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End-of-Session Legislative Update ■ September 4, 2020

We apologize in advance for the length of this message (it's long!). In the weeks to come, we will transition to a more traditional e-newsletter. Thanks for your patience!

Chaotic Last Night of 2019-20 Session Yields Assorted Wins and Losses

The 2019-20 legislative session is one for the record books. Recalling that the final night of deliberations in 2019 was halted for hours when a member of the public threw blood onto the Senate floor, it was hard to imagine how this year's pandemic-marred closing act could be stranger. Well, it was.

In the Senate, all but one member of the Republican Caucus participated in floor votes remotely given their collective exposure to a colleague early last week who later tested positive for COVID-19. (Senator Jim Nielsen apparently did not join the gathering where the caucus was exposed to the virus, so he was on the floor in person for the last night of session.) In addition to typical challenges of a Zoom meeting (members speaking on mute when they meant to be heard and, just as frequently, speaking on an open mic when the conversation was meant to be private), there were major partisan disagreements about limitations being placed on the number and length of time afforded to speakers. Tension in the Senate boiled over at one point following rather effective filibustering by the Republicans on a measure that sought to expand exceptions to last year's AB 5 (regarding "gig" work), forcing the house to shut down for an hour-long recess while the Senate caucus leaders spoke in private and agreed to a "reset." In the meantime, with the clock ticking, it became clear that the houses were going to run out of time to dispose of bills given that the Constitution imposes – with very limited exceptions (e.g., urgency measures or those that impose a tax levy or make an appropriation for the normal operations of the state) – a hard stop on deliberations and voting at midnight on the last night of the final year of a two-year session. Without getting too much into the inside baseball commentary, between the kerfuffle on the Senate floor and the associated time loss **and** the non-cooperation of the Assembly on some very consequential measures close to the heart of the Senate President pro Tem Toni Atkins, a number of bills died simply because the clock ran out. The hostage taking (in the form of bills) and efforts at leveraging

exposed a seemingly elevated level of inter-house dysfunction and hostility this year. Seems as though there are some wounds that will need healing before they get back at it next year.

Immediately below, we highlight several high-profile bills that were stranded due to time-clock issues, hostage taking, lack of sufficient votes, or some combination thereof. We then offer a rundown on the second round of 2020-21 trailer bills and associated status, followed by the outcomes on bills of interest organized by broad policy category. Remember, of course, that bills that land on the Governor's desk for action in the closing days of session fall into the 30-day signing period – meaning that the Governor must wrap up action on all enrolled measures by September 30.

Bill Stranded When the Clock Ran Out

- **[AB 6 \(Reyes\)](#)**: Would have conferred new authority on the Attorney General to settle opioid claims.
DIED in Senate budget committee: No action was taken after the bill was heard in the full Senate budget committee, where considerable opposition by counties and other stakeholders was expressed.
- **[AB 66 \(Gonzalez\)](#)**: Would have prohibited use of less-lethal weapons by police (e.g., tear gas and rubber bullets)
DIED in Senate: The bill was not taken up prior to midnight for purposes of transmitting to the Assembly for a final vote. (Some speculate that this measure was held hostage while the Senate awaited the return of SB 731, which did not occur.)
- **[SB 54 \(Allen\)/AB 1080 \(Gonzalez, et al.\)](#)**: Would have imposed a comprehensive regulatory scheme on producers, retailers, and wholesalers of single-use plastic packaging, as defined, and priority single-use plastic products.
Both measures DIED.
- **[SB 731 \(Bradford\)](#)**: Would have amended and expanded various provisions of existing law relating to police officer decertification and liability for civil rights violations.
DIED in Assembly: The bill was not taken up before midnight on August 31. Note that Senate President pro Tem Atkins and Senator Bradford issued a joint [statement](#) this week committing to continued work in this area next year.
- **[SB 776 \(Skinner\)](#)**: Would have expanded the categories of peace officer personnel records that are subject to disclosure under the Public Records Act
DIED in Senate: The bill was not eligible to be taken up by the Senate under the 72-hour in-print prior to the end of session given that the Assembly amended the measure on August 30.
- **[SB 977 \(Monning\)](#)**: Would have given the Attorney General greater oversight of health care acquisitions, mergers and other transactions between hospitals and health care providers.
DIED in Assembly: The bill was not taken up due to substantial opposition.
- **[SB 995 \(Atkins\)](#)**: Would have extended for four years the expedited California Environmental Quality Act (CEQA) administrative and judicial review procedure established by the Jobs and Economic Improvement Through Environmental Leadership Act for “environmental leadership development projects” and expands the Act’s eligibility to include smaller housing projects.
DIED in Senate: Time ran out before the Senate could concur in Assembly amendments and send to the Governor.
- **[SB 1085 \(Skinner\)](#)**: Would have made various changes to density bonus law, including providing additional benefits to certain moderate-income housing developments.
DIED in Senate: Time ran out before the Senate could concur in Assembly amendments and send to Governor’s desk.

- **SB 1120 (Atkins):** Would have promoted small-scale neighborhood residential development by streamlining the process for a homeowner to create a duplex or subdivide an existing lot in all residential areas.
DIED in Senate: Time ran out before the Senate could concur in Assembly amendments and send to Governor's desk.
- **SB 1138 (Wiener):** Would have amended housing element law requirements for zoning emergency shelters and expedited required rezoning for localities that fail to adopt a legally compliant housing element.
DIED in Senate: Time ran out before the Senate could concur in Assembly amendments and send to Governor's desk.

Round Two of 2020-21 Trailer Bills

The final set of trailer bills sent to the Governor is detailed below. Additional commentary on SB 823, the Division of Juvenile Justice (DJJ) realignment measure, is provided below.

Bill No.	Topic
AB 107	General Government (August clean-up)
AB 1864 (Limón)	Financial institutions: regulation: Department of Financial Protection and Innovation
AB 1867	Small employer family leave mediation: handwashing: supplemental paid sick leave
AB 1869	Criminal Justice Administrative Fees
AB 1872	Cannabis
AB 1876	Personal income taxes: federal individual taxpayer identification number: earned income tax credits: young child tax credit
AB 1885	Debtor exemptions: homestead exemption
AB 3330 (Calderon)	Department of Consumer Affairs: boards: licensees: regulatory fees
SB 115	Budget Bill Jr. (amendments to 2020 Budget Act)
SB 820	Education (August clean-up)
SB 823	Division of Juvenile Justice (DJJ) Realignment

**Note that one budget trailer bill – SB 832 – died on the Assembly Floor. That measure would have increased the value of the state's homestead exemption, which protects the value of a homeowner's home during bankruptcy proceedings.*

DJJ Realignment – With just hours to spare on Friday night before the final deadline to amend bills, significant revisions to SB 823 (and its twin, AB 1868, although the Senate bill ended up being the vehicle that moved forward to the Governor) appeared in print. These amendments reflected an agreement struck between the Administration and the Legislature on the proposal to close the Division of Juvenile Justice (DJJ) and realign the associated service responsibilities to counties. Counties and probation chiefs had been engaged, up to about 24 hours prior to the final agreement appearing in print, in days of intense negotiations with the Administration to shape and refine the framework for DJJ Realignment. However, the final agreement contained several key elements to the DJJ realignment structure to which the county coalition objected. Joined by the County Behavioral Health Directors Association (CBHDA), the three county associations – CSAC, UCC,

and RCRC, along with the Chief Probation Officers of California (CPOC) mounted a unified opposition campaign in the closing days of session. The Governor's Office was forced to deploy its own advocacy effort, which ultimately – but narrowly – pushed the measure across the finish line.

The county coalition raised the following specific concerns about SB 823:

- The agreement – unlike previous realignments – did not, in its final form, represent a partnership agreement with the entities charged with carrying out a new set of services.
- The proposal risks disrupting the most foundational juvenile funding streams and programs, where counties have shown success with our current local juvenile justice population, which represents more than 90% of the statewide total.
- The funding formula creates inequitable by-county allocations and does not create a “bridge to success” for those communities needing to build out local programmatic capacity or the appropriate infrastructure. The distribution methodology perpetuates concerns that the system will result in “justice by geography” and, because it is proposed to be revisited in its entirety in three years, does not create the certainty or stability for counties to make long-term investments.
- The proposal lacks a thoughtful, complete process for protecting against adult court commitments due to its rushed construction.
- Overall, counties are concerned that the approach to DJJ realignment in its totality does not provide counties the tools to succeed in delivering improved outcomes for this population of youth that has highly complex treatment needs.

HBE is preparing additional informational materials outlining the provisions in SB 823, which we will share next week. In the meantime, we are working collaboratively with our county and probation partners as we work to jointly drive solutions to the identified problems. It was gratifying that many members of the Legislature engaged on our behalf and committed to working on advancing changes to address the practical and structural concerns identified. We thank our sister association partners and all the individual county supervisors, executives, and advocates who helped weigh in during the closing days of session. We have attached in a separate document the county-by-county estimated allocations for DJJ realignment funding prepared by the Department of Finance. More to come on this important issue.

Health

AB 1544 (Gipson) – Enrolled

AB 1544 establishes the Community Paramedicine or Triage to Alternate Destination Act of 2020. The bill would permit local emergency medical services agencies (LEMSAs), with approval by the Emergency Medical Services Authority, to develop programs to provide community paramedic or triage to alternate destination services in one of the following specialties: 1) providing directly observed tuberculosis therapy; 2) providing case management services to frequent emergency medical services users; 3) providing hospice services to treat patients in their homes; and, 4) providing patients with transport to an alternate destination, which can either be an authorized mental health facility, or an authorized sobering center. The August 25th amendments reflect negotiations between the Newsom Administration and the sponsor (California Professional Firefighters). The provisions of the bill sunset on January 1, 2024. A coalition of county associations worked with the sponsor in 2019 to negotiate several amendments that allowed them to be neutral on the bill; the August 2020 amendments did not change the neutral position.

AB 2537 (Rodriguez) – Enrolled

AB 2537 requires hospitals to maintain a stockpile of three months of unexpired personal protective equipment (PPE) effective April 2021. The measure is sponsored by the California Nurses Association and was sent to the Governor for his consideration. A similar bill, SB 275, was also enrolled. It is unclear whether the Governor will sign both bills, which would create two different stockpile requirements on hospitals. The California Hospital Association has maintained their opposition to AB 2537 while moving to a neutral position on SB 275, which is detailed below.

SB 275 (Pan) – Enrolled

SB 275 requires state and provider stockpiles of personal protective equipment (PPE). Specific provisions in the bill include:

- Requires the California Department of Public Health (CDPH) and the Office of Emergency Services (OES) to establish a stockpile of PPE for health care workers and essential workers in the state, upon an appropriation.
- Requires a health care facility, skilled nursing facility, medical practice that is part of an integrated facility or health practice, and dialysis center to maintain an inventory of unexpired, unused PPE on January 1, 2023, or 365 days after regulations setting health care employer inventory levels are adopted, an amount sufficient for 45 days of surge consumption. Requires these facilities to provide a list of their PPE inventory upon request from the Division of Occupational Safety and Health.
- Provides for exemptions to the PPE requirements for health care entities under specified circumstances, including issues beyond their control, such as unfulfilled shipments, damaged or stolen equipment.

SB 758 (Portantino) – Died

SB 758 by Senator Portantino would have extended the 2030 seismic deadline to 2032. The author elected not to move the bill off the Assembly floor at the end of session after Assembly Appropriations Committee amendments reduced the deadline from 2037 to 2032.

AB 890 (Wood) – Enrolled

AB 890 expands access to care by authorizing nurse practitioners to practice to the full extent of their training without physician supervision, under specified guidelines. AB 890 passed off of both the Senate and Assembly floors with bipartisan support. AB 890 now moves to the Governor's desk for his consideration.

SB 977 (Monning) – Died

SB 977 would have given the Attorney General (AG) greater oversight of health care acquisitions, mergers and other transactions between hospitals and health care providers. County hospitals were included in the AG's oversight. The bill was amended the last week of session to remove concerns from the dentists and optometrists. Santa Clara County, hospitals, the California Medical Association, surgery centers, counties and a coalition of others remained opposed. The bill was never taken up for a vote on the Assembly Floor due to the significant opposition.

SB 1237 (Dodd) – Enrolled

Senator Dodd's SB 1237 removes the requirement for a certified nurse midwife (CNM) to practice midwifery according to standardized procedures or protocols with a physician; revises the provisions defining the practice of midwifery; authorizes a CNM to attend cases out of a hospital setting; and authorizes a CNM to furnish or order drugs or devices in accordance with standardized protocols with a physician.

SB 852 (Pan) — Enrolled

SB 852 requires the California Health and Human Services Agency to enter into partnerships to increase competition, lower prices, and address shortages in the market for generic prescription drugs; to reduce the cost of prescription drugs for public and private purchasers, taxpayers, and consumers; and to increase patient access to affordable drugs. Late amendments deleted the Office of Drug Contracting and Manufacturing in favor of placing the responsibility with the HHS Agency. The January 2020 budget release teased the idea of a state prescription drug manufacturing program. However, details on that proposal were never developed, likely due to the pandemic.

Behavioral Health**AB 1976 (Eggman) — Enrolled**

AB 1976 makes several changes to Assisted Outpatient Treatment (AOT), or Laura’s Law. The bill would change the way counties opt into AOT. Under existing law, counties can opt to provide AOT. Under the bill counties would be required to implement AOT or to opt out via a resolution passed by the Board of Supervisors by July 1, 2021. The bill also would allow a county, in combination with one or more counties, to implement an AOT program. The bill repeals the January 1, 2022 sunset date of Laura’s Law. CSAC and the County Behavioral Health Directors (CBHDA) are opposing the bill.

AB 2265 (Quirk-Silva) — Enrolled

AB 2265 authorizes expenditure of Mental Health Services Act (MHSA) funds to be used to treat a person with co-occurring mental health and substance use disorders when the person would be eligible for treatment of a mental health disorder under MHSA.

AB 2360 (Maienschein) — Enrolled

This bill requires health plans and health insurers, by January 1, 2021, to establish a telehealth consultation program for maternal and child mental health.

AB 3242 Irwin — Enrolled

AB 3242 authorizes an examination, assessment, or evaluation that relates to the involuntary commitment and treatment of individuals under the Lanterman-Petris-Short (LPS) Act, to be conducted using telehealth.

SB 803 (Beall) — Enrolled

SB 803 seeks to secure behavioral health peer support specialist certification under Medi-Cal. Late amendments require the Department of Health Care Services (DHCS) to seek any federal waivers it deems necessary to establish a Medi-Cal demonstration or pilot project for the provision of peer support services in counties that agree to participate and provide the nonfederal share of funding for a demonstration or pilot that include a certified peer support specialist as a Medi-Cal provider type.

SB 855 (Wiener) – Enrolled

Senator Scott Wiener’s SB 855 revises California’s mental health parity law to cover medically necessary treatment of mental health and substance use disorders under the same terms and conditions applied to other medical conditions. The bill also establishes new requirements for medically necessary care determinations and utilization review and bans discretionary clauses in health plan contracts.

Human Services

[AB 1979 \(Friedman\)](#) – Enrolled

AB 1979 by Assembly Member Friedman would ensure that California's Extended Foster Care Program (EFC) has capacity and supports to enable participants to live independently in safe and stable housing. The bill would include a transitional living setting approved by a county within the definition of a supported independent living placement (SILP), allowing counties greater discretion to provide young adults with alternative housing options that meet and health and safety requirements. Counties would be expressly permitted to hold placements in these transitional settings for non-minor dependents who leave for up to 14 days and are expected to return.

[SB 1232 \(Glazer\)](#) – Enrolled

Senator Glazer's SB 1232 would deem CalWORKs applicants and recipients who are full-time students at publicly funded postsecondary institutions to be meeting the weekly work requirements if they are making satisfactory progress towards their education. Additionally, the bill would require that the standard payment of \$175 to \$500 per semester or quarter for textbooks be provided prior to the start of the term.

[SB 1341 \(Hurtado\)](#) – Enrolled

SB 1341 by Senator Hurtado would allow CalWORKs families whose children have been removed and placed into foster care to receive monthly cash assistance for up to 180 days while engaged in active reunification efforts.

Public Safety

[AB 2483 \(Bauer-Kahan\)](#) – Enrolled

AB 2483 requires sheriffs to compile and send data to the Board of State and Community Corrections (BSCC) on their individual county's anti-recidivism programs and success rates in reducing recidivism.

[AB 2617 \(Gabriel\)](#) – Enrolled

AB 2617 would make additional refinements to the laws governing gun violence restraining orders (GVRO).

[AB 3364 \(Assembly Judiciary Committee\)](#) – Signed (Chapter 36, Statutes of 2020)

AB 3364, the omnibus Assembly Judiciary Committee bill, was amended coming out of Senate Appropriations Committee to extend the implementation timeframe for bail reform pursuant to [SB 10](#) (Hertzberg, 2018) to October 1, 2021 should the voters enact Proposition 25 in November. Given that the measure is non-urgency, its effective date is January 1, 2021, creating a likely gap – if Prop 25 is approved by voters – between the certification of election results and the application of the time extension. The Governor signed the measure into law on Monday, the same day it arrived on his desk for action.

[SB 369 \(Hertzberg\)](#) – Enrolled

SB 369 establishes the California Reentry Commission charged with developing reentry solutions and approaches for those returning home from custody, reviewing the barriers to reentry, and coordinating with other entities to establish a grant program for reentry service providers.

[SB 1111 \(Durazo\)](#) – Provisions folded into SB 823

SB 1111 sought to require that any person whose case originated in juvenile court remain in a county juvenile facility until the person turns 21 years of age, except as specified. These provisions were incorporated into SB 823, the budget trailer bill that carries out the DJJ realignment.

[SB 1290 \(Durazo\)](#) - Enrolled

In furtherance of the elimination of specified juvenile-court related administrative fees enacted in [SB 190](#) (Mitchell, 2017), SB 1290 vacates any debt and prohibits associated collection activities for any such fees imposed prior to January 1, 2018.

Policing Reform

In the wake of the death of George Floyd this spring, the Legislature introduced an array of proposals to enact additional policing reforms. Of those that were still alive at the end of session, we detail the final outcomes below.

[AB 66 \(Gonzalez\)](#) – Died

AB 66 would have prohibited the use of specified less-lethal weapons by law enforcement.

[AB 846 \(Burke\)](#) – Enrolled

AB 846 requires that prospective officers' evaluations for mental fitness include bias against race or ethnicity, gender, nationality, religion, disability, or sexual orientation.

[AB 1185 \(McCarty\)](#) – Enrolled

AB 1185 authorizes a county board of supervisors to create a sheriff oversight board and an inspector general's office and confers to those entities subpoena powers, as specified.

[AB 1196 \(Gipson\)](#) – Enrolled

AB 1196 prohibits law enforcement agencies from using a carotid restraint hold or a choke hold, as defined.

[AB 1299 \(Salas\)](#) – Enrolled

AB 1299 establishes new notification requirements to the Commission on Peace Officers Standards and Training within 10 days following the termination or separation of a peace officer under specified circumstances.

[AB 1506 \(McCarty\)](#) – Enrolled

AB 1506 establishes beginning July 1, 2023 the Police Practices Division within the Department of Justice that shall investigate any officer-involved shooting that resulted in the death of an unarmed civilian, as specified, and may, at the request of a law enforcement agency, review the use-of-force policy of the agency and make recommendations.

[AB 2054 \(Kamlager\)](#) – Enrolled

AB 2054 establishes, subject to an appropriation, the Community Response Initiative to Strengthen Emergency Systems Act or the C.R.I.S.E.S. Act in the Office of Emergency Services for purposes of establish a misdemeanor or infraction if a person knowingly uses the 911 emergency system for the purpose of supporting community organizations' participation in emergency response for specified vulnerable populations.

SB 480 (Archuleta) – Enrolled

SB 480 prohibits law enforcement officers from wearing uniforms substantially similar to a uniform of the United States Armed Forces or state active militia.

SB 629 (McGuire) – Enrolled

SB 629 allows authorized members of the press to enter areas that have been closed by law enforcement due to a demonstration, march, protest, or rally and prohibits officers from citing members of the press for failure to disperse, a violation of a curfew, or a violation of resisting, delaying, or obstructing, as specified.

SB 731 (Bradford) – Died

SB 731 would have expanded liability under the Tom Bane Civil Rights Act.

SB 776 (Skinner) – Died

SB 776 would have expanded the circumstances under which peace officer personnel records were eligible for disclosure under the Public Records Act.

SB 1065 (Skinner) – Enrolled

Although this measure was the subject of controversy regarding whether a final vote was taken timely prior to the stroke of midnight, SB 1065 ultimately was moved to the Governor's desk for his consideration. It, among other provisions, prohibits the use of uncorroborated information from in-custody confidential informants by the California Department of Corrections and Rehabilitation (CDCR) when making decisions and findings related to rules violations.

SB 1220 (Umberg) – Enrolled

SB 1220 requires prosecuting agencies to maintain a Brady list and any law enforcement agency to, annually and upon request, provide a prosecuting agency with a list of names and badge numbers of officers employed in the five years prior that meet specified criteria, including having a sustained finding for conduct of moral turpitude or group bias. It also establishes a due process procedure for the officer to contest their inclusion on the list.

Housing**AB 434 (Daly) – Enrolled**

AB 434 would align six specified housing programs administered by the Department of Housing and Community Development (HCD) with its primary rental housing program, the Multifamily Housing Program, and provide for a single application and scoring system in order to make coordinated funding awards under all seven programs. Counties, cities, and planning advocates support the measure as by aligning procedures of the financing programs, AB 434 will help stretch limited state housing funding as far as possible and create additional homes for lower-income Californians. The Assembly concurred in Senate amendments on the last night of the legislative session sending the bill to the Governor for his consideration.

AB 725 (Wicks) – Enrolled

AB 725 requires a metropolitan jurisdiction to allocate at least 25% of its share of the regional housing need for moderate-and above moderate-income housing to sites with zoning that allow at least 4 units of housing in the housing element's inventory of land suitable for residential development. The measure is pending action by

the Governor after the Assembly concurred in Senate amendments prior to the close of the last night of session.

AB 1436 (Chiu) – Died

AB 1436 was one of a few placeholder bills pending before the Legislature as a vehicle for COVID-19 related temporary eviction relief. Ultimately, the Legislature and Administration amended their deal into another vehicle carried by Assembly Member David Chiu – AB 3088 – which is outlined in greater detail below.

AB 2345 (Gonzalez) – Enrolled

AB 2345 would make numerous changes to the Density Bonus Law to incentivize increased production of very low-and low-income units. Local government advocacy groups including UCC and CSAC went neutral on the measure after amendments were taken to retain a maximum of up to four incentives and concessions under density bonus law for 100% affordable projects and to provide a clear exemption for local governments with an ordinance and/or housing program that allows for density bonuses that exceed those required by the current state law effective through December 31, 2020. The Legislature sent AB 2345 to the Governor and is pending action on his desk.

AB 2405 (Burke) – Enrolled

AB 2405 would, beginning on January 1, 2026 and upon appropriation of funds in the annual Budget Act, make it a state policy that every individual in the state has a right to safe, decent, and affordable housing, and among other things, would require all relevant state agencies and departments, as well as local jurisdictions, to revise existing programs and services to identify individuals experiencing homelessness or housing instability and connect them with housing resources. The Assembly concurred in Senate amendments on the last night of the legislative session sending the bill to the Governor for his consideration.

AB 2746 (Gabriel) – Enrolled

AB 2746 would require Whole Person Care pilot programs and entities that receive funding for CalWORKs Homeless Assistance or Housing and Disability Income Advocacy Program to submit annual reports to Department of Health Care Services and Department of Social Services, respectively. UCC, CSAC, and other county and health advocates removed opposition to AB 2746 in July after amendments were taken to allow recipients to indicate on an annual report if certain data and information is infeasible to collect and report and also allow recipients to meet the requirements of AB 2746 with existing reporting so long as it requires the same or substantially similar information and data. The Legislature sent AB 2746 to the Governor for action.

AB 3088 (Chiu) – Signed (Chapter No. 37, Statutes of 2020)

AB 3088 will mitigate the impacts on renters and landlords from the economic fallout caused by the ongoing COVID-19 public health crisis. AB 3088 does not forgive any payment obligations that a tenant has under a lease; rather, depending on the circumstances, some or all of any unpaid amount essentially turns into consumer debt. However, the unpaid amount cannot serve as a basis for throwing the tenant out of the home. AB 3088 provides a pathway for tenants enduring financial hardship due to the COVID-19 pandemic. The Governor signed AB 3088 within hours of the Legislature sending it to him for action.

Transportation

SB 1351 (Beall) – Enrolled

SB 1351 would authorize the state to issue revenue bonds to fund capital improvements needed to preserve and protect the state highway system. The measure would use the state's share of transportation improvement fee revenues authorized by SB 1 – the Road Repair and Accountability Act of 2017 – to repaid the bond debt service. The measure is on the Governor's desk awaiting his action.

Employee Relations

SB 1159 (Hill) – Enrolled

SB 1159 is an urgency measure that codifies the Governor's Executive Order creating a rebuttable presumption that "essential employees" who contracted COVID-19 were infected on the job and therefore eligible for workers' compensation. "Essential employees" include peace officers, firefighters, some health care workers (including In-Home Supportive Services (IHSS) workers), and other frontline employees. SB 1159 also provides a rebuttable presumption for employees whose place of employment has experienced an outbreak; an "outbreak" is defined as follows: for employers of 5-100 employees, 5 or more employees have tested positive within a 14-day period; for employers with more than 100 employees, 5 percent of employees have tested positive within a 14-day period. These presumptions sunset on January 1, 2023. Stakeholders anticipate that the Governor will sign SB 1159.

SB 1383 (Jackson) – Enrolled

SB 1383 expands the scope of the California Family Rights Act (CFRA) to prohibit employers with five or more employees to refuse to grant an employee request to take up to 12 weeks of unpaid leave for family care and medical leave. Such leave includes caring for a grandparent, grandchild, sibling, or domestic partner who has a serious health condition and leave because of a family member's active military duty. SB 1863 also expands the scope of Pregnancy Disability Leave to require employers with five or more employees to allow an employee to take leave, to maintain and pay for the employee's health plan, and to provide reasonable accommodations. SB 1383 was approved by the Senate and Assembly and sent to the Governor. Again, stakeholders anticipate that the Governor signs this measure.

AB 196 (Gonzalez) – Died

AB 196 would have created a rebuttable conclusive presumption for all employees deemed essential that COVID-19 is an industrial injury and therefore eligible for workers' compensation. AB 196 died on the Senate Floor.

AB 664 (Cooper) – Died

AB 664 would have provided a rebuttable presumption for firefighters, peace officers, correctional and law enforcement personnel, and certain health care employees that provide direct patient care at an acute care hospital, and certain employees at the Office of Emergency Services that a diagnosis of COVID-19 is a workplace injury and therefore eligible for workers' compensation. AB 664 also included a requirement for employers to provide emergency equipment or personal protective equipment (PPE). AB 664 died on the Senate Floor.

Attorney General Authority

AB 6 (Reyes) – Died

AB 6 would have, among other things, authorized the Attorney General to facilitate a statewide settlement agreement with opioid manufacturers and encourage settlement agreements for those local governments that

have been in litigation with opioid manufacturers for several years. While the bill was heard in Senate Budget and Fiscal Review Committee over the weekend, AB 6 was never voted on and failed passage.

Newsom Announcements

On Thursday, Governor Newsom signed an emergency [proclamation](#) to free up additional energy capacity amid extreme temperatures across the state. The proclamation also permits power plants to generate more power by suspending certain permitting requirements with the intention of alleviating the heat-induced demands on the state's energy grid. The proclamation also includes the use of generators and auxiliary ship engines.

Also on Thursday, Governor Newsom signed Executive Order [N-78-20](#), extending consumer protections against price gouging through March 4, 2021.

Earlier in the week, Governor Newsom [announced](#) the *Housing Is Key* campaign aimed at connecting renters and landlords experiencing economic hardship due to COVID-19 with helpful information and resources. The campaign will be run by the Business, Consumer Services and Housing Agency (BCSH) and kicks off with a new website and social media ads targeting vulnerable communities. Tenants and landlords can learn more about the new Tenant, Homeowner and Small Landlord Relief and Stabilization Act of 2020 by visiting www.covid19.ca.gov or going directly to www.HousingIsKey.com. BCSH will also launch a mobile and web-based app, available on the website, to help landlords and tenants. It will include a personalized, downloadable report that explains what protections or obligations apply under the new law by answering a few questions.

Homeless Coordinating and Financing Council (HCFC) News

The Homeless Coordinating and Financing Council (HCFC) announced that [allocations](#) for Round 2 of the Homeless Housing Assistance and Prevention Program (HHAP) are available. Recall that Round 2 includes \$300 million grant to support local jurisdictions in their efforts to continue to build on regional collaboration developed through previous rounds of HCFC funding and to develop a unified regional response to homelessness.

Also, on Tuesday, September 15, HCFC will convene a council meeting from 3:00 p.m. to 5:00 p.m. to discuss the single [agenda](#) item: the development of a Council action plan to address homelessness. Those interested may participate via video or teleconference. For a rundown of HCFC activities, please see this [letter](#) from the BCSH Secretary Lourdes Castro Ramirez to the Council.

CARES Act CDBG Application Deadline Extended

Due to recent wildfires, the California Department of Housing and Community Development (HCD) [announced](#) that it has amended the Notice of Funding Availability (NOFA) for the Community Development Block Grant Coronavirus Response Round 1. The amendment extends the application deadline from August 31, 2020 to **September 21, 2020**. Funding for this NOFA is made available pursuant to the Coronavirus Aid, Relief, and Economic Security (CARES) Act and is available on an allocation basis for eligible non-entitlement jurisdictions.

Opportunity to Join Health Care and Homelessness Learning Community

To assist in meeting the health care needs of individuals experiencing homelessness, the Center for Health Care Strategies, with support from the California Health Care Foundation, is launching the California [Health Care and Homelessness Learning Community](#). This peer network will bring together stakeholders from across California

to learn from each other and from experts around the nation about best and emerging practices to improve health services for this population.

Organizations providing health care services to people experiencing homelessness (provider organizations, community-based organizations, health care systems, county agencies, etc.) or those that financially or programmatically support this work (managed care plans, association or membership groups, etc.) are encouraged to apply. Participants will be chosen through a competitive selection process with applications due September 25, 2020. An informational webinar is scheduled for September 11, 2020 from 10:00 a.m. to 11:00 a.m. Click [here](#) to learn more and register.