaration](#)

Mar 12: [Executive Order N-25-20](#): General Provisions & Government

This order relaxes protocols for unemployment insurance (specifically waives the one-week waiting period for people who are unemployed and/or disabled as a result of COVID-19), delays the state income tax deadline, discourages large gatherings and waives portions of the Brown Act.

March 13: [Executive Order N-26-20](#): Schools

This order sets forth requirements that school must meet, even if they close because of COVID-19.

March 16: [Executive Order N-27-20](#): State Licensed Facilities

This order establishes guidance for state licensed facilities that house populations most vulnerable to COVID-19. It directs the Health and Human Services Agency, in consultation with counties and labor organizations and consumers, to leverage existing services and programs to support home isolation of vulnerable Californians, including seniors and those with serious chronic underlying health conditions.

SACRAMENTO

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March 16: [Executive Order N-28-20](#): Renters and Homeowners

This order authorizes local governments to take measures to halt evictions and protect against utility shutoffs and sets forth guidance for any jurisdiction looking to do so. The order does not relieve tenants from the obligation to pay rent or restrict the landlord's ability to recover rent that is due. The protections are in effect through May 31, 2020, unless extended. The order also requests banks and other financial institutions to halt foreclosures and related evictions during this time. It also asks the California Public Utilities Commission to monitor measures undertaken by public and private utility providers to implement customer service protections for critical utilities, including electric, gas, water, internet, landline telephone and cell phone service on a weekly basis.

March 17: [Executive Order N-31-30](#): Goods Movement

This order eases restrictions on commercial drivers engaged in support of emergency relief efforts. The change comes in conjunction with the Federal Motor Carrier Safety Administration's emergency waiver announced last week to ensure the free flow of critical supplies and equipment.

March 18: [Executive Order N 29-20](#): Safety Net Services & Brown Act

This order relaxes requirements for state social safety net programs but waiving eligibility re-determinations for 90 days for Medi-Cal, CalFresh, CalWorks, Cash Assistance for Immigrants and In-Home Supportive Services. It also replaces and revises EO-25-20 and makes further suspensions of Bagley-Keene Act and Brown Act to states that there is no requirement for state or local legislative bodies to make a physical location available from which the public can make public comment, so long as options to participate telephonically or electronically are provided. Local bodies must still follow noticing requirements and implement a procedure for resolving requests for accommodation from individuals with disabilities.

March 18: [Executive Order N-30-20](#): School Testing

This order is focused entirely on school testing. It waives, for the 2019-2020 school year, the requirement that all students be administered academic assessments each year.

March 18: [Executive Order N-32-20](#): Local Flexibility for Homelessness

This order aims to grant local flexibility on spending and building shelters to combat homelessness during the COVID-19 outbreak including waiving certain regulatory barriers for shelters or facilities built with this emergency funding. It provides \$150 million for emergency homelessness actions: \$100M direct to local governments for shelter support and emergency housing to address COVID 19 amend the homeless population and \$50M to purchase travel trailers and lease rooms in hotels, motels and other facilities in partnership with counties and cities to provide immediate isolation for homeless individuals.

March 19: [Executive Order N-33-20](#): Stay at Home Order

This order institutes a statewide stay at home order and includes a link defining critical infrastructure and essential workers.

March 20: [Executive Order N-34-20](#): Elections

This order focuses on elections procedures during the COVID-19 outbreak, including allowing vote-by-mail for certain upcoming special elections and extends timeframes for the March 4, 2020 statewide primary.

March 21: [Executive Order N-35-20](#): Facilities Staffing Ratios, Work Hours & Brown Act

This order covers a wide array of issues. Broadly it applies work health facilities' staffing ratios, hours exemptions (laid out in N-25-20) to local governments, suspends local ordinances that interfere with essential activities, further clarifies and expand Brown Act exemptions, and extends deadlines and relaxes requirements for several statutes.

March 24: [Executive Order N-36-20](#): Correctional Facilities

This order temporarily halts the intake and/or transfer of inmates and youth into the state's 35 prisons and four youth correctional facilities. These inmates will remain in county custody for the next 30 days, but the timeframe could be extended if needed.

March 27: [Executive Order N-37-20](#): Evictions

This order bans the enforcement of eviction orders for renters affected by COVID-19 through May 31, 2020. The order prohibits landlords from evicting tenants for nonpayment of rent and prohibits enforcement of evictions by law enforcement or courts. It also requires tenants to declare in writing, no more than seven days after the rent comes due, that the tenant cannot pay all or part of their rent due to COVID-19.

March 27: [Executive Order N- 38-20](#): Judicial Council Emergency Authority

This order empowers the Judicial Council and the Chief Justice of the California Supreme Court to take necessary action to be able to conduct business and continue to operate while responding to the COVID-19 pandemic. The order does not affect any existing court order or rule. Specifically, it allows the Judicial Branch to allow for remote depositions in every case (the law had previously required that parties be deposed in person) and electronic service of process. Additionally, the order leaves the Judicial Branch discretion to make any modifications to legal practice and procedure it deems necessary in order to continue conducting business.

March 30: [Executive Order N-39-20](#): Healthcare Workforce Expansion

This order temporarily expands the health care workforce and allow health care facilities to staff at least an additional 50,000 hospital beds the state needs to treat COVID-19 patients. The order allows the Department of Consumer Affairs (DCA) to waive specific health professional licensure requirements and license maintenance requirements until June 30th.

March 30: [Executive Order N-40-20](#): Government Functions & Small Business Relief
 This order allows the California Department of Tax and Fee Administration (CDTFA) to offer a 90-day extension for tax returns and tax payments for all businesses filing a return for less than \$1 million in taxes. Additionally, the order extends the statute of limitations to file a claim for refund by 60 days to accommodate tax and fee payers. The EO also includes extensions that impact state government workers, as well as consumers. For instance, the Department of Motor Vehicles will limit in-person transactions for the next 60 days, allowing instead for mail-in renewals. Additionally, DCA will waive continuing education requirements for several professions, also for the next 60 days. Further, the order extends the Office of Administrative Law's (OAL) deadlines to review regular department proposed regulations and extends by 60 days the time period to complete investigation of public safety officers based on allegations of misconduct. Finally, deadlines for trainings, investigations and adverse actions for state workers will also be extended.

Pursuant to this order, the state created a [link](#) to the COVID-19 website that details the assistance available to small businesses and employers impacted by the pandemic.

April 1: [Executive Order N-41-20](#): Disaster Response Expenditures
 This order facilitates expenditures from the state's Disaster Response-Emergency Operations Account (DREOA), a subaccount of the Special Fund for Economic Uncertainties in the General Fund (the state's budget reserve), as well as from any other legally available fund to help with the COVID-19 response. On March 25th, the Department of Finance transferred \$1.3 billion from the budget reserve into the DREOA subaccount to pay for costs associated COVID-19 pandemic response. A total of \$1.4 billion is now available in DREOA.

April 2: [Executive Order N-42-20](#): Water Shutoff Restrictions
 This order restricts water shutoffs to homes and small businesses during the COVID-19 pandemic and restores water service for occupied residences that may have had their water shut off as of March 4, 2020, the date of the state of emergency proclamation.

April 3: [Executive Order N-43-20](#): Telehealth Services
 This order expands protections to medical providers as they amplify the use of video chats and similar applications to provide routine and non-emergency medical appointments to minimize patient exposure to COVID-19. It relaxes certain state privacy and security laws for medical providers, so they can provide telehealth services without the risk penalty. This action is similar to the federal Health and Human Services (HHS) Office for Civil Rights waiver issued on [March 17, 2020](#) regarding federal privacy and security laws.

April 3: [Executive Order N-44-20](#): Price Gouging
 This order expands consumer protection against price gouging during COVID-19 pandemic. It generally prohibits sellers of any kind from increasing prices on food,

consumer goods, medical or emergency supplies, and certain other items by more than 10 percent and give gives additional tools to the California Department of Justice and Attorney General's Office, among others, to take action against price gougers.

April 4: [Executive Order N-45-20](#): Child Care for Essential Workers

This order seeks to facilitate childcare for children of essential critical infrastructure workers by granting the California Department of Education (CDE) and California Department of Social Services (DSS) the flexibility to waive certain programmatic and administrative requirements in response to the COVID-19 pandemic. The waivers will focus on current eligibility and enrollment priorities that prevent childcare and afterschool programs from serving children of essential infrastructure workers. The waiver will allow eligibility for childcare to prioritize essential workers, including health care professionals, emergency response personnel, law enforcement, and grocery workers. Additionally, the order requires CDE & DSS to jointly develop and issue guidance, by April 7th, on how the essential worker prioritization will roll out, as well as guidance on how childcare programs and providers can safely provide care.

April 7: [Executive Order N-46-20](#): Medical Supplies Procurement

This order assists the state in the procurement of necessary medical supplies.

April 7: [Executive Order N-47-20](#): Support for Vulnerable Populations

This order provides additional support for older adults and vulnerable young children by allowing a 60-day waiver for In-Home Supportive Services (IHSS) program caseworkers to continue their work and be able to care for older adults, as well as individuals with disabilities.

April 10: [Executive Order N-48-20](#): Upcoming Special Elections

This order mandates that three upcoming special elections scheduled for May and June will be held as all-mail elections. Under the order, local election officials can also make in-person voting available, to ensure every voter has an opportunity to vote, but only in a manner consistent with public health and safety, including appropriate physical distancing. The upcoming impacted elections are a May 19, 2020 special recall election in the City of Santa Ana; a June 2, 2020 special municipal election scheduled in the City of Commerce; and a special recall election in the El Rancho Unified School District, also scheduled for June 2, 2020.

April 14: [Executive Order N-49-20](#): Juvenile Justice Discharge and Reentry Process

This order addresses the release and reentry process at the Division of Juvenile Justice (DJJ) for the safe and expeditious discharge of eligible youth. It calls for all discharge and reentry hearings to be held via videoconference to minimize the youth's and other participants' exposure to COVID-19 and shortens various notification timeframes from 60 to 30 days before holding a discharge consideration hearing. Victim notifications are not impacted by this order.

The order also allows for reentry consideration hearings to take place at the DJJ facility where the youth are housed, instead of transferring youth to a county jail to await these hearings. Victims and victim representatives will be able to participate in the videoconference hearings.

April 15: [Executive Order N-50-20](#): Employment Development Department
This order requires the Employment Development Department (EDD) call centers to operate 7 days a week from 8:00 AM to 8:00 PM. It also directs 1,340 existing state employees to the Unemployment Insurance Branch and directs EDD to expedite access to the Work Share program to avert layoffs. It also requires EDD to create a one-stop shop for individuals applying for unemployment insurance and the new federal Pandemic Unemployment Assistance (PUA) program starting April 28. The PUA will provide federally funded benefits distinct from UI program for certain individuals out of work or partially unemployed due to COVID-19. This includes the self-employed, individuals who may be employees but who lack sufficient work history and independent contractors. Federal guidelines include gig workers and California's gig workers will continue to be protected by existing state laws against misclassification in the administration of PUA. PUA benefits will be issued within 24-48 hours – not the traditional 21 days for regular UI claims.

April 16: [Executive Order N-51-20](#): Food Sector Employee Supports
This order provides California workers in the food sector industry impacted by the COVID-19 pandemic with two weeks of paid sick leave. Food sector workers include farmworkers, agricultural workers, grocery stores and fast food chains employees and as delivery drivers are part of the state's essential infrastructure workforce and have continued to work to serve Californians. The order also includes new health and safety standards to increase worker and customer protection by permitting workers at food facilities to wash their hands every 30 minutes, or as needed, to increase proper sanitation measures.

April 16: [Executive Order N-52-20](#): Various Government Functions
This order allows the California University (CSU) system to adjust its admissions requirements for students applying for acceptance in Fall 2021 and allows the Department of Justice (DOJ) to develop procedures to perform name-based background checks to ensure there is no delay processing employment for critical sectors, such as health care services and care and support for vulnerable populations. It also allows federal stimulus checks to flow directly to custodial parents owed back child support payments rather than to the state and allows commercially licensed food trucks to be able to temporarily operate in roadside rest areas for a period of 60 days, to ensure essential infrastructure workers have access to food. Caltrans will be charged with developing and implementing a process to administer the temporary permits.

April 17: [Executive Order N-53-20](#): Foster Youth

This order allows temporary waivers for certain foster youth programs to ensure continuity of care during the pandemic. It allows county child welfare agencies and probation departments to perform necessary functions using alternative processes other than face-to-face interactions. This includes allowance for a 60-day waiver to allow for flexibility in the emergency placement of foster youth and ensures that foster youth have access to critical programs and technology by verifying foster care status for foster youth and wards of the juvenile court whose cases are pending.

April 23: [Executive Order N-54-20](#): Various Government Functions

This order grants a 60-day extension for customers on several Department of Motor Vehicles (DMV) deadlines, including for recently expired drivers' licenses and identification cards, and suspends late fees from being applied to expired vehicle registrations. Additionally, it allows certain California Environmental Quality Act (CEQA) posting, filing and notice requirements to be satisfied electronically.

The order also allows retailers to provide bags to consumers without charge and to pause redemption of beverage containers in-store to mitigate COVID-19 spread. Additionally, it temporarily suspends the requirement for recycling centers to hold a minimum number of hours of operation and directs the Department of Resources Recycling and Recovery (CalRecycle) to develop and issue operating guidelines.

April 23: [Executive Order N-55-20](#): Department of Health Care Services

This order provides the Department of Health Care Services (DHCS) and Medi-Cal providers flexibility on a variety of deadlines and requirements to ensure continuity of service to beneficiaries not impacted by the COVID-19 pandemic. Specifically, the order allows phone or video conferences for fair hearings for California Children's Services on grievances and appeals. The order also temporarily suspends requirements for in-person signatures for people to obtain certain prescription drugs covered by Medi-Cal and will allow a 90-day extension for providers on cost reporting, change of scope of service and administrative hearings.

April 23: [Executive Order N-56-20](#): School COVID-19 Response and Transparency

This order extends deadlines for local educational agencies (LEAs) to submit Local Control and Accountability Plans (LCAP), which are multi-year planning documents that must be developed in collaboration with parents, students, teachers and community groups. LEAs will be required to publish reports detailing their COVID-19 response including the steps they have taken to deliver high-quality distance learning opportunities, provide school meals in non-congregate settings and arrange for supervision of students during ordinary school hours. They will also be required to explain the steps they have taken to meet the needs low-income students, English learners and foster youth. The order also waives required physical education minutes and annual physical fitness testing that requires on-site instruction. Academic assessments were previously waived under a separate order.

April 23: [Executive Order N-57-20](#): Economic Impact Payment Garnishment

This order exempts garnishment for any individuals receiving federal, state or local government financial assistance in response to the COVID-19 pandemic. This includes recovery rebates under the CARES Act. Funds may still be garnished for child support, family support, spousal support or criminal restitution for victims.

The Governor also announced a deal with private student loan servicers that provides students with commercially owned Federal Family Education Loans or privately held student loans options for expanded relief. These options include providing a minimum of 90 days forbearance, waiving late payment fees, ensuring that no borrower is subject to negative credit reporting and helping eligible borrowers enroll in other assistance programs.

April 30: [Executive Order N-58-20](#): Marriages

This order allows adults to obtain a marriage license, at the discretion of their local county clerk, through videoconferencing if both adults are located within in California, are present and can present identification during the video conference. The license will be issued via email. Additionally, adults who wish to be married can conduct a ceremony to solemnize the marriage via videoconference if both parties are present and have at least one witness who can join the live video conference. This order is valid for 60 days.

May 1: [Executive Order N-59-20](#): CalWorks

This order temporarily broadens counties' capabilities to enroll persons into the California Work Opportunity and Responsibility to Kids (CalWORKs) program using various eligibility verification methods due to social distancing requirements. The provisions allow for temporary self-attestation of pregnancy and conditions of eligibility and waive in-person identification requirements. It also expands the opportunity for individuals to qualify for a limited amount of lump-sum financial assistance instead of receiving CalWORKs, as long as their income is below 200 percent of the Federal Poverty Level, and supports families by suspending the requirement for county welfare departments to consider Federal Pandemic Unemployment Compensation as income when determining CalWORKs grant amounts.

May 4: [Executive Order N-60-20](#): Local Health Order Criteria

This order directs the State Public Health Officer to establish criteria to determine whether and how, considering local conditions, local health officers may implement public health measures less restrictive than the statewide public health directives. To have less restrictive standards, counties must meet criteria that illustrates they have a low prevalence of COVID-19, meet testing and contact tracing criteria, their health care system is prepared for a sudden rise in cases and have plans in place to protect vulnerable populations. The details of the outline will be released in coming days.

May 6: [Executive Order N 61-20](#): Property Tax Penalties

This order waives penalties for property taxes paid after April 10 for taxpayers who demonstrate they have experienced financial hardship due to the COVID-19 pandemic through May 6, 2021. This will apply to residential properties and small businesses. Additionally, the executive order will extend the deadline for certain businesses to file Business Personal Property Statements from tomorrow to May 31, 2020, to avoid penalties.

May 6: [Executive Order N 62-20](#): Worker's Compensation

This order creates a time-limited rebuttable presumption for accessing workers' compensation benefits applicable to Californians who must work outside of their homes during the stay at home order. Those eligible will have the rebuttable presumption if they tested positive for COVID-19 or were diagnosed with COVID-19 and confirmed by a positive test within 14 days of performing a labor or service at a place of work after the stay at home order was issued on March 19, 2020. The presumption will stay in place for 60 days after issuance of the executive order.

May 8: [Executive Order 63-20](#): Critical Deadline Extensions

This order extends various deadlines for public school project inspectors certification requirements, Certified Access Specialists and notaries public and gives the State Fire Marshal 60 days to publish lists of building materials requirements and registration renewals for flame-retardant fabrics and applications. It also allows retired peace officers to temporarily be reemployed for up to a year if they left the agency in good standing and authorizes remote reporting under the Sex Offender Registration Act consistent with state public health guidance. Last, the order extends by 60 days certain procedural deadlines of the Department of Industrial Relations, including the deadline for workers to file wage claims with the Labor Commissioner; the deadline for employers to appeal Cal/OSHA citations and the deadline for Workers' Compensation Administrative Law Judges to issue decisions.

May 8: [Executive Order N 64-20](#): November General Election

This order requires that county elections officials send vote-by-mail ballots for the November 3, 2020 General Election to all registered voters. Californians in of need access to in-person voting opportunities – including individuals with disabilities, non-English speakers, individuals experiencing homelessness and others – will still be able to access in-person voting opportunities. The Administration will work with the Legislature and the Secretary of State to determine how requirements for in-person voting opportunities and other details of the November election will be implemented to preserve public health and provide county elections officials flexibility.

May 19: [Executive Order N 65-20](#): General Government COVID Response Issues

This order addresses the following government issues related to the COVID response. Specifically, it waives the 10 percent cash or in-kind matching requirements for state grants awarded to domestic violence service providers and the deadline to verify grade

point average and certain certification requirements and selective service registration verification for CalGrant applicants. The order also suspends programmatic deadlines for entities that receive funding from the Energy Commission for the development and deployment of new technologies that support the state's clean energy and decarbonization goals. Last, it extends the timeframe for local governments to submit claims for reimbursement to the State Controller's Office.

May 29: [Executive Order N-66-20](#): Eviction Moratorium Extension & Other Government Functions

This order extends local governments' authorization to halt evictions through July 28. It also extends the waiver permitting the DMV to allow mail-in renewals of driver's licenses and identification cards and waives certain programmatic and administrative requirements that restrict childcare and afterschool programs from serving children of essential infrastructure workers.

In addition, the order allows individuals enrolled in teacher preparation programs during the 2019-20 school year to obtain their preliminary credential without a teaching performance assessment, if the individual was unable to complete that requirement due to a COVID-19 school closure.

Finally, the order requires the Department of Housing and Community Development (HCD) to waive certain regulations governing administration of Emergency Services Grant funding received under the CARES Act, develop alternative streamlined procedures and implement reasonable accommodations for HCD-funded projects that have been negatively affected by the pandemic, to help ensure project feasibility. The order also suspends statutory set-asides for economic development and housing for Community Development Block Grant program funding received under the CARES Act.

June 3: [Executive Order N-67-20](#): November General Election

This order ensures in-person voting opportunities are available in sufficient numbers to maintain physical distancing. It requires counties to provide three days of early voting starting the Saturday before election day and requires ballot drop-box locations be available between October 6 and November 3, while also allowing counties to consolidate voting locations, with at least one voting location per 10,000 registered voters.

The Administration will continue to work with the Legislature, the Secretary of State and county elections officials on how other aspects of the November election, such as voter education and outreach, will be implemented while preserving public health and giving county elections officials needed flexibility.

UPDATE ON REOPENING THE STATE: BARBER SHOPS & HAIR SALONS

Yesterday, the Department of Public Health (DPH) announced counties that meet the criteria for accelerated re-opening may re-open hair salons and barbershops with modifications such as mandatory face coverings for both barbers or stylists and clients. Permitted activities include services that can be provided with both the worker and customer wearing face coverings throughout the service including haircuts, hair coloring, blowouts, weaves and extensions, braiding, lock maintenance, wig maintenance and hair relaxing treatments.

Salon activities that cannot be done with face coverings on both the worker and client – or that require touching the client's face – such as shaving, facial waxing, threading, eyelash services and facials – remain prohibited at this time in all counties. Likewise, nail salons remain closed.

Under the re-opening [new guidance](#), salons and barbers must:

- Implement measures to ensure physical distancing of at least six feet between and among workers and customers, except when providing haircutting and other close contact services.
- Provide temperature and/or symptom screenings for all workers at the beginning of their shift and any vendors, contractors, or other workers entering the establishment.
- Encourage workers and customers who are sick or exhibiting symptoms of COVID-19 to stay home.
- Screen customers upon arrival and be prepared to cancel or reschedule customers who indicate they have any signs of illness.
- Require workers and customers to use face coverings during the entire haircutting and other close contact hair services.

More information about the state's COVID-19 guidance is on the [California Department of Public Health's Guidance web page](#).

UPDATE ON REOPENING THE STATE: PLACES OF WORSHIP, RETAIL STORES & PROTESTS

On Memorial Day, the Department of Public Health (DPH) announced the statewide reopening of places of worship for religious services and in-store retail shopping. Modifications are required to keep Californians safe and limit the spread of COVID-19. Subject to approval by county public health departments, all retail stores can reopen for in-store shopping under previously issued guidelines. Under new guidance, places of worship can hold religious services and funerals that limit attendance to 25% of a

building's capacity – or up to 100 attendees, whichever is lower – upon approval by the county department of public health.

While large gatherings remain prohibited under the state's stay-at-home order, DPH also released [guidelines for in-person protests](#) and events designed for political expression. The guidance limits attendance to 25% of an area's maximum occupancy – or up to 100 attendees.

The new [guidance for religious services and cultural ceremonies](#) encourages organizations to continue online services and activities, including to protect individuals who are most at risk for more severe COVID-19, including older adults and people with specific medical conditions.

To reopen for religious services and funerals, places of worship must:

- Establish and implement a COVID-19 prevention plan for every location, train staff on the plan, and regularly evaluate workplaces for compliance.
- Train employees and volunteers on COVID-19, including how to prevent it from spreading and which underlying health conditions may make individuals more susceptible to contracting the virus.
- Implement cleaning and disinfecting protocols.
- Set physical distancing guidelines.
- Recommend that staff and guests wear cloth face coverings, and screen staff for temperature and symptoms at the beginning of their shifts.
- Set parameters around or consider eliminating singing and group recitations. These activities dramatically increase the risk of COVID-19 transmission. For this reason, congregants engaging in singing, particularly in the choir, and group recitation should always wear face coverings and when possible, these activities should be conducted outside with greater than 6-foot distancing.

The existing [guidance for retailers](#), previously allowed for counties approved to advance in the reopening process, now applies statewide. Retail can now open for in-store shopping statewide. The guidelines help reduce the risk for workers and customers. Retail does not include personal services such as hair salons, nail salons and barbershops.

In 21 days, the Department of Public Health, in consultation with local departments of public health, will review and assess the impact of the religious services guidelines and provide further direction as part of a phased-in restoration of activities. This 21-day interval accounts for seven days for religious communities to prepare and reopen in addition to a 14-day incubation period of COVID-19.

CALIFORNIA CONNECTED, STATE'S CONTRACT TRACING PROGRAM, ANNOUNCED

On May 22nd, Governor Newsom announced the launch of California Connected, the state's comprehensive contact tracing program and public awareness campaign. As part of California Connected, public health workers from communities across the state will connect with individuals who test positive for COVID-19 and work with them, and people they have been in close contact with, to ensure they have access to confidential testing, as well as medical care and other services to help prevent the spread of the virus.

The state's program is led by the Administration in collaboration with the California Department of Public Health, local public health departments and the University of California, San Francisco (UCSF) and Los Angeles (UCLA), which have launched a robust online training academy to develop a culturally competent and skilled contact tracing workforce.

The state plans to launch 10,000 contact tracers statewide as part of its plan to reopen California. More than 500 individuals have been trained under the new contact tracing program, and more than 300 are being trained this week.

For more information, visit CaliforniaConnected.ca.gov.

GOVERNOR'S RECOVERY TASKFORCE REQUESTS FEDERAL ASSISTANCE

On May 19th, members of the Governor's Task Force on Business and Jobs Recovery sent a letter to congressional leaders asking them pass \$1 trillion in direct relief for state and local governments. The [letter](#), signed by 91 California leaders outlines the budgetary challenges facing state, local and tribal governments caused by the COVID-19 pandemic. The task force was convened last month to chart a path forward on COVID recovery.

UPDATE ON REOPENING THE STATE: STAGE 2

As a state, California is now in Stage 2, where retail (curbside and delivery only), related logistics and manufacturing, office workplaces, limited personal services, outdoor museums, child care, and [essential businesses](#) can open with modifications. The state has [issued guidance](#) to help those places reopen safely.

County variance. Local health jurisdictions that meet criteria established California Department of Public Health and follow the process in the [county guidance](#) may move further ahead in Stage 2 of the [resilience roadmap](#).

If a county decides to pursue a variance to move further into Stage 2, the local public health officer must:

1. Notify the California Department of Public Health (CDPH).
2. Certify through submission of a written attestation to CDPH that the county has met the readiness criteria (outlined below), including guidance to be issued by the county and detailed plans, and that the county is designed to mitigate the spread of COVID-19.

The list counties that meet this criteria and are authorized to reopen more businesses is available [here](#).

At the May 4th press conference, Governor Newsom announced that California will move into Stage 2 of modifying the stay at home order on Friday, May 8th. The guidelines for Stage 2 will be released Thursday, May 7th. The Governor also [released a Report Card](#) showing the state's progress in fighting COVID-19 in a number of categories such as stabilized hospitalization and ICU numbers and acquiring PPE.

CHILDCARE ONLINE PORTAL

At the April 30th press conference Governor Newsom announced a new portal to help parents, including essential workers and vulnerable families, find safe, reliable and accessible childcare options. The new portal is available at covid19.ca.gov/childcare and enables parents to enter their location and the type of care they need, instantly receiving a list of local center-based and family child care programs. The list of open licensed childcare programs will include health and safety information, age of children accepted, capacity, availability, hours and contact information for the program and local Child Care Resource and Referral agency. The Child Care Resource and Referral agencies can answer general questions, including those about childcare subsidies.

CALIFORNIA'S PANDEMIC RESILIENCE ROADMAP

At the April 28th press conference, Governor Newsom and California Department of Public Health Director and State Public Health Officer Dr. Sonia Angell, discussed the state's science and data driven plan to reopen the state. They also gave an updated presentation of California's Roadmap to Pandemic Resilience, which can be accessed [here](#).

NEW EXPANDED TESTING EXPANSION GUIDANCE ANNOUNCED

On April 22nd, Governor Newsom announced an expansion in testing and contact tracing to identify those with the virus and the expansion of community testing in underserved areas. The state is contracting with Verily, the Community Organized Relief Effort (CORE), the Rockefeller Foundation and an anonymous donor to establish six new community testing sites focused on underserved communities such as farmworkers and

communities of color. California also is contracting with OptumServe to establish an additional 80 community testing sites.

The state intends to:

- Accelerate equitable COVID-19 testing by aiming to deploy 25,000 tests per day by April 30; establishing an additional 80-100 testing sites; and identifying five new high-throughput testing hubs.
- Establish a contact tracing workforce by surveying counties on their capacity; developing a statewide training academy; and training 10,000 public health connectors to conduct contact tracing.
- Develop isolation protocols and supports by identifying regional alternate isolation sites and building private-public partnerships to support those who are isolated.
- Deploy data management system and tools by publishing a symptom-check app; deploying a data management platform; and establishing a data dashboard for the public.

Additionally, the California Department of Public Health (CDPH) updated their guidance on the prioritization of COVID-19 laboratory testing to reflect the new testing expansion capacity. This new guidance document can be accessed [here](#).

GOVERNOR'S #CALIFORNIANSFORALL SERVICE INITIATIVE ANNOUNCEMENT

On April 21st, Governor Newsom announced an initiative to connect Californians with safe volunteer opportunities. #CaliforniansForAll seeks to unite organizations in need of volunteers with Californians looking to serve, while ensuring stay-at-home and physical distancing protocols are met. The initiative will focus on recruiting younger Californians to help the most vulnerable throughout the state, including the elderly who are at higher risk of infection. Interested individuals are encouraged to join #CaliforniansForAll by signing up at californiansforall.ca.gov. Participants will receive an email from California Volunteers with information on what they can do to help and those who choose to volunteer will be contacted by local nonprofit partners when opportunities open in their area.

GOVERNOR'S TASKFORCE ON BUSINESS & JOBS RECOVERY

On April 17th, Governor Newsom announced the formation of a state taskforce on Business and Jobs Recovery, which will be co-chaired by Governor Newsom's Chief of Staff Ann O'Leary and philanthropist, environmentalist and businessman Tom Steyer. Mr. Steyer was also appointed Chief Advisor to the Governor on Business and Jobs Recovery. Mr. Steyer is serving in a volunteer capacity.

Members of the Task Force include Senate President pro Tempore Toni Atkins, Assembly Speaker Anthony Rendon, Senate Minority Leader Shannon Grove, Assembly Minority Leader Marie Waldron, former Federal Reserve Chair Janet Yellen, Walt Disney Company Executive Chairman Bob Iger, former head of the Small Business Administration Aida Álvarez and dozens of prominent leaders in business, labor, health care, academia and philanthropy.

Read the full list of [Task Force members here](#).

NEWSOM’S CRITERIA FOR MODIFICATIONS TO STAY AT HOME ORDERS

On April 15th, the Governor released six key indicators that will inform the state’s decision-making process for when and how to modify the stay-at-home and other orders during the COVID-19 pandemic. The six indicators are:

- The ability to monitor and protect our communities through testing, contact tracing, isolating, and supporting those who are positive or exposed;
- The ability to prevent infection in people who are at risk for more severe COVID-19;
- The ability of the hospital and health systems to handle surges;
- The ability to develop therapeutics to meet the demand;
- The ability for businesses, schools, and childcare facilities to support physical distancing; and
- The ability to determine when to reinstitute certain measures, such as the stay-at-home orders, if necessary.

The Governor said there is not a precise timeline for modifying the stay-at-home order, but that these six indicators will serve as the framework for making that decision.

He also noted that things will look different as California makes modifications. For example, restaurants will have fewer tables and classrooms will be reconfigured.

LEGISLATION:

On March 17, 2020, Governor Gavin Newsom signed emergency legislation providing up to \$1 billion in funding to help California fight COVID-19.

1. [SB 89](#) by the Committee on Budget and Fiscal Review – Budget Act of 2019.
2. [SB 117](#) by the Committee on Budget and Fiscal Review – Education finance: average daily attendance and timeline waivers: protective equipment and cleaning appropriation: COVID-19.

The emergency legislative package provides \$500 million General Fund to help California fight COVID-19 and authorizes increases up to \$1 billion. The funding is intended to:

- Increase hospital bed capacity and purchase medical equipment to combat the coming surge in COVID-19 patients;
- Protect hospitals, nursing homes, and other facilities most vulnerable to COVID-19 spread;
- Provide lifesaving services to Californians isolating at home;
- Support local government to reduce the spread of COVID-19 in homeless populations and provide safe beds for people experiencing homelessness; and
- Provide funding to clean childcare facilities that remain open.

However, the operative language of the bill says, “\$500,000,000 is hereby appropriated from the General Fund to any item for any purpose...” – there will be pressure for the Governor to spend this money outside of his stated purposes.

The package also provides \$100 million Proposition 98 General Fund for personal protective equipment and cleaning for schools that remain open. It also allows schools to maintain funding despite service disruptions.

FEDERAL GOVERNMENT COLLABORATION:

Presidential Major Disaster Declaration

On March 22nd, Governor Newsom [requested](#) and received approval a Presidential Major Disaster Declaration to assist in California’s COVID-19 preparedness and emergency response efforts. The Major Disaster Declaration includes any and all individual assistance programs to assist those affected by the outbreak and lessen the economic impacts of the crisis. It will provide additional assistance, including but not limited to, mass care and emergency assistance, crisis counseling, disaster case management, disaster unemployment assistance, disaster legal services and Disaster Supplemental Nutrition Assistance.

Congressional Leadership Letter

On March 19th, the Governor sent a [letter](#) on 3/19/2020 to Senate Majority Leader Mitch McConnell, Senate Democratic Leader Chuck Schumer, Speaker of the House Nancy Pelosi and House Republican Leader Kevin McCarthy requesting additional federal assistance to supplement California’s efforts to prepare for a COVID-19 surge.

USNS Mercy Deployment

The Governor also announced on March 19th that he sent a [letter](#) to Trump Administration requesting the immediate deployment of the USNS Mercy Hospital Ship to the Port of Los Angeles through September 1, 2020, to help decompress the state’s health care delivery system in Los Angeles in response to COVID-19. The Administration approved the request and USNS Mercy arrived in Los Angeles on March 26th.

Medi-Cal Section 1135 Waiver Requests

On March 16th, the Department of Health Care Services (DHCS) submitted a [letter](#) to the federal Centers for Medicare and Medicaid Services (CMS) requesting the easing of certain federal rules governing doctors and other health care providers who treat people covered through Medi-Cal, California's version of Medicaid. It also would loosen rules regarding the use of telehealth and where care can be provided, making it simpler to protect seniors and other populations at high risk for harm if exposed to the virus. , DHCS submitted an [additional letter](#) to CMS requesting additional flexibilities on March 19th. On March 23rd, CMS [responded](#) to the letters by approving portions of the requests related to allowing out-of-state providers to treat California (in-person or via telehealth), allowing changes for efficient use of hospital capacity and shifting patients to appropriate care settings and modifications to prior authorization treatment rules.

CalFRESH EBT Online Purchasing Waiver Request

On March 20th, the Department of Social Services (DSS) submitted a [letter](#) to the US Department of Agriculture (USDA) requesting permission to authorize retail stores to accept CalFresh (California's Supplemental Nutrition Assistance Program) electronic benefits transfer (EBT) cards for online grocery purchases. USDA [approved](#) this waiver request on April 8th and CalFRESH beneficiaries will be able to use their EBT cards for online groceries purchases at Amazon and Walmart starting on April 28th. DSS is working to expand the number of participating retailers but has issued [guidance](#) for county welfare directors.

2020 Master File of Bills of Interest As of June 3, 2020

AB 22	AUTHOR:	Burke [D]
	TITLE:	Housing: Children and Families
	FISCAL COMMITTEE:	yes
	URGENCY CLAUSE:	no
	INTRODUCED:	12/03/2018
	LAST AMEND:	01/16/2020
	DISPOSITION:	Failed
	LOCATION:	ASSEMBLY
	SUMMARY:	
	Declares that it is the policy of the state that every child and family has the right to safe, decent, and affordable housing. Requires the policy to consider homelessness prevention, emergency accommodations, and permanent housing. Requires all relevant state agencies and departments to consider that policy when establishing policies, regulations, and grant criteria pertinent to advancing the components of Housing First.	
	STATUS:	
	02/03/2020	In ASSEMBLY. Died pursuant to Art. IV, Sec. 10(c) of the Constitution.
	02/03/2020	From Committee: Filed with the Chief Clerk pursuant to Joint Rule 56.
AB 46	AUTHOR:	Carrillo [D]
	TITLE:	Individuals With Mental Illness: Change of Term
	FISCAL COMMITTEE:	no
	URGENCY CLAUSE:	no
	INTRODUCED:	12/03/2018
	ENACTED:	06/26/2019
	DISPOSITION:	Enacted
	LOCATION:	Chaptered
	CHAPTER:	2019-09
	SUMMARY:	
	States the intent of the Legislature to enact legislation to replace derogatory terms with more culturally sensitive terms when referring to individuals with mental illness.	
	STATUS:	
	06/26/2019	Signed by GOVERNOR.
	06/26/2019	Chaptered by Secretary of State. Chapter No. 2019-09
AB 465	AUTHOR:	Eggman [D]
	TITLE:	Firearm Relinquishment: Protective Orders
	FISCAL COMMITTEE:	no
	URGENCY CLAUSE:	no
	INTRODUCED:	02/11/2019
	LAST AMEND:	08/28/2019
	DISPOSITION:	Pending
	FILE:	A-35
	LOCATION:	Senate Inactive File
	SUMMARY:	
	Requires a court, when issuing a protective order, to determine whether the restrained person has possession or control of a firearm or ammunition in	

violation of the requirement to relinquish that firearm or ammunition. Requires the court to also consider whether the perpetrator of domestic violence is, or has been, in possession or control of a firearm or ammunition in violation of the law.

STATUS:

09/12/2019 In SENATE. Read second time. To third reading.
 09/12/2019 In SENATE. Ordered to Consent Calendar.
 09/12/2019 In SENATE. From Consent Calendar. To Inactive File.

AB 563

AUTHOR: Quirk-Silva [D]
TITLE: Mental Health: Funding
FISCAL COMMITTEE: yes
URGENCY CLAUSE: no
INTRODUCED: 02/13/2019
LAST AMEND: 04/22/2019
DISPOSITION: Failed
LOCATION: ASSEMBLY
SUMMARY:

Appropriates a certain amount from the General Fund to the State Department of Health Care Services to distribute to the North Orange County Public Safety Task Force for the development of a two year pilot program. Requires 1/2 of the moneys to be distributed on a specified date, and 1/2 to be distributed on a specified date, and would require the moneys to be used to provide a range of programs, services, and activities designed to assist individuals and families experiencing mental health crises.

STATUS:

02/03/2020 In ASSEMBLY. Died pursuant to Art. IV, Sec. 10(c) of the Constitution.
 02/03/2020 From Committee: Filed with the Chief Clerk pursuant to Joint Rule 56.

AB 732

AUTHOR: Bonta [D]
TITLE: County Jails: Prisons: Incarcerated Pregnant Persons
FISCAL COMMITTEE: yes
URGENCY CLAUSE: no
INTRODUCED: 02/19/2019
LAST AMEND: 01/23/2020
DISPOSITION: Pending
LOCATION: SENATE
SUMMARY:

Requires an incarcerated person in a county jail or the state prison who is identified as possibly pregnant or capable of becoming pregnant during an intake health examination, or at any time during incarceration, to be offered a test upon intake or request. Provides an incarcerated person in a local detention facility with the right to summon a physician, nurse practitioner, certified nurse midwife, or physician assistant. Provides for the use of menstrual hygiene products.

STATUS:

01/27/2020 In ASSEMBLY. Read second time. To third reading.
 01/27/2020 In ASSEMBLY. Assembly Rule 63 suspended.
 01/27/2020 In ASSEMBLY. Read third time. Passed ASSEMBLY.
 *****To SENATE. (63-0)

AB 828	<p>AUTHOR: Ting [D] TITLE: Moratorium on Foreclosures and Unlawful Detainer Action FISCAL COMMITTEE: yes URGENCY CLAUSE: yes INTRODUCED: 02/20/2019 LAST AMEND: 05/18/2020 DISPOSITION: Pending LOCATION: Senate Public Safety Committee SUMMARY:</p>
	<p>Requires a trustee, mortgagee, or beneficiary to first file a record in the office of the recorder a notice of default, and establishes other requirements and procedures for completion of a foreclosure sale. Prohibits a person from taking any action to foreclose on a residential real property while a state or locally declared state of emergency related to the coronavirus. Establishes a procedure, known as an unlawful detainer action.</p>
	<p>STATUS: 05/18/2020 From SENATE Committee on PUBLIC SAFETY with author's amendments.</p>
	<p>05/18/2020 In SENATE. Read second time and amended. Re-referred to Committee on PUBLIC SAFETY.</p>
AB 953	<p>AUTHOR: Ting [D] TITLE: Land Use: Accessory Dwelling Units FISCAL COMMITTEE: yes URGENCY CLAUSE: no INTRODUCED: 02/21/2019 LAST AMEND: 01/06/2020 DISPOSITION: Pending LOCATION: SENATE SUMMARY:</p>
	<p>Deems a permit application for the creation of an accessory dwelling unit or junior accessory dwelling unit approved if the local agency has not acted upon the completed application within 60 days. Requires ministerial approval of an application for a building permit within a residential or mixed-use zone to create one accessory dwelling unit and one junior accessory dwelling unit per lot with a proposed or existing single-family dwelling if certain requirements are met.</p>
	<p>STATUS: 01/30/2020 In ASSEMBLY. Read third time. Passed ASSEMBLY. *****To SENATE. (76-0)</p>
AB 1121	<p>AUTHOR: Bauer-Kahan [D] TITLE: Firearms: Prohibited Persons FISCAL COMMITTEE: yes URGENCY CLAUSE: no INTRODUCED: 02/21/2019 LAST AMEND: 03/19/2019 DISPOSITION: Failed LOCATION: ASSEMBLY SUMMARY:</p>
	<p>Prohibits a person who is granted this pretrial diversion based on a mental health disorder from owning or possessing a firearm, or other dangerous or deadly weapon.</p> <p>STATUS:</p>

	02/03/2020	In ASSEMBLY. Died pursuant to Art. IV, Sec. 10(c) of the Constitution.
	02/03/2020	From Committee: Filed with the Chief Clerk pursuant to Joint Rule 56.
AB 1126	AUTHOR:	O'Donnell [D]
	TITLE:	Mental Health Services Oversight and Accountability
	FISCAL COMMITTEE:	yes
	URGENCY CLAUSE:	no
	INTRODUCED:	02/21/2019
	LAST AMEND:	04/01/2019
	DISPOSITION:	Failed
	LOCATION:	ASSEMBLY
	SUMMARY:	Requires the Mental Health Services Oversight and Accountability Commission to establish technical assistance centers and clearinghouses to support counties in addressing mental health issues of statewide concern, with a focus on school mental health and reducing unemployment and criminal justice involvement due to untreated mental health issues. Requires the Commission to develop transparency and accountability strategies.
	STATUS:	
	02/03/2020	In ASSEMBLY. Died pursuant to Art. IV, Sec. 10(c) of the Constitution.
	02/03/2020	From Committee: Filed with the Chief Clerk pursuant to Joint Rule 56.
AB 1182	AUTHOR:	Carrillo [D]
	TITLE:	Post-Release Supervision Of Offenders
	FISCAL COMMITTEE:	yes
	URGENCY CLAUSE:	no
	INTRODUCED:	02/21/2019
	LAST AMEND:	04/22/2019
	DISPOSITION:	Failed
	LOCATION:	ASSEMBLY
	SUMMARY:	Requires persons who have been scored as low or moderate risk to be released if they have been on parole for a certain number of days and have not committed any new offenses.
	STATUS:	
	02/03/2020	In ASSEMBLY. Died pursuant to Art. IV, Sec. 10(c) of the Constitution.
	02/03/2020	From Committee: Filed with the Chief Clerk pursuant to Joint Rule 56.
AB 1216	AUTHOR:	Bauer-Kahan [D]
	TITLE:	Solid Waste: Illegal Dumping
	FISCAL COMMITTEE:	yes
	URGENCY CLAUSE:	no
	INTRODUCED:	02/21/2019
	LAST AMEND:	03/26/2019
	DISPOSITION:	Failed
	LOCATION:	ASSEMBLY
	SUMMARY:	

Authorizes the counties of Alameda and Contra Costa to establish a pilot program to employ 2 law enforcement officers, one from each county, solely for the purpose of enforcing dumping laws in those counties.

STATUS:

02/03/2020 In ASSEMBLY. Died pursuant to Art. IV, Sec. 10(c) of the Constitution.

02/03/2020 From Committee: Filed with the Chief Clerk pursuant to Joint Rule 56.

AB 1275

AUTHOR: Santiago [D]
TITLE: Mental Health Services: County Pilot Program
FISCAL COMMITTEE: yes
URGENCY CLAUSE: no
INTRODUCED: 02/21/2019
LAST AMEND: 05/16/2019
DISPOSITION: Pending
FILE: A-49
LOCATION: Senate Inactive File
SUMMARY:

Requires the State Department of Health Care Services to establish a 3-year pilot project to include the County of Los Angeles and up to 9 additional counties in which each participating county would be required to establish an outreach team, comprised of county employees, to provide outreach services to individuals with a history of mental illness or substance use disorders who are unable to provide for urgently needed medical care and who are homeless or at risk of experiencing homelessness.

STATUS:

09/14/2019 In SENATE. From third reading. To Inactive File.

AB 1405

AUTHOR: Gloria [D]
TITLE: Permanent Supportive Housing for Parolees
FISCAL COMMITTEE: yes
URGENCY CLAUSE: no
INTRODUCED: 02/22/2019
LAST AMEND: 04/29/2019
DISPOSITION: Failed
LOCATION: ASSEMBLY
SUMMARY:

Requires the Department of Corrections and Rehabilitation to enter into contracts with contractors who provide short-term housing to parolees through an adult day reporting center or through the department's Specialized Treatment for Optimized Programming to provide permanent housing for individuals exiting prison who are at risk of homelessness and to parolees experiencing homelessness.

STATUS:

02/03/2020 In ASSEMBLY. Died pursuant to Art. IV, Sec. 10(c) of the Constitution.

02/03/2020 From Committee: Filed with the Chief Clerk pursuant to Joint Rule 56.

AB 1450

AUTHOR: Lackey [R]
TITLE: Child Abuse Central Index
FISCAL COMMITTEE: yes

URGENCY CLAUSE: no
INTRODUCED: 02/22/2019
LAST AMEND: 01/06/2020
DISPOSITION: Pending
LOCATION: SENATE
SUMMARY:

Authorizes a police or sheriff's department to which a report of suspected child abuse or severe neglect is made on or after January 1, 2021, or that is investigating an open case for which a report of suspected child abuse or severe neglect was made on or before January 1, 2021, to forward to the Department of Justice a report in writing of its investigation of known or suspected child abuse or severe neglect that is determined to be substantiated.

STATUS:

01/27/2020 In ASSEMBLY. Read third time. Passed ASSEMBLY.
 *****To SENATE. (74-0)

AB 1525

AUTHOR: Jones-Sawyer [D]
TITLE: Cannabis: Financial Institutions
FISCAL COMMITTEE: yes
URGENCY CLAUSE: no
INTRODUCED: 02/22/2019
LAST AMEND: 01/16/2020
DISPOSITION: Pending
LOCATION: SENATE
SUMMARY:

Provides that an entity, that receives deposits, extends credit, conducts fund transfers, transports cash or financial instruments on behalf of a financial institution, or provides other financial services, including public accounting, for a person licensed to engage in commercial cannabis activity does not commit a crime under any state law.

STATUS:

01/27/2020 In ASSEMBLY. Read third time. Passed ASSEMBLY.
 *****To SENATE. (68-1)

AB 1844

AUTHOR: Chu [D]
TITLE: Paid Sick Leave: Behavioral Health Conditions
FISCAL COMMITTEE: yes
URGENCY CLAUSE: no
INTRODUCED: 01/06/2020
LAST AMEND: 05/11/2020
DISPOSITION: Pending
LOCATION: Assembly Labor and Employment Committee
SUMMARY:

Requires employers to provide their employees paid sick leave that is accrued at a specified rate. Authorizes an employee to request a paid sick day for prescribed purposes, including diagnosis, care, or treatment of an existing health condition of, or preventive care for, an employee or an employee's family member. Specifies that existing health condition includes an existing behavioral health condition, as defined, for purposes of these provisions.

STATUS:

05/11/2020 From ASSEMBLY Committee on LABOR AND EMPLOYMENT
 with author's amendments.
 05/11/2020 In ASSEMBLY. Read second time and amended.

Re-referred to Committee on LABOR AND EMPLOYMENT.

AB 1853

AUTHOR: Frazier [D]
TITLE: Health Care: Medical Goods: Reuse and Redistribution
FISCAL COMMITTEE: yes
URGENCY CLAUSE: no
INTRODUCED: 01/07/2020
DISPOSITION: Pending
LOCATION: Assembly Aging and Long-Term Care Committee
SUMMARY:

Requires the Department of Aging, upon appropriation by the Legislature, to establish a comprehensive 3-year pilot program in the Counties of Contra Costa, Napa, and Solano to facilitate the reuse and redistribution of durable medical equipment and other home health supplies. Requires the department to contract in each county with a local nonprofit agency to oversee the program.

STATUS:

01/30/2020 To ASSEMBLY Committees on AGING & LONG TERM CARE and HEALTH.

AB 1907

AUTHOR: Santiago [D]
TITLE: California Environmental Quality Act: Shelters
FISCAL COMMITTEE: yes
URGENCY CLAUSE: no
INTRODUCED: 01/08/2020
DISPOSITION: Pending
LOCATION: Assembly Natural Resources Committee
SUMMARY:

Exempts from environmental review under the California Environmental Quality Act certain activities approved by or carried out by a public agency in furtherance of providing emergency shelters, supportive housing, or affordable housing. Requires a lead agency that determines to carry out or approve an activity that is within this CEQA exemption to file a notice of exemption.

STATUS:

05/13/2020 In ASSEMBLY Committee on NATURAL RESOURCES: Not heard.

AB 1908

AUTHOR: Chen [R]
TITLE: Transportation: Homeless Encampment and Litter Program
FISCAL COMMITTEE: yes
URGENCY CLAUSE: no
INTRODUCED: 01/08/2020
DISPOSITION: Pending
LOCATION: Assembly Transportation Committee
SUMMARY:

Requires the Department of Transportation, within its maintenance program, to establish a Homeless Encampment and Litter Program to provide timely abatement and cleanup of homeless encampments on Department property and expedited and coordinated access to housing and supportive services. Requires the Department to coordinate with homeless service provider agencies and to establish homeless adult and family multidisciplinary personnel teams.

STATUS:

02/27/2020 To ASSEMBLY Committees on TRANSPORTATION and HUMAN SERVICES.

AB 1910	<p>AUTHOR: Bauer-Kahan [D] TITLE: Firearms: Prohibited Persons FISCAL COMMITTEE: yes URGENCY CLAUSE: no INTRODUCED: 01/08/2020 DISPOSITION: Pending LOCATION: Assembly Public Safety Committee SUMMARY:</p> <p>Prohibits a person who is granted pretrial diversion from criminal prosecution for certain offenses, based on a mental health disorder, from owning or possessing a firearm.</p> <p>STATUS:</p> <p>01/17/2020 To ASSEMBLY Committee on PUBLIC SAFETY.</p>
AB 1920	<p>AUTHOR: Boerner Horvath [D] TITLE: Climate Change: Climate Adaptation Center FISCAL COMMITTEE: yes URGENCY CLAUSE: no INTRODUCED: 01/13/2020 LAST AMEND: 05/04/2020 DISPOSITION: Pending LOCATION: Assembly Natural Resources Committee SUMMARY:</p> <p>Establishes the Climate Adaptation Center and Regional Support Network in the Ocean Protection Council to provide local governments facing sea level rise challenges with information and scientific expertise necessary to proceed with sea level rise mitigation.</p> <p>STATUS:</p> <p>05/04/2020 From ASSEMBLY Committee on NATURAL RESOURCES with author's amendments.</p> <p>05/04/2020 In ASSEMBLY. Read second time and amended. Re-referred to Committee on NATURAL RESOURCES.</p>
AB 1921	<p>AUTHOR: Diep [R] TITLE: Unlawful Entry of a Vehicle FISCAL COMMITTEE: yes URGENCY CLAUSE: no INTRODUCED: 01/13/2020 DISPOSITION: Pending LOCATION: Assembly Public Safety Committee SUMMARY:</p> <p>Makes forcibly entering a vehicle with the intent to commit a theft therein a crime punishable by imprisonment in a county jail.</p> <p>STATUS:</p> <p>01/23/2020 To ASSEMBLY Committee on PUBLIC SAFETY.</p>
AB 1924	<p>AUTHOR: Grayson [D] TITLE: Housing Development: Fees FISCAL COMMITTEE: yes URGENCY CLAUSE: no INTRODUCED: 01/14/2020 DISPOSITION: Pending</p>

	LOCATION: Assembly Local Government Committee SUMMARY: Requires that a fee levied or imposed on a housing development project by a local agency be proportionate to the square footage of the proposed unit or units. STATUS: 01/23/2020 To ASSEMBLY Committees on LOCAL GOVERNMENT and HOUSING AND COMMUNITY DEVELOPMENT.
AB 1938	AUTHOR: Low [D] TITLE: 340B Discount Drug Purchasing Program FISCAL COMMITTEE: yes URGENCY CLAUSE: no INTRODUCED: 01/16/2020 LAST AMEND: 05/04/2020 DISPOSITION: Pending LOCATION: Assembly Appropriations Committee SUMMARY: Defines a designated entity as a nonprofit organization, including any subsidiary of that organization, that meets specified requirements, including that the designated entity is a licensed managed care organization that has previously contracted with the department as a primary care case management organization, contracts with the federal Centers for Medicare and Medicaid Services to provide services in the Medicare Program as a Medicare special needs plan, and participates in the 340B program. STATUS: 05/18/2020 From ASSEMBLY Committee on HEALTH: Do pass to Committee on APPROPRIATIONS. (11-0)
AB 1946	AUTHOR: Santiago [D] TITLE: Mental Health Services: Involuntary Detention FISCAL COMMITTEE: yes URGENCY CLAUSE: no INTRODUCED: 01/17/2020 LAST AMEND: 05/04/2020 DISPOSITION: Pending LOCATION: Assembly Health Committee SUMMARY: Expands the definition of gravely disabled for certain purposes to also include a condition in which a person, as a result of a mental health disorder, is unable to provide for their basic personal needs for medical treatment, if the failure to receive medical treatment, as defined, would likely result in serious bodily harm or death, as attested in writing by a medical professional in their best medical judgment. STATUS: 05/04/2020 From ASSEMBLY Committee on HEALTH with author's amendments. 05/04/2020 In ASSEMBLY. Read second time and amended. Re-referred to Committee on HEALTH.
AB 1948	AUTHOR: Bonta [D] TITLE: Taxation: Cannabis FISCAL COMMITTEE: yes

	URGENCY CLAUSE: no INTRODUCED: 01/17/2020 DISPOSITION: Pending LOCATION: Assembly Revenue and Taxation Committee SUMMARY: Reduces the excise tax rate on the purchase of cannabis and cannabis products from 15% to 11% on and after the operative date of this bill until July 1, 2023, at which time the excise tax rate would revert back to 15%. Suspends the imposition of the cultivation tax on and after the operative date of this bill until July 1, 2023. STATUS: 03/09/2020 In ASSEMBLY Committee on REVENUE AND TAXATION: Heard, remains in Committee.
AB 1950	AUTHOR: Kamlager-Dove [D] TITLE: Probation: Length of Terms FISCAL COMMITTEE: yes URGENCY CLAUSE: no INTRODUCED: 01/17/2020 LAST AMEND: 05/21/2020 DISPOSITION: Pending FILE: 3 LOCATION: Assembly Second Reading File SUMMARY: Restricts the period of probation for a misdemeanor. Authorizes a court to impose a term of probation of not longer than two years. STATUS: 06/03/2020 In ASSEMBLY. Read second time. To third reading.
AB 1954	AUTHOR: Cooley [D] TITLE: Foster Care: Relative and Sibling Placement FISCAL COMMITTEE: yes URGENCY CLAUSE: no INTRODUCED: 01/17/2020 LAST AMEND: 03/12/2020 DISPOSITION: Pending LOCATION: Assembly Human Services Committee SUMMARY: Extends the definition of relative, for purposes of disposition of a child who is a dependent of the juvenile court due to abuse or neglect, to include caregivers of minor siblings who are in a permanent plan of adoption, legal guardianship, or placement with a fit and willing relative. Deletes the provision prohibiting the consideration and investigation of a relative placement from being a cause for continuance of the dispositional hearing. STATUS: 03/12/2020 From ASSEMBLY Committee on HUMAN SERVICES with author's amendments. 03/12/2020 In ASSEMBLY. Read second time and amended. Re-referred to Committee on HUMAN SERVICES.
AB 1979	AUTHOR: Friedman [D] TITLE: Foster Youth: Housing FISCAL COMMITTEE: yes

URGENCY CLAUSE: no
INTRODUCED: 01/23/2020
DISPOSITION: Pending
COMMITTEE: Assembly Appropriations Committee
HEARING: 06/03/2020 3:00 pm
SUMMARY:

Requires a county placement agency to examine its ability to meet the emergency housing needs of nonminor dependents. Includes a transitional living setting approved by a county to support youth who are entering or reentering foster care or transitioning between placements, excluding a runaway and homeless youth shelter or adult homeless shelter, within the definition of a supervised independent living setting.

STATUS:

06/03/2020 In ASSEMBLY Committee on APPROPRIATIONS: To
 Suspense File.

06/03/2020 From ASSEMBLY Committee on APPROPRIATIONS: Do pass
 as amended.

AB 2063

AUTHOR: Mullin [D]
TITLE: Property Taxation: Welfare Exemption: Housing
FISCAL COMMITTEE: yes
URGENCY CLAUSE: yes
INTRODUCED: 02/04/2020
DISPOSITION: Pending
LOCATION: Assembly Revenue and Taxation Committee
SUMMARY:

Decreases the percentage of occupants that are lower income households required to qualify for the property tax exemption. Increases the total exemption amount allowed to a taxpayer.

STATUS:

03/09/2020 In ASSEMBLY Committee on REVENUE AND TAXATION:
 Heard, remains in Committee.

AB 2064

AUTHOR: Patterson [R]
TITLE: Emergency Preparedness: Access and Functional Needs
FISCAL COMMITTEE: yes
URGENCY CLAUSE: no
INTRODUCED: 02/04/2020
LAST AMEND: 03/04/2020
DISPOSITION: Pending
COMMITTEE: Assembly Appropriations Committee
HEARING: 06/03/2020 3:00 pm
SUMMARY:

Requires the Office of Emergency Services, in the next update of the State Emergency Plan, to include best practices for local governments and nongovernmental entities to use to mobilize and evacuate people with access and functional needs. Requires the Office to develop and update annually, a guidance document for local governments based, in part, on a review of recent emergency and natural disaster incidents, and what did or did not go well in the response efforts.

STATUS:

06/02/2020 In ASSEMBLY Committee on APPROPRIATIONS: Held in
 committee.

AB 2266	<p>AUTHOR: Quirk-Silva [D] TITLE: Mental Health Services Act: Use of Funds FISCAL COMMITTEE: yes URGENCY CLAUSE: no INTRODUCED: 02/14/2020 DISPOSITION: Pending LOCATION: Assembly Health Committee SUMMARY:</p> <p>Requires the Department of Health Care Services to establish a pilot program in up to 10 counties and authorizes funding from the Mental Health Services Act (MHSA) to be used by participating counties to treat a person with co-occurring mental health and substance abuse disorders when the person would be eligible for treatment of the mental health disorder pursuant to the MHSA.</p> <p>STATUS: 02/24/2020 To ASSEMBLY Committee on HEALTH.</p>
AB 2289	<p>AUTHOR: Nazarian [D] TITLE: Mental Health Services Fund FISCAL COMMITTEE: no URGENCY CLAUSE: no INTRODUCED: 02/14/2020 DISPOSITION: Pending LOCATION: ASSEMBLY SUMMARY:</p> <p>Makes technical, nonsubstantive changes relating to the Mental Health Services Fund.</p> <p>STATUS: 02/14/2020 INTRODUCED.</p>
AB 2387	<p>AUTHOR: Grayson [D] TITLE: In Home Supportive Services: Needs Assessment FISCAL COMMITTEE: no URGENCY CLAUSE: no INTRODUCED: 02/18/2020 LAST AMEND: 05/04/2020 DISPOSITION: Pending FILE: 167 LOCATION: Assembly Third Reading File SUMMARY:</p> <p>Relates to in home supportive services assessments. Authorizes counties to perform a needs assessment by telephone if certain conditions are met, including that the recipient has had at least one in person assessment since the initial program intake and the recipient has not changed their residence since the previous assessment.</p> <p>STATUS: 05/11/2020 In ASSEMBLY. Read second time. To third reading.</p>
AB 2421	<p>AUTHOR: Quirk [D] TITLE: Land Use: Permitting: Wireless Communications FISCAL COMMITTEE: yes URGENCY CLAUSE: no INTRODUCED: 02/19/2020</p>

	LAST AMEND: 03/12/2020 DISPOSITION: Pending COMMITTEE: Assembly Appropriations Committee HEARING: 06/03/2020 3:00 pm SUMMARY: Requires local agencies to adopt specified approval procedures for an application to install an emergency standby generator, that meets specified standards, within the physical footprint of a macro cell tower site. STATUS: 06/03/2020 From ASSEMBLY Committee on APPROPRIATIONS: Do pass as amended.
AB 2688	AUTHOR: Cervantes [D] TITLE: Veterans: Veterans Service Officers FISCAL COMMITTEE: yes URGENCY CLAUSE: yes INTRODUCED: 02/20/2020 DISPOSITION: Pending LOCATION: Assembly Veterans Affairs Committee SUMMARY: Appropriates \$11,000,000 from the General Fund to the Department of Veterans Affairs for allocation to counties for county veterans service officers based upon a workload unit performance formula to be developed by the department. Requires the department to develop performance metrics to demonstrate the effective use of appropriated funds. STATUS: 03/02/2020 To ASSEMBLY Committee on VETERANS AFFAIRS.
AB 2959	AUTHOR: Calderon I [D] TITLE: Solid Waste: Byproducts from Processing of Food FISCAL COMMITTEE: no URGENCY CLAUSE: no INTRODUCED: 02/21/2020 LAST AMEND: 05/05/2020 DISPOSITION: Pending FILE: 178 LOCATION: Assembly Third Reading File SUMMARY: Reauthorizes local governmental entities to exercise authority with regard to the hauling of byproducts from the processing of food or beverages if those byproducts originate from a supermarket, grocer, restaurant, or other retail food establishment. STATUS: 05/18/2020 In ASSEMBLY. Read second time. To third reading.
AB 3256	AUTHOR: Garcia E [D] TITLE: Bond Act FISCAL COMMITTEE: yes URGENCY CLAUSE: no INTRODUCED: 02/21/2020 LAST AMEND: 05/18/2020 DISPOSITION: Pending COMMITTEE: Assembly Appropriations Committee

	HEARING: 06/03/2020 3:00 pm SUMMARY: Enacts the Economic Recovery, Wildfire Prevention, Safe Drinking Water, Drought Preparation, and Flood Protection Bond Act, which, if approved by the voters, would authorize the issuance of bonds in a specified amount to finance projects for an economic recovery, wildfire prevention, safe drinking water, drought preparation, and flood protection program. STATUS: 06/03/2020 From ASSEMBLY Committee on APPROPRIATIONS: Do pass as amended.
CA ACR 98	AUTHOR: Wicks [D] TITLE: Mental Health and Substance Use Treatment FISCAL COMMITTEE: yes URGENCY CLAUSE: no INTRODUCED: 06/04/2019 DISPOSITION: Pending LOCATION: Senate Health Committee SUMMARY: Urges specified state departments and the Attorney General to use their authority to ensure that health care service plans and health insurers subject to their authority comply with the federal Paul Wellstone and Pete Domenici Mental Health Parity and Addiction Equity Act. STATUS: 09/05/2019 Re-referred to SENATE Committee on HEALTH.
SB 45	AUTHOR: Allen [D] TITLE: Wildfire Prevention, Drinking Water, Drought, and Flood FISCAL COMMITTEE: yes URGENCY CLAUSE: yes INTRODUCED: 12/03/2018 LAST AMEND: 01/23/2020 DISPOSITION: Pending LOCATION: ASSEMBLY SUMMARY: Enacts the Wildfire Prevention, Safe Drinking Water, Drought Preparation, and Flood Protection Bond Act, which, if approved by the voters, would authorize the issuance of bonds to the State General Obligation Bond Law to finance projects for a wildfire prevention, safe drinking water, drought preparation, and flood protection program. STATUS: 01/29/2020 In SENATE. Read third time, urgency clause adopted. Passed SENATE. *****To ASSEMBLY. (29-6)
SB 50	AUTHOR: Wiener [D] TITLE: Planning and Zoning: Housing Development FISCAL COMMITTEE: yes URGENCY CLAUSE: no INTRODUCED: 12/03/2018 LAST AMEND: 01/06/2020 DISPOSITION: Failed LOCATION: SENATE SUMMARY:

Requires a local agency to notify the development proponent in writing if the local agency determines that the development conflicts with any of the requirements provided for streamlined ministerial approval within 60 days of the submission of the development to the local agency. Authorizes a development proponent of a neighborhood multifamily project located on an eligible parcel to submit an application for a streamlined, ministerial approval process that is not subject to a conditional use permit.

STATUS:

01/30/2020 In SENATE. Read third time. Failed to pass SENATE.
(18-15)

SB 54

AUTHOR: Allen [D]
TITLE: Solid Waste: Packaging and Products
FISCAL COMMITTEE: yes
URGENCY CLAUSE: no
INTRODUCED: 12/11/2018
LAST AMEND: 09/10/2019
DISPOSITION: Pending
FILE: A-19
LOCATION: Assembly Inactive File
SUMMARY:

Amends the Alcoholic Beverage Control Act. Authorizes the Department of Alcoholic Beverage Control to suspend or revoke the certificate of compliance of an out of state vendor that fails to comply with the provisions of the State Circular Economy and Pollution Reduction Act.

STATUS:

01/23/2020 In ASSEMBLY. From third reading. To Inactive File.

SB 353

AUTHOR: Skinner [D]
TITLE: Criminal Record Data Sharing and Research
FISCAL COMMITTEE: yes
URGENCY CLAUSE: no
INTRODUCED: 02/19/2019
DISPOSITION: Failed
LOCATION: SENATE
SUMMARY:

Specifies criminal court records, as defined, as part of criminal offender record information to be provided to the public agency or bona fide research body.

STATUS:

02/03/2020 In SENATE. Returned to Secretary of Senate pursuant to Joint Rule 56.

SB 596

AUTHOR: Stern [D]
TITLE: In Home Supportive Services
FISCAL COMMITTEE: yes
URGENCY CLAUSE: no
INTRODUCED: 02/21/2019
LAST AMEND: 01/23/2020
DISPOSITION: Pending
LOCATION: ASSEMBLY
SUMMARY:

Requires a county human services agency to use existing materials to inform each applicant for benefits under the In Home Supportive Services program that

the applicant may be eligible to receive that higher energy allowance and any advanced notifications that may be provided by a public utility, when the public utility plans to deenergize portions of the electrical distribution system or in an emergency.

STATUS:

01/29/2020 In SENATE. Read third time. Passed SENATE. *****To ASSEMBLY. (38-0)

SB 640

AUTHOR: Moorlach [R]
TITLE: Mental Health Services: Gravely Disabled Persons
FISCAL COMMITTEE: no
URGENCY CLAUSE: no
INTRODUCED: 02/22/2019
LAST AMEND: 01/06/2020
DISPOSITION: Failed
LOCATION: SENATE
SUMMARY:

Authorizes a county to instead use a definition of gravely disabled for these purposes that would read, in part, a condition in which a person, as a result of a mental health disorder, is incapable of making informed decisions about, or providing for, the person's own basic personal needs for food, clothing, or shelter without significant supervision and assistance from another person and, as a result of being incapable of making these informed decisions, the person is at risk of substantial bodily harm.

STATUS:

02/03/2020 In SENATE. Returned to Secretary of Senate pursuant to Joint Rule 56.

SB 753

AUTHOR: Stern [D]
TITLE: Public Social Services: Emergency Notification
FISCAL COMMITTEE: yes
URGENCY CLAUSE: no
INTRODUCED: 02/22/2019
LAST AMEND: 01/15/2020
DISPOSITION: Pending
LOCATION: ASSEMBLY
SUMMARY:

Permits elderly or disabled clients telephone numbers and email addresses to be disclosed. Specifically identifies a public safety power shut off as a public safety emergency. Requires a county social services agency that intends to disclose such information to notify elderly or disabled individuals receiving services of that fact and give the individual the option to opt out of having that information disclosed.

STATUS:

01/27/2020 In SENATE. Read third time. Passed SENATE. *****To ASSEMBLY. (39-0)

SB 773

AUTHOR: Skinner [D]
TITLE: Land Use: Accessory Dwelling Units
FISCAL COMMITTEE: yes
URGENCY CLAUSE: no
INTRODUCED: 02/22/2019
LAST AMEND: 01/06/2020

	DISPOSITION: Pending LOCATION: ASSEMBLY SUMMARY: Deems a permit application for the creation of an accessory dwelling unit or junior accessory dwelling unit approved if the local agency has not acted upon the completed application within 60 days. STATUS: 01/27/2020 In SENATE. Read third time. Passed SENATE. *****To ASSEMBLY. (39-0)
SB 776	AUTHOR: Skinner [D] TITLE: College Admissions: Criminal History Inquiry FISCAL COMMITTEE: yes URGENCY CLAUSE: no INTRODUCED: 02/22/2019 LAST AMEND: 01/06/2020 DISPOSITION: Pending LOCATION: ASSEMBLY SUMMARY: Prohibits a postsecondary educational institution in this state from inquiring about a prospective student's criminal history on an initial application form or at any time during the admissions process before the institution's final decision relative to the prospective student's application for admission. STATUS: 01/27/2020 In SENATE. Read third time. Passed SENATE. *****To ASSEMBLY. (30-6)
SB 793	AUTHOR: Hill [D] TITLE: Flavored Tobacco Products FISCAL COMMITTEE: yes URGENCY CLAUSE: no INTRODUCED: 01/06/2020 LAST AMEND: 05/05/2020 DISPOSITION: Pending COMMITTEE: Senate Appropriations Committee HEARING: 06/09/2020 9:00 am SUMMARY: Prohibits a tobacco retailer, or any of the tobacco retailer's agents or employees, from selling, offering for sale, or possessing with the intent to sell or offer for sale, a flavored tobacco product or a tobacco product flavor enhancer. Makes a violation punishable as an infraction with specified penalties. STATUS: 06/01/2020 In SENATE Committee on APPROPRIATIONS: Not heard.
SB 795	AUTHOR: Beall [D] TITLE: Economic Development: Housing: Climate Change FISCAL COMMITTEE: yes URGENCY CLAUSE: no INTRODUCED: 01/06/2020 LAST AMEND: 05/06/2020 DISPOSITION: Pending COMMITTEE: Senate Appropriations Committee HEARING: 06/09/2020 9:00 am

SUMMARY:

Continuously appropriates a specified amount from the General Fund and requires the Controller to allocate a certain amount among various housing programs administered by the Department of Housing and Community Development, the Homeless Housing, Assistance, and Prevention program, and for distribution by the State Workforce Development Board among local agencies to participate in, invest in, or partner with preapprenticeship training programs.

STATUS:

05/26/2020 From SENATE Committee on HOUSING: Do pass to Committee on APPROPRIATIONS. (8-2)

SB 852

AUTHOR: Pan [D]
TITLE: Health Care: Prescription Drugs
FISCAL COMMITTEE: yes
URGENCY CLAUSE: no
INTRODUCED: 01/13/2020
LAST AMEND: 05/19/2020
DISPOSITION: Pending
COMMITTEE: Senate Appropriations Committee
HEARING: 06/09/2020 9:00 am
SUMMARY:

Establishes the Office of Drug Contracting and Manufacturing to increase patient access to affordable drugs. Requires the Office to contract or partner with at least one drug company or generic drug manufacturer to produce at least ten generic prescription drugs and insulin at a price that results in savings for providers, patients, and purchasers. Requires the Office to report certain information.

STATUS:

05/19/2020 In SENATE. Read second time and amended. Re-referred to Committee on APPROPRIATIONS.

SB 855

AUTHOR: Wiener [D]
TITLE: Health Coverage: Mental Health or Substance Abuse
FISCAL COMMITTEE: yes
URGENCY CLAUSE: no
INTRODUCED: 01/14/2020
LAST AMEND: 05/19/2020
DISPOSITION: Pending
COMMITTEE: Senate Appropriations Committee
HEARING: 06/09/2020 9:00 am
SUMMARY:

Requires a health care service plan contract or disability insurance policy to provide coverage for medically necessary treatment of mental health and substance use disorders under the same terms and conditions applied to other medical conditions. Requires a health care service plan or disability insurer that provides hospital, medical, or surgical coverage to base medical necessity determinations and the utilization review criteria.

STATUS:

06/01/2020 In SENATE Committee on APPROPRIATIONS: Not heard.

SB 889

AUTHOR: Skinner [D]
TITLE: Juveniles: Juvenile Court Jurisdiction

FISCAL COMMITTEE: yes
URGENCY CLAUSE: no
INTRODUCED: 01/24/2020
LAST AMEND: 03/25/2020
DISPOSITION: Pending
LOCATION: Senate Rules Committee
SUMMARY:

Extends the jurisdiction of the juvenile court. Requires detention, if necessary, take place in the minor's or youth's home, unless detention in juvenile hall is necessary for specified reasons, including for the protection of others. Limits probation to only those behaviors that are necessary for public safety and specifically related to individual risk factors.

STATUS:

03/25/2020 From SENATE Committee on RULES with author's amendments.

03/25/2020 In SENATE. Read second time and amended. Re-referred to Committee on RULES.

SB 946

AUTHOR: Pan [D]
TITLE: Flood Control: Yolo Bypass Cache Slough Partnership
FISCAL COMMITTEE: yes
URGENCY CLAUSE: no
INTRODUCED: 02/10/2020
LAST AMEND: 06/03/2020
DISPOSITION: Pending
LOCATION: Senate Natural Resources and Water Committee
SUMMARY:

Establishes the Yolo Bypass Cache Slough Partnership Multibenefit Program to support the development and implementation of projects within the Yolo Bypass and Cache Slough region. Requires the participating agencies to work in collaboration with the participating federal and local agencies to advance specified objectives in the Yolo Bypass and Cache Slough region relating to flood control.

STATUS:

06/03/2020 From SENATE Committee on NATURAL RESOURCES AND WATER with author's amendments.

06/03/2020 In SENATE. Read second time and amended. Re-referred to Committee on NATURAL RESOURCES AND WATER.

SB 1025

AUTHOR: Umberg [D]
TITLE: Libraries: Student Success Cards
FISCAL COMMITTEE: yes
URGENCY CLAUSE: yes
INTRODUCED: 02/14/2020
LAST AMEND: 05/04/2020
DISPOSITION: Pending
LOCATION: Senate Education Committee
SUMMARY:

Requires local educational agencies to enter into a memorandum of agreement with the appropriate library district or public library to collaborate and connect for the purpose of providing every public school pupil enrolled in the local educational agency with a student success card. Requires a memorandum of agreement to include specified elements and to be effective for five years, after

which the memorandum of agreement may be renewed.

STATUS:

05/12/2020 In SENATE. 2nd Committee referral withdrawn by rule.

SB 1085

AUTHOR: Skinner [D]
TITLE: Density Bonus Law: Incentives
FISCAL COMMITTEE: yes
URGENCY CLAUSE: no
INTRODUCED: 02/19/2020
LAST AMEND: 05/27/2020
DISPOSITION: Pending
COMMITTEE: Senate Appropriations Committee
HEARING: 06/09/2020 9:00 am
SUMMARY:

Revises various provisions of the Density Bonus Law. Revises the definition of incentives or concessions. Requires a city or county to grant a density bonus on certain incentives or concessions, if the developer agrees to construct a housing development that will contain a certain percentage of units for households of low or moderate incomes. Requires the reporting of certain information.

STATUS:

05/27/2020 In SENATE. Read second time and amended. Re-referred to Committee on APPROPRIATIONS.

SB 1300

AUTHOR: Skinner [D]
TITLE: Redevelopment Agency Dissolution: Finding of Completion
FISCAL COMMITTEE: yes
URGENCY CLAUSE: no
INTRODUCED: 02/21/2020
LAST AMEND: 05/22/2020
DISPOSITION: Pending
COMMITTEE: Senate Appropriations Committee
HEARING: 06/09/2020 9:00 am
SUMMARY:

Authorizes the successor agency in the City of Hercules, with the approval of the Department of Finance, to be eligible for a find of completion if it has entered into an agreed upon written installment payment plan with the Department and is in compliance with than plan.

STATUS:

05/28/2020 From SENATE Committee on GOVERNANCE AND FINANCE: Do pass to Committee on APPROPRIATIONS. (5-0)

SB 1347

AUTHOR: Galgiani [D]
TITLE: Veterinary Medicine: Authorized Care
FISCAL COMMITTEE: yes
URGENCY CLAUSE: no
INTRODUCED: 02/21/2020
LAST AMEND: 05/22/2020
DISPOSITION: Pending
COMMITTEE: Senate Appropriations Committee
HEARING: 06/09/2020 9:00 am
SUMMARY:

Expands the exception from veterinary licensure requirements to include officers and employees of animal shelters. Expands the types of veterinary care

that may be provided to include, but not be limited to, the administration of nonprescription vaccinations to prevent the spread of communicable diseases. Requires a shelter engaging in these exempted acts of veterinary care to maintain records of the care.

STATUS:

05/22/2020 In SENATE. Read second time and amended. Re-referred to Committee on APPROPRIATIONS.

SB 1349

AUTHOR: Glazer [D]
TITLE: Transactions and Use Taxes: County of Contra Costa
FISCAL COMMITTEE: no
URGENCY CLAUSE: no
INTRODUCED: 02/21/2020
LAST AMEND: 04/08/2020
DISPOSITION: Pending
COMMITTEE: Senate Governance and Finance Committee
HEARING: 06/03/2020 9:30 am
SUMMARY:

Authorizes specified cities and counties, subject to certain limitations and approval requirements, to levy a transactions and use tax for general or specific purposes. Relates to Local Transportation Authority and Improvement Act. Relates to San Francisco Bay Area Rapid Transit District Act. Authorizes the County of Contra Costa to impose a transactions and use tax in conformity with the Transactions and Use Tax Law for general or specific purposes to support countywide programs.

STATUS:

06/03/2020 From SENATE Committee on GOVERNANCE AND FINANCE: Do pass.

SB 1385

AUTHOR: Caballero [D]
TITLE: Local Planning: Housing: Commercial Zones
FISCAL COMMITTEE: yes
URGENCY CLAUSE: no
INTRODUCED: 02/21/2020
LAST AMEND: 05/20/2020
DISPOSITION: Pending
COMMITTEE: Senate Appropriations Committee
HEARING: 06/09/2020 9:00 am
SUMMARY:

Establishes the Neighborhood Home Act which would deem a housing development project an authorized use on a neighborhood lot that is zoned for office or retail commercial use under a local agency's zoning code or general plan. Authorizes an applicant seeking to develop a housing project on a neighborhood lot to request a new Mello Roos Community Facilities District or that the lot be annexed to an existing one. Provides for the Housing Accountability Act.

STATUS:

05/28/2020 From SENATE Committee on GOVERNANCE AND FINANCE: Do pass to Committee on APPROPRIATIONS. (6-0)

SB 1431

AUTHOR: Glazer [D]
TITLE: Property Taxation: Reassessment: Disaster Relief
FISCAL COMMITTEE: yes

URGENCY CLAUSE: no
INTRODUCED: 02/21/2020
LAST AMEND: 05/06/2020
DISPOSITION: Pending
COMMITTEE: Senate Appropriations Committee
HEARING: 06/09/2020 9:00 am
SUMMARY:

Expands existing law relating to the reassessment of property damaged or destroyed in an area or region subsequently proclaimed to be in a state of disaster. Specifies that damage includes a diminution in the value of property as a result of any law, order, or rule, or regulation of the state or locality providing tenant protections in response to the coronavirus pandemic.

STATUS:

05/21/2020 From SENATE Committee on GOVERNANCE AND FINANCE:
Do pass to Committee on APPROPRIATIONS. (4-3)

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Contra Costa County Board of Supervisors

Subcommittee Report

LEGISLATION COMMITTEE

5.

Meeting Date: 06/08/2020
Subject: AB 2959 (Calderon):
Submitted For: LEGISLATION COMMITTEE,
Department: County Administrator
Referral No.: 2020-11
Referral Name: AB 2959
Presenter: L. DeLaney **Contact:** L. DeLaney, 925-335-1097

Referral History:

AB 2959 was referred to the Legislation Committee for consideration by a representative of Republic Services, working on behalf of a coalition. *Staff has not had time to finalize its analysis of the potential impacts of the bill on Contra Costa County, due to time constraints posed by the pandemic.*

The request for consideration by the Committee indicates: "AB 2959 is a clean-up bill that provides a clarification to Public Resources Code (PRC) Section 40059.4. This section of the Code was adopted as AB 3036 (Cooley) [Ch. 832, Stat. 2018]. The Resource Recovery Coalition, of which Garaventa/Mt. Diablo is a member, is also supporting the bill. The basic purpose of AB 3036 and AB 2959 is to enable farm-to-farm transfers of agricultural byproducts from a grower or food processor to another farmer, for use as animal feed and that this limited and narrow practice may occur outside of an exclusive solid waste franchise agreement. The creation of PRC 40059.4 in AB 3036 was not intended to apply to agricultural byproducts generated at a Costco, a grocery store or caterers and restaurants. Unfortunately, the provisions in AB 3036 have been misinterpreted by several businesses in a manner that attempts to violate local franchise agreements. These businesses now assert that commercial entities such as Costco and Walmart, restaurants and grocery stores are to be considered "industrial sources", arguing that wastes from these sources is a processing "byproduct" and excluded from exclusive local agency franchise agreements. This new interpretation is beyond reasonable and was not the intent of AB 3036, which the author (Cooley) has since clarified."

Referral Update:

AB 2959

Author: Ian C. Calderon (D-057)
Title: Solid Waste: Byproducts from Processing of Food
Fiscal no
Committee:

Urgency Clause: no
Introduced: 02/21/2020
Last Amend: 05/05/2020
Disposition: Pending
File: 178
Location: Assembly Third Reading File
Summary: Reauthorizes local governmental entities to exercise authority with regard to the hauling of byproducts from the processing of food or beverages if those byproducts originate from a supermarket, grocer, restaurant, or other retail food establishment.
Status: 05/18/2020 In ASSEMBLY. Read second time. To third reading.
 Full Status
 02/21/2020 INTRODUCED.
 03/05/2020 To ASSEMBLY Committee on NATURAL RESOURCES.
 05/05/2020 From ASSEMBLY Committee on NATURAL RESOURCES with author's amendments.
 05/05/2020 In ASSEMBLY. Read second time and amended. Re-referred to Committee on NATURAL RESOURCES.
 05/13/2020 From ASSEMBLY Committee on NATURAL RESOURCES: Do pass. (7-2)
 05/18/2020 In ASSEMBLY. Read second time. To third reading.

The text of the bill is available at:

http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201920200AB2959

2019 CA A 2959: Bill Analysis - 05/22/2020 - Assembly Floor

ASSEMBLY THIRD READING

AB 2959

(Calderon)

As Amended May 5, 2020

Majority vote

SUMMARY:

Clarifies the entities that are exempted from solid waste franchise agreements for the hauling of food byproducts.

Major Provisions

This bill specifies that an "industrial source" excludes supermarkets, grocers, restaurants, and other retail food establishments.

COMMENTS:

1) Meeting the state's recycling goals. An estimated 35 million tons of waste are disposed of in California's landfills annually, of which 32% is compostable organic materials, 29% is construction and demolition debris, and 17% is paper. CalRecycle is tasked with diverting at least 75% of solid waste from landfills statewide by 2020. Local governments have been required to divert 50% of the waste generated within the jurisdiction from landfill disposal since 2000. AB 341 (Chesbro), Chapter 476, Statutes of 2011, requires commercial waste generators, including multi-family dwellings, to arrange for recycling services for the material they generate and requires local governments to implement commercial solid waste recycling programs designed to divert solid waste generated by businesses out of the landfill. A follow up bill, AB 1826 (Chesbro), Chapter 727, Statutes of 2014, requires generators of organic waste (i.e., food waste and yard waste) to arrange for recycling services for that material to keep the material out of the landfill.

SB 1383 (Lara), Chapter 395, Statutes of 2016, required the California Air Resources Board to approve and implement the comprehensive short-lived climate pollutant strategy to achieve, from 2013 levels, a 40% reduction in methane, a 40% reduction in hydrofluorocarbon gases, and a 50% reduction in anthropogenic black carbon, by 2030. In order to accomplish these goals, the bill specified that the methane emission reduction goals include targets to reduce the landfill disposal of organic waste 50% by 2020 and 75% by 2025 from the 2014 level.

The purpose of the state's organic recycling goals is to divert material that is going to landfill to better purposes. However, some actions taken by solid waste local enforcement agencies to comply with the state's organics recycling requirements have resulted in material from agricultural operations that have historically been recycled into animal feed, soil amendments, and mulch and have never gone to landfill being pulled into the traditional waste management system. These agricultural recycling systems have been taking place for decades and serve a number of beneficial purposes that are consistent with the US Environmental Protection Agency's food recovery hierarchy, which sets priorities for food waste management: a) source reduction; b) feed hungry people; c) feed animals; d) industrial uses (i.e., rendering, fuel conversion, anaerobic digestion, and composting); and, e) disposal.

2) Whose waste? The current definition of solid waste includes materials that never make it into the waste stream. Agricultural operations have historically managed their own waste materials in environmentally beneficial ways. For example, fruit and vegetable growers may send their waste materials to a rancher to be used as cattle feed. Wineries may operate their own on-site composting operations to manage trimmings and generate compost to improve the quality of their soil. These practices keep costs down and comply with the state's waste management goals by keeping the material out of landfills. Traditionally, these practices have operated outside of the solid waste management system.

Most jurisdictions in the state operate with some form of "franchise," or contract, that limits solid waste hauling within the jurisdiction to one or more companies. Franchises are often, but not always, accompanied by a local ordinance. Exclusive franchises specify one hauler within a jurisdiction. Non-exclusive franchises allow for more than one hauler, but establish specific requirements for hauling within the jurisdiction. Franchises can apply to residential, commercial,

or industrial solid waste hauling and any combination thereof. Not all communities in California have franchise agreements. In 1994, the California Supreme Court ruled that franchises do not prohibit individuals within the franchise area from selling recyclable materials, as those materials are not waste because they have value. Additionally, state law specifies that individuals have the right to donate or sell recyclable materials.

Enforcement of franchises is determined at the local level and varies by jurisdiction. In most cases, franchise waste haulers pursue direct legal action against unauthorized haulers.

4) Clarifying the law. AB 3036 (Cooley), Chapter 832, Statutes of 2018, prohibits a local government's franchise agreement to manage solid waste from including the handling of byproducts from the processing of food or beverages, as specified. AB 3036 was focused on agricultural material that has traditionally been managed outside of the solid waste stream. According to the Assembly Floor analysis:

This bill attempts to provide clarity how this agricultural material can be handled. Agricultural operations have historically managed their own waste materials in environmentally beneficial ways. For example, fruit and vegetable growers may send their waste materials to a rancher to be used as cattle feed. Wineries may operate their own on-site composting operations to manage trimmings and generate compost to improve the quality of their soil. These practices keep costs down and comply with the state's waste management goals by keeping the material out of landfills.

Over the last two years, AB 3036 has been interpreted by some to mean that any facility that generates food waste is exempt from local solid waste franchise agreements. That was not the intent of the bill. This bill seeks to clarify the law to conform to the intent of AB 3036.

This bill does not change how agricultural materials are managed, nor does it limit the use of agricultural materials used for animal feed. This bill removes supermarkets, grocers, restaurants, and other retail food establishments from the existing prohibition on the inclusion of "industrial sources" in local solid waste franchises, which would allow local jurisdictions to determine whether or not to include those facilities in their franchise agreements and whether or not to allow those materials to be used as animal feed.

According to the Author:

The basic purpose of this measure is to enable farm-to-farm transfers of agricultural byproducts from a grower to another farmer, for use as animal feed. Waste sectors agreed that this limited and narrow practice could occur outside of an exclusive solid waste handling franchise. The creation of PRC 40059.4 was not intended to apply to agricultural byproducts generated at a retail store or restaurant.

Arguments in Support:

Californians Against Waste states:

AB 3036 [(Cooley), Chapter 832, Statutes of 2018] established conditions under which an industrial generator of food scraps may be able to send their food scraps to animal feed operations, even if animal feed and industrial food processing were not contemplated in the original solid waste franchise adopted by a local jurisdiction. This was intentionally a

narrowly-crafted piece of legislation designed to ensure that businesses could maximize their organic waste recycling without running afoul of local ordinances. However, this legislation has been incorrectly, and disingenuously, misinterpreted by some to create a much broader exemption beyond that which was intended in the original bill.

Solid waste franchises are one of the most important tools that local governments have to not only protect public health and safety, but also to achieve the ambitious recycling goals established by the legislature. These franchises are the backbone of California's entire curbside recycling system and will be an indispensable instrument for rolling out new composting programs around the state. Franchise agreements also serve to ensure worker protections, cleaner fleets, and less congested streets.

While we strongly disagree with those who claim that AB 3036 eliminated these important protections, this bill provides further clarity to the original legislation.

Arguments in Opposition:

A coalition of opponents, including the California Farm Bureau, state:

AB 3036 (Cooley), Chapter 832, Statutes of 2018, addressed the challenge of defining byproducts that are allowable to be diverted to animal feed. As the sponsors and supporters of AB 3036 (Cooley), AB 2959 (Calderon) would undue much of the clarity the original bill sought to provide and would remove the ability to divert such byproducts...

California is the largest agricultural state in the nation, producing more than \$50 billion in value from the production of over 400 different commodities. Many of these commodities are packed, processed, or combined into a wide variety of food and beverage products that produce byproducts that serve as valuable nutrition for animal feed. These byproducts include but are not limited to fruit and vegetable peelings, tomato and grape pomace, citrus pulp, nut hulls, spent grain and malt sprouts, milk byproduct, rice husks or hulls from milling, bakery waste, sunflower meal, etc. As a perspective of the scale of byproduct use, California's wine production produces approximately 400,000 tons of grape pomace annually of which 50-80% is fed to livestock. In 2018, California produced nearly 4.6 billion pounds of almond hulls, almost all of which went to feed.

Feeding these byproducts to the State's livestock industry provides nutrient-dense feed which allows for healthy animals and maximizes production. Its availability also prevents farms and ranches from having to depend upon imported feed, thereby reducing potential environmental impacts. This traditional diversion paradigm also provides a market for this byproduct to be kept out of landfills, helping ensure nothing goes to waste. It is for these reasons, that the undersigned organizations supported AB 3036 (Cooley) which clarified that these byproducts going to animal feed are not defined as waste and therefore not subject to the conditions governing waste management. AB 3036 even went a step further by requiring the byproduct meet specific conditions. AB 2959, however, would restrict many of the types of facilities specified under AB 3036 that traditionally divert byproducts for animal feed. These types of facilities would include supermarkets, grocers, restaurants, and other retail food establishments.

FISCAL COMMENTS:

None

VOTES:

ASM NATURAL RESOURCES: 7-2-2

YES: Friedman, Chau, Cristina Garcia, Limon, McCarty, Muratsuchi, Mark Stone

NO: Flora, Mathis

ABS, ABST OR NV: Brough, Eggman

UPDATED:

VERSION: May 5, 2020

CONSULTANT: Elizabeth MacMillan / NAT. RES. / (916) 319-2092 FN: 0002752

Recommendation(s)/Next Step(s):

CONSIDER recommending to the Board of Supervisors a position of "Support" on AB 2959 (Calderon) and direct staff to send the item to the Board on consent.

Attachments

No file(s) attached.
