



2020 Legislative  
Year-End Report  
*Office of Government Relations*

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To view the full text of the bills, visit <http://leginfo.legislature.ca.gov/>

## A Note from the Director

October 2020

Greetings Los Angeles Unified Leadership and Colleagues:

During the second year of the 2019-20 legislative session, the California State Legislature introduced more than 2,400 bills, with the **Office of Government Relations (OGR)** tracking 533 legislative measures that would impact the District's academic and socio-emotional programs, local policies, finances and operations. Of all bills introduced, over 450 were sent to Governor Gavin Newsom for consideration during a tumultuous year.

The traditional legislative calendar and how both the Assembly and Senate conduct the state's business was continuously modified to meet the demands of the COVID-19 pandemic. As a result, the truncated calendar impacted Los Angeles Unified's sponsored legislation. At the beginning of the year we had 11 bills approved by the Board of Education. However, the pandemic influenced the Legislature's decision to reduce the number of bills allowed to move forward. Despite the uncertainty brought on by the pandemic, the OGR team effectively advocated throughout the year on bills in the best interest of students, including flexibilities related to the issuance of student work permits during an extended school closure and extended timelines to administer assessments for English Language Learners, among other policies. Our advocacy efforts on the state budget aimed to protect and increase state funding for P-12 public education, which led to increased state reimbursements for student meals, funding for students with severe disabilities, and discretionary funding to support student learning, safety measures and the re-opening of school sites. These and other tangible outcomes resulting from Los Angeles Unified's advocacy is illustrated throughout the education trailer budget bills – **Senate Bill 98** and **Senate Bill 820**.

Bills sponsored by Los Angeles Unified and signed by Governor Newsom:

- **AB 1859 (Santiago) School District Employees: Merit System: Appointments**  
Extends the sunset date to authorize Los Angeles Unified to hire outside of the rule of three ranks for certain positions if the applicant possesses specific qualifications or skills that are required for the position.
- **AB 1981 (Nazarian) Los Angeles Unified School District: Best Value Procurement**  
Extends the sunset authorization for Los Angeles Unified to utilize the best value procurement method for bid evaluation and selection on school construction projects above \$1 million as a pilot program until 2026.
- **AB 3308 (Gabriel) School Districts: Employee Housing**  
Continues to make Low-Income Housing Tax Credits available for school districts that pursue education workforce housing projects on district-owned property.

Much uncertainty remains on what the 2021-22 legislative session will look like. It is possible the Legislature and the Newsom Administration will continue to focus on responding to unforeseen challenges brought on by COVID-19 and addressing ongoing concerns with wildfires, affordable housing and homelessness. Lawmakers remain concerned on the economic implications and high unemployment rate brought on by the public health crisis, which could impact the state's revenues and the financial support available for school districts.

In this report, you will find a comprehensive summary of the notable legislation that was acted upon by the Governor. Over the coming weeks, the OGR will collaborate with District staff to support the implementation of these new laws, many of which will become effective on January 1, 2021. During this time, OGR is working closely with the District's leadership and staff to identify policy and budget priorities for 2021. It is our goal that the District's advocacy agenda will be unveiled and adopted by our Board of Education in December 2020. We will continue to prioritize strategic engagement with key legislators who represent Los Angeles Unified in order to strengthen our relationships with elected officials to advance the District's policy agenda on behalf of the students, families and communities we serve.

I am fortunate to work alongside colleagues who are problem-solvers and intellectually curious, and who value the promise of a quality public education. On behalf of the entire OGR team – Legislative Advocates **Olga Shilo** and **Deborah Bautista Zavala**, Legislative Liaison **Colleen Pagter** and Senior Secretary **Laura Matz** – I would like to reiterate it is our privilege to represent Los Angeles Unified and to serve as its voice in the policymaking process.

We look forward to working with all of you in the coming year.



Martha Álvarez

Director of Legislative Affairs and Government Relations  
Los Angeles Unified School District

## Los Angeles Unified Sponsored Bills

### [AB 1859](#) ([Santiago](#) D) School district employees: merit system: appointments.

**Status:** Chaptered

**Summary:** Current law requires, with certain exceptions, vacancies in the classified service of a school district that has adopted the merit system to be filled by appointments made from the eligible applicants having the first 3 ranks on the eligibility list who are ready and willing to accept the position. In a school district with a pupil population over 400,000, current law authorizes, until December 31, 2020, an appointment to specified classifications of positions to be made from other than the first 3 ranks on the eligibility list if one or more of specified criteria are required for successful job performance of the position to be filled, in which case existing law requires the appointment to be made from among the highest 3 ranks of eligible candidates on the list who meet the special requirements and are ready and willing to accept the position. Current law requires a school district that makes an appointment pursuant to this provision to study the effectiveness of the selection method, the vacancy rates for each class, and the length of time to hire for each class, and to submit a report of its findings to any affected labor union. This bill would extend the operation of the latter provisions from December 31, 2020, until January 1, 2027, and apply those provisions to the Los Angeles Unified School District instead of a school district with a pupil population over 400,000.

### [AB 1981](#) ([Nazarian](#) D) Los Angeles Unified School District: best value procurement.

**Status:** Chaptered

**Summary:** Current law establishes a pilot program authorizing the Los Angeles Unified School District to use, before December 31, 2020, a best value procurement method for bid evaluation and selection for public projects that exceed \$1,000,000. The pilot program establishes various requirements applicable to the use of the best value procurement method under the authorization. Current law requires the school district to submit an interim and final report to the appropriate policy and fiscal committees of the Legislature on the use of the best value procurement method as provided and in accordance with a specified schedule. These provisions are repealed on January 1, 2021. This bill would extend the pilot program authorization for the school district to use the best value procurement method for projects before December 31, 2025, delete the interim report deadline, extend the remaining report deadline, and extend the repeal date for the pilot program to January 1, 2026.

### [AB 3308](#) ([Gabriel](#) D) School districts: employee housing.

**Status:** Chaptered

**Summary:** Would specify that the state policy created by the Teacher Housing Act of 2016 includes permitting school districts to restrict occupancy on land owned by school districts to teachers and school district employees of the school district that owns the land, including permitting school districts and developers in receipt of tax credits designated for affordable rental housing to retain the right to prioritize and restrict occupancy on land owned by school districts to teachers and school district employees of the school district that owns the land, so long as that housing does not violate any other applicable laws. The bill would specify that a school district may allow local public employees or other members of the public to occupy housing created through the act, and would provide that the school district retains the right to prioritize school district employees over local public employees or other members of the public to occupy housing.

## Campus Safety

### [AB 846](#) ([Burke](#) D) Public employment: public officers or employees declared by law to be peace officers.

**Status:** Chaptered

**Position:** Watch

**Summary:** Current law establishes the Commission on Peace Officer Standards and Training within the Department of Justice to perform various functions involving the training of peace officers. Current law requires peace officers in this state to meet specified minimum standards, including, among other



requirements, that peace officers be evaluated by a physician and surgeon or psychologist and found to be free from any physical, emotional, or mental condition that might adversely affect the exercise of the powers of a peace officer. This bill would require that evaluation to include bias against race or ethnicity, gender, nationality, religion, disability, or sexual orientation.

**[AB 1196 \(Gipson D\)](#) Peace officers: use of force.**

**Status:** Chaptered

**Position:** Watch

**Summary:** Current law requires law enforcement agencies to maintain a policy on the use of force, as specified. Current law requires the Commission on Peace Officer Standards and Training to implement courses of instruction for the regular and periodic training of law enforcement officers in the use of force. This bill would prohibit a law enforcement agency from authorizing the use of a carotid restraint or a choke hold, as defined.

## Child Abuse

**[AB 1929 \(Rubio, Blanca D\)](#) Child abuse and neglect reporting.**

**Status:** Chaptered

**Position:** Watch

**Summary:** Current law, only until January 1, 2021, authorizes certain county welfare agencies to develop a pilot program for internet-based reporting of child abuse and neglect, as specified, by specified mandated reporters. Existing law, only until January 1, 2021, also requires the State Department of Social Services to consult with the County Welfare Directors Association of California and the county welfare agencies of the individual counties to determine which counties may be involved in the pilot program and to oversee and administer the pilot program. Existing law requires a county that chooses to participate in the pilot program to hire an evaluator to monitor implementation of the program, to develop outcome measures that determine the effectiveness of the pilot program of the county, as specified, and to report to specified committees of the Legislature on or before January 1, 2020, on the effectiveness of the pilot program. Current law authorizes the department to conclude a county pilot program prior to January 1, 2021, if the evaluation and monitoring indicate that implementation of the program compromises the safety of children. This bill would extend operation of the pilot program indefinitely and would permit the reporting system developed to receive reports from any mandated reporter.

## Classified Employees

**[AB 2234 \(Chau D\)](#) Classified school and community college employees: personnel commission: legal counsel.**

**Status:** Chaptered

**Position:** Sought Amendments

**Summary:** Current law requires a district that adopts a merit system to appoint a personnel commission consisting of either 3 or 5 members and requires the commission to classify employees and positions within the jurisdiction of the governing board or of the commission. Current law requires the legal counsel of the governing board to represent the commission in all legal matters, except that existing law requires the legal counsel to refuse to represent the commission in circumstances in which the legal counsel knows, or has reason to know, that a conflict exists between the interests of the commission and the interests of the governing board or the district. This bill would authorize a single member of the personnel commission to also declare that a conflict exists between the interests of the commission and the interests of the governing board or the district. The bill would authorize the commission to employ its own attorney if the commission approves that declaration by majority vote.

## Discipline

### [AB 901 \(Gipson D\)](#) Juveniles.

**Status:** Chaptered

**Position:** Neutral

**Summary:** In a county that has not elected to participate in a truancy mediation program, current law authorizes the county superintendent of schools to petition the juvenile court on behalf of a pupil for proper disposition of a case. In a county that has not established a school attendance review board, existing law authorizes the school district to notify the district attorney or probation officer, as specified, that available community resources cannot resolve the problem of truancy or insubordination. This bill would eliminate the authority of the county superintendent of schools to petition the juvenile court on behalf of a pupil, as described above, in a county that has not elected to participate in a truancy mediation program.

## Environmental Safety Standards

### [SB 702 \(Hill D\)](#) California Renewables Portfolio Standard Program: procurement.

**Status:** Chaptered

**Position:** Watch

**Summary:** The California Renewables Portfolio Standard Program, beginning January 1, 2021, requires at least 65% of the procurement of a retail seller that counts toward specified requirements to be from its contracts of 10 years or more in duration or ownership or ownership agreements for eligible renewable energy resources. This bill would authorize a retail seller to rely on contracts of 10 years or more in duration or ownership agreements entered into before January 1, 2019, directly by its direct access nonprofit educational institution end-use customer for eligible renewable energy resources located in front of the customer meter to satisfy the portion of the 65% requirement attributable to the retail sales of that end-use customer.

## Facilities Design, Construction and Maintenance

### [AB 841 \(Ting D\)](#) Energy: transportation electrification: energy efficiency programs: School Energy Efficiency Stimulus Program.

**Status:** Chaptered

**Position:** Watch

**Summary:** Current law requires the PUC, in consultation with the State Energy Resources Conservation and Development Commission and the State Air Resources Board, to direct electrical corporations to file applications for programs and investments to accelerate widespread transportation electrification to reduce dependence on petroleum, meet air quality standards, achieve the goals set forth in the Charge Ahead California Initiative, and reduce emissions of greenhouse gases to 40% below 1990 levels by 2030 and to 80% below 1990 levels by 2050. That law requires that the programs proposed by electrical corporations seek to minimize overall costs and maximize overall benefits. The PUC is required to approve, or modify and approve, programs and investments in transportation electrification, including those that deploy charging infrastructure, through a reasonable cost recovery mechanism, if they are consistent with the above-described purposes, do not unfairly compete with nonutility enterprises, include performance accountability measures, and are in the interests of ratepayers. This bill would require not less than 35% of the investments pursuant to these provisions to be in underserved communities, as defined.

### [AB 2231 \(Kalra D\)](#) Public works.

**Status:** Chaptered

**Position:** Watch

**Summary:** Current law requires that, except as specified, not less than the general prevailing rate of per diem wages, determined by the Director of Industrial Relations, be paid to workers employed on public works projects. Current law defines "public works" to include, among other things, construction, alteration, demolition, installation, or repair work done under contract and paid for, in whole or in part, out of public

funds, but exempts from that definition, among other projects, an otherwise private development project if the state or political subdivision provides, directly or indirectly, a public subsidy to the private development project that is de minimis in the context of the project. This bill would generally provide that a public subsidy is de minimis if it is both less than \$600,000 and less than 2% of the total project cost. The bill would specifically provide that a public subsidy for a residential project that consists entirely of single-family dwellings is de minimis if it is less than 2% of the total project cost.

**[AB 2765 \(O'Donnell D\)](#) Public works: prevailing wages.**

**Status:** Chaptered

**Position:** Watch

**Summary:** Current law defines “public works,” for the purposes of regulating public works contracts, as, among other things, construction, alteration, demolition, installation, or repair work done under contract and paid for, in whole or in part, out of public funds. Current law further requires that, except as specified, not less than the general prevailing rate of per diem wages be paid to workers employed on public works and imposes misdemeanor penalties for a willful violation of this requirement. This bill would expand the definition of “public works,” for the purposes of provisions relating to the prevailing rate of per diem wages, to also include any construction, alteration, demolition, installation, or repair work done under private contract on a project for a charter school, as defined, when the project is paid for, in whole or in part, with the proceeds of conduit revenue bonds, as defined, that were issued on or after January 1, 2021.

## Foster and Homeless Youth

**[AB 1979 \(Friedman D\)](#) Foster youth: housing.**

**Status:** Chaptered

**Position:** Watch

**Summary:** Current law requires county agencies that place children in foster care to conduct an evaluation of the county’s placement resources and programs in relation to the needs of children placed in out-of-home care, and requires county placement agencies to specifically examine placements that are out of county and determine the reason the placement was necessary. This bill would additionally require a county placement agency to conduct an evaluation of the county’s placement resources and programs in relation to the needs of nonminor dependents and to examine its ability to meet the emergency housing needs of nonminor dependents, as specified.

**[AB 2944 \(Stone, Mark D\)](#) Foster care.**

**Status:** Chaptered – *Effective Immediately.*

**Position:** Watch

**Summary:** Current law, as part of the Continuum of Care Reform (CCR), requires the State Department of Social Services to implement a resource family approval process, and directs counties and foster family agencies, to approve resource families, as defined, in lieu of licensing foster family homes, certifying foster homes by foster family agencies, approving relatives and nonrelative extended family members as foster care providers, and approving guardians and adoptive families. Current law requires a foster family agency to, and authorizes a county to, conduct a reference check of a resource family applicant before approval by contacting specified entities, including any foster family agencies that have certified the applicant. This bill would, among other things, clarify that the reference check is to determine whether it is safe and appropriate approve the resource family, and would require that a foster family agency that has previously certified the applicant or approved the applicant as a resource family to divulge information, as specified, regarding the applicant within 20 business days of being contacted by a foster family agency or county conducting a reference check.

## Governance and Elections

### [AB 992 \(Mullin D\)](#) Open meetings: local agencies: social media.

**Status:** Chaptered

**Position:** Watch

**Summary:** The Ralph M. Brown Act defines “meeting” for purposes of the act and prohibits a majority of the members of a legislative body, outside a meeting authorized by the act, from using a series of communications of any kind to discuss, deliberate, or take action on any item of business that is within the subject matter jurisdiction of the legislative body. This bill would provide that, until January 1, 2026, the prohibition described above does not prevent a member from engaging in separate conversations or communications outside of a meeting authorized by this act with any other person using an internet-based social media platform, as defined, to answer questions, provide information to the public, or to solicit information from the public regarding a matter that is within the subject matter jurisdiction of the legislative body, provided that a majority of the members do not use the internet-based social media platform to discuss among themselves, as defined, business of a specific nature that is within the subject matter jurisdiction of the legislative body, and that a member shall not respond directly to any communication on an internet-based social media platform regarding a matter that is within the subject matter jurisdiction of the legislative body that is made, posted, or shared by any other member of the legislative body.

### [ACA 4 \(Mullin D\)](#) Elections: voting age.

**Status:** Chaptered – *Will Appear on the November 2020 General Election Ballot*

**Position:** Watch

**Summary:** The California Constitution authorizes any person who is a United States citizen, at least 18 years of age, and a resident of the state to vote. This measure, in addition, would authorize a United States citizen who is 17 years of age, is a resident of the state, and will be at least 18 years of age at the time of the next general election to vote in any primary or special election that occurs before the next general election in which the citizen would be eligible to vote if at least 18 years of age.

### [ACA 5 \(Weber D\)](#) Government preferences.

**Status:** Chaptered – *Will Appear on the November 2020 General Election Ballot*

**Position:** Support

**Summary:** The California Constitution, pursuant to provisions enacted by the initiative Proposition 209 in 1996, prohibits the state from discriminating against, or granting preferential treatment to, any individual or group on the basis of race, sex, color, ethnicity, or national origin in the operation of public employment, public education, or public contracting. The California Constitution defines the state for these purposes to include the state, any city, county, public university system, community college district, school district, special district, or any other political subdivision or governmental instrumentality of, or within, the state. This measure would repeal these provisions.

### [ACA 11 \(Mullin D\)](#) The Home Protection for Seniors, Severely Disabled, Families, and Victims of Wildfire or Natural Disasters Act.

**Status:** Chaptered – *Will Appear on the November 2020 General Election Ballot*

**Position:** Watch

**Summary:** Would, beginning on and after April 1, 2021, authorize an owner of a primary residence who is over 55 years of age, severely disabled, or a victim of a wildfire or natural disaster, as defined, to transfer the taxable value, defined as the base year value plus inflation adjustments, of their primary residence to a replacement primary residence located anywhere in the state, regardless of the location or value of the replacement primary residence, that is purchased or newly constructed as that person’s principal residence within 2 years of the sale of the original primary residence. The measure would limit a person who is over 55 years of age or severely disabled to 3 transfers under these provisions.



**[SB 158 \(Allen D\)](#) County of Los Angeles Citizens Redistricting Commission: membership.**

**Status:** Chaptered – *Effective Immediately.*

**Position:** Watch

**Summary:** Current law creates the Citizens Redistricting Commission in the County of Los Angeles and sets out a selection process for its membership designed to produce a commission that is independent from the influence of the county's Board of Supervisors and reasonably representative of the county's diversity. Current law requires the political party preferences of the redistricting commission members to be as proportional as possible to the political party preferences among the registered voters of the county, though they are not required to be of exactly the same proportion. This bill would require that the proportional representation in the redistricting commission include the category of voters in the county who decline to state or do not indicate a party preference.

**[SB 300 \(Umberg D\)](#) Elections: ballot measures.**

**Status:** Chaptered

**Position:** Watch

**Summary:** This bill would call a special election to be consolidated with the statewide general election scheduled for November 3, 2020. Notwithstanding the 131-day ballot qualification deadline and other related provisions regarding ballot measures, the bill would require the Secretary of State to submit Assembly Constitutional Amendments 4, 5, 6, 11, and 25, if passed by the Legislature on or before July 1, 2020, to the voters for their approval at the November 3, 2020, statewide general election. This bill would declare that it is to take effect immediately as an act calling an election.

**[SB 423 \(Umberg D\)](#) November 3, 2020, statewide general election.**

**Status:** Chaptered – *Effective Immediately.*

**Position:** Watch

**Summary:** This bill would authorize a county for the November 3, 2020, statewide general election to not have its vote centers open before the 3rd day prior to the election. This bill contains other related provisions and other existing laws.

## Graduation Requirements

**[AB 1350 \(Gonzalez D\)](#) Retroactive grant of high school diplomas: COVID-19 crisis.**

**Status:** Chaptered – *Effective immediately.*

**Position:** Support

**Summary:** This bill would authorize a high school district, unified district, county office of education, or the governing body of a charter school to retroactively grant a high school diploma to a person who was in their senior year of high school during the 2019–20 school year; in good academic standing and on track to graduate at the end of the 2019–20 school year, as of March 1, 2020; and unable to complete the statewide graduation requirements as a result of the COVID-19 crisis.

## Immigration

**[AB 3133 \(Aguiar-Curry D\)](#) Refugees: resettlement.**

**Status:** Chaptered

**Position:** Watch

**Summary:** This bill would prohibit a refugee from being denied resettlement in California based on any criterion, method of administration, or practice that has the purpose or effect of discriminating on the basis of specified protected characteristics.

## Labor

### **[AB 685 \(Reyes D\)](#) COVID-19: imminent hazard to employees: exposure: notification: serious violations.**

**Status:** Chaptered – *Effective immediately.*

**Position:** Watch

**Summary:** This bill would authorize the Division of Occupational Safety and Health, when, in its opinion, a place of employment, operation, or process, or any part thereof, exposes workers to the risk of infection with severe acute respiratory syndrome coronavirus 2 (SARS-CoV-2, also known as COVID-19), so as to constitute an imminent hazard to employees, to prohibit the performance of that operation or process, or entry into that place of employment. The bill would require the division to provide a notice thereof to the employer, to be posted in a conspicuous place at the place of employment. The bill would require such a prohibition to be limited to the immediate area in which the imminent hazard exists, as specified. The bill would require such a prohibition to be issued in a manner so as not to materially interrupt the performance of critical governmental functions essential to ensuring public health and safety functions or the delivery of electrical power or water.

### **[AB 1731 \(Boerner Horvath D\)](#) Unemployment insurance: work sharing plans.**

**Status:** Chaptered – *Effective immediately.*

**Position:** Watch

**Summary:** Current law provides for the payment of unemployment compensation benefits to eligible persons who are unemployed through no fault of their own. Current law deems an employee unemployed in any week if the employee works less than their usual weekly hours of work for the employee's regular employer as the result of the employer's participation in a work sharing plan that meets specified requirements and has been approved by the Director of Employment Development, pursuant to which the employer, in lieu of layoff, reduces employment and stabilizes the workforce. Current law requires an employer who wishes to participate in the work sharing program to submit to the director a signed, written work sharing plan application form that meets specified requirements. This bill, until January 1, 2024, would create an alternative process for the submission and approval of employer work sharing plan applications. The bill would require the Director of Employment Development to accept an application to participate in, or renew participation in, the work sharing program that is submitted electronically and would require the Employment Development Department to create a portal on its internet website for the provision and receipt of these applications.

### **[AB 1867 \(Committee on Budget\)](#) Small employer family leave mediation: handwashing: supplemental paid sick leave.**

**Status:** Chaptered – *Effective immediately.*

**Position:** Watch

**Summary:** This bill, among other provisions, would require a food employee working in any food facility to be permitted to wash their hands every 30 minutes and additionally as needed.

### **[AB 2017 \(Mullin D\)](#) Employee: sick leave: kin care.**

**Status:** Chaptered

**Position:** Neutral

**Summary:** Current law requires an employer who provides sick leave for employees to permit an employee to use the employee's accrued and available sick leave entitlement to attend to the illness of a family member and prohibits an employer from denying an employee the right to use sick leave or taking specific discriminatory action against an employee for using, or attempting to exercise the right to use, sick leave to attend to such an illness. This bill would provide that the designation of the sick leave taken under these provisions is at the sole discretion of the employee.

**[AB 2399](#) (Committee on Insurance) Paid family leave: qualifying exigency.**

**Status:** Chaptered

**Position:** Watch

**Summary:** Current law establishes within the state disability insurance program a family temporary disability insurance program, also known as the Paid Family Leave program, for the provision of wage replacement benefits to workers who take time off work to care for a seriously ill family member or to bond with a minor child within one year of birth or placement, as specified, and, on and after January 1, 2021, to take time off to participate in a qualifying exigency related to the covered active duty or call to covered active duty of the individuals' spouse, domestic partner, child, or parent in the Armed Forces of the United States. Current law defines terms for paid family leave purposes, including defining the terms "care recipient," "care provider," and "family care leave." This bill would revise those definitions for the purpose of the qualifying exigency provisions. The bill would define "military member" for the purpose of that term's use in those revised definitions.

**[AB 2992](#) (Weber D) Employment practices: leave time.**

**Status:** Chaptered

**Position:** Watch

**Summary:** Current law prohibits an employer from discharging, or discriminating or retaliating against, an employee who is a victim of domestic violence, sexual assault, or stalking, for taking time off from work to obtain or attempt to obtain relief to help ensure the health, safety, or welfare of the victim or victim's child. Current law authorizes an employee to file a complaint with the Division of Labor Standards Enforcement for a violation of that prohibition, and makes it a misdemeanor for an employer to refuse to rehire, promote, or restore an employee who has been determined to be so eligible by a grievance procedure or legal hearing. This bill would expand the above provision to prohibit an employer from discharging, or discriminating or retaliating against, an employee who is a victim of crime or abuse for taking time off from work to obtain or attempt to obtain relief, as prescribed.

**[SB 275](#) (Pan D) Health Care and Essential Workers: personal protective equipment.**

**Status:** Chaptered

**Position:** Neutral

**Summary:** Current law establishes the State Department of Public Health to implement various programs throughout the state relating to public health, including licensing and regulating health facilities and control of infectious diseases. This bill would require the State Department of Public Health and the Office of Emergency Services, in coordination with other state agencies, to, upon appropriation and as necessary, establish a personal protective equipment (PPE) stockpile. The bill would require the department to establish guidelines for the procurement, management, and distribution of PPE, taking into account, among other things, the amount of each type of PPE that would be required for all health care workers and essential workers in the state during a 90-day pandemic or other health emergency.

**[SB 1159](#) (Hill D) Workers' compensation: COVID-19: critical workers.**

**Status:** Chaptered – *Effective immediately.*

**Position:** Watch

**Summary:** This bill would define "injury" for an employee to include illness or death resulting from the 2019 novel coronavirus disease (COVID-19) under specified circumstances, until January 1, 2023. The bill would create a disputable presumption, as specified, that the injury arose out of and in the course of the employment and is compensable, for specified dates of injury. The bill would limit the applicability of the presumption under certain circumstances. The bill would require an employee to exhaust their paid sick leave benefits and meet specified certification requirements before receiving any temporary disability benefits or, for police officers, firefighters, and other specified employees, a leave of absence. The bill would also make a claim relating to a COVID-19 illness presumptively compensable, as described above, after 30 days or 45 days, rather than 90 days.

**[SB 1383 \(Jackson D\)](#) Unlawful employment practice: California Family Rights Act.**

**Status:** Chaptered

**Position:** Watch

**Summary:** This bill would expand the California Family Rights Act to make it an unlawful employment practice for any employer with 5 or more employees to refuse to grant a request by an employee to take up to 12 workweeks of unpaid protected leave during any 12-month period to bond with a new child of the employee or to care for themselves or a child, parent, grandparent, grandchild, sibling, spouse, or domestic partner, as specified. The bill would require an employer who employs both parents of a child to grant leave to each employee.

## Lottery

**[AB 2884 \(Berman D\)](#) California State Lottery: revenue allocation.**

**Status:** Chaptered – *Effective Immediately.*

**Position:** Watch

**Summary:** The bill would express the intent of the Legislature to ensure that restricted lottery funding allocated to community colleges is spent in full for the benefit of students.

## Miscellaneous

**[AB 908 \(O'Donnell D\)](#) Pupils: extracurricular activities: work permits.**

**Status:** Chaptered – *Effective immediately.*

**Position:** Support

**Summary:** This bill would authorize the governing board of each school district to adopt a policy that would allow a probationary period to exceed one semester in length through the completion of the 2020–21 school year due to the impact of COVID-19. This bill would authorize issuance of a work permit in the absence of the appearance of the minor and the minor's parent or guardian under specified conditions. This bill would authorize documentation required for purposes of issuance a work permit to a minor to be submitted electronically during an extended school closure due to a natural disaster, pandemic, or other emergency. This bill would prohibit a work permit from being denied based on a pupil's grades, grade point average, or school attendance when the pupil's school has been physically closed for an extended time due to a natural disaster, pandemic, or other emergency.

**[AB 2445 \(Reyes D\)](#) Civil actions: wrongful death.**

**Status:** Chaptered – *Effective immediately.*

**Position:** Watch

**Summary:** Current law specifies the persons who may bring a civil action for the death of a person caused by the wrongful act or neglect of another, and includes among those persons the decedent's parents if they were entitled to the decedent's property by intestate secession or if they were dependent on the decedent. This bill would also authorize a decedent's legal guardians to bring a civil action if the decedent's parents were authorized to bring a civil action but they are deceased, or if the legal guardians were dependent on the decedent and the decedent's parents are deceased.

**[AB 3121 \(Weber D\)](#) Task Force to Study and Develop Reparation Proposals for African Americans.**

**Status:** Chaptered

**Position:** Watch

**Summary:** This bill would establish the Task Force to Study and Develop Reparation Proposals for African Americans, with a Special Consideration for African Americans Who are Descendants of Persons Enslaved in the United States, consisting of 9 members, appointed as provided. The bill would require the Task Force to, among other things, identify, compile, and synthesize the relevant corpus of evidentiary documentation of the institution of slavery that existed within the United States and the colonies. The bill would require the Task Force to recommend, among other things, the form of compensation that should be awarded, the instrumentalities through which it should be awarded, and who should be eligible for this compensation. The

bill would require the Task Force to submit a written report of its findings and recommendations to the Legislature.

**[SB 1146 \(Umberg D\)](#) Civil procedure: electronic filing, trial delays, and remote depositions.**

**Status:** Chaptered – *Effective Immediately.*

**Position:** Watch

**Summary:** Current law authorizes, for cases filed on or after January 1, 2019, if a document may be served by mail, express mail, overnight delivery, or facsimile transmission, electronic service of the document if a party or other person has expressly consented to receive electronic service in that specific action, or the court has ordered electronic service on a represented party or other represented person. This bill would require a party represented by counsel, who has appeared in an action or proceeding, to accept electronic service of a notice or document that may be served by mail, express mail, overnight delivery, or facsimile transmission. The bill would require a party represented by counsel, upon the request of any party who has appeared in an action or proceeding and who provides an electronic service address, to electronically serve the requesting party with any notice or document that may be served by mail, express mail, overnight delivery, or facsimile transmission.

## **Public School Employee Rensions (PERS/STRS)**

**[AB 2101 \(Committee on Public Employment and Retirement\)](#) Public employees' retirement.**

**Status:** Chaptered

**Position:** Support

**Summary:** The Teachers' Retirement Law, establishes the State Teachers' Retirement System (STRS) and creates the Defined Benefit Program of the State Teachers' Retirement Plan, which provides a defined benefit to members of the program, based on final compensation, credited service, and age at retirement, subject to certain variations. STRS is administered by the Teachers' Retirement Board. The Defined Benefit Program is funded by employer and employee contributions, as well as investment returns and state appropriations, which are deposited or credited to the Teachers' Retirement Fund. Current law authorizes a member to elect continued defined benefit coverage in STRS when taking a position that provides a defined benefit in another public retirement system, and requires the election to be made in writing and to be filed with STRS and the other public retirement system. This bill would remove the requirement that the election be filed with the other public retirement system, and would instead require the employer to retain a copy of the election form.

**[AB 2967 \(O'Donnell D\)](#) Public Employees' Retirement System: contracting agencies: exclusion from membership.**

**Status:** Chaptered

**Position:** Watch

**Summary:** PERL authorizes a public agency to contract to make all or part of its employees members of PERS, subject to specified conditions, and requires membership in PERS to be compulsory for all employees included under a contract. Current law prohibits these contracts from providing for the exclusion of some, but not all, firefighters and specified public safety officers. With regard to other groups of employees, existing law requires that they be based on general categories, such as departments or duties, and not on individual employees. This bill would delete provisions of PERL that generally authorize a public agency contracting with PERS to make all or part of its employees members of the system. The bill would generally prohibit exclusions of groups of employees from being made by amendment of a public agency contract with PERS, except as provided. The bill would apply these provisions to contracts entered into, amended, or extended on and after January 1, 2021.



## State Budget

### [\*\*AB 75 \(Committee on Budget\) Budget Act of 2019: augmentation.\*\*](#)

**Status:** Chaptered – *Effective immediately.*

**Position:** Watch

**Summary:** This bill would amend the Budget Act of 2019 by appropriating an additional \$119,727,000 from the General Fund for augmentation for contingencies and emergencies and by requiring the Controller to allocate these additional funds as specified.

### [\*\*AB 76 \(Committee on Budget\) Education finance: apportionments.\*\*](#)

**Status:** Chaptered – *Effective immediately.*

**Position:** Watch

**Summary:** Current law requires the Controller to draw warrants on the State Treasury throughout each year in specified amounts for purposes of apportioning funding to school districts, county offices of education, and charter schools. This bill, commencing with the 2019–20 fiscal year, would require the warrants scheduled to be drawn in June to instead be drawn in July of the same calendar year.

### [\*\*AB 79 \(Committee on Budget\) Human services omnibus.\*\*](#)

**Status:** Chaptered – *Effective immediately.*

**Position:** Watch

**Summary:** Current federal law provides for the allocation of federal funds through the federal Temporary Assistance for Needy Families (TANF) block grant program to eligible states. Existing law provides for the California Work Opportunity and Responsibility to Kids (CalWORKs) program under which, through a combination of state and county funds and federal funds received through the TANF program, each county provides cash assistance and other benefits to qualified low-income families. Existing law, until January 1, 2021, requires the State Department of Social Services to implement and maintain a nonbiometric identity verification method in the CalWORKs program. This bill would repeal the January 1, 2021, repeal date, thereby extending that provision indefinitely, and would also provide, commencing July 1, 2020, that the methods approved by the department as of July 1, 2018, satisfy that requirement for nonbiometric identity verification methods in the CalWORKs program.

### [\*\*AB 84 \(Committee on Budget\) Public employment and retirement.\*\*](#)

**Status:** Chaptered – *Effective immediately.*

**Position:** Watch

**Summary:** Current law appropriates \$2,246,000,000 from the General Fund for the 2018–19 fiscal year to the Teachers' Retirement Fund for the Defined Benefit Program, to be apportioned in specified amounts to the credit of required employer contributions for the 2019–20 and 2020–21 fiscal years, pursuant to the direction of the Department of Finance. For the 2020–21 fiscal year, the apportioned payment to the Teachers' Retirement Fund is an amount to pay in advance a part of the contributions required of the employers for the 2020–21 fiscal year that results in a reduction of employer contributions of 0.70 percentage point for that fiscal year from the percentage set by another specified provision. Current law requires the uncommitted remainder of the payment to be allocated to reducing the employers' unfunded actuarial obligations, as specified. This bill would revise the application of the 2018–19 fiscal year General Fund appropriation described above.

### [\*\*AB 89 \(Ting D\) Budget Act of 2020.\*\*](#)

**Status:** Chaptered – *Effective immediately.*

**Position:** Watch

**Summary:** The Budget Act of 2020 made appropriations for the support of state government for the 2020–21 fiscal year. This bill would amend the Budget Act of 2020 by amending items of appropriation and making other changes.

**[AB 93](#) (Committee on Budget) Personal income taxes: earned income tax credit: young child tax credit: federal individual taxpayer identification number.**

**Status:** Chaptered – *Effective immediately.*

**Position:** Watch

**Summary:** The Personal Income Tax Law, beginning on or after January 1, 2015, in modified conformity with federal income tax laws, allows an earned income tax credit against personal income tax and a payment from the Tax Relief and Refund Account. Current law, in conformity with federal income tax laws, disallows the credit to an eligible individual with a qualifying child if the individual does not include on the tax return the social security numbers of that individual, the individual's spouse if married, and any qualifying child of the individual. Current law, for purposes of this disallowance and in conformity with federal income tax laws, excludes specified social security numbers, including those issued to individuals who are applicants for or recipients of benefits under any program financed in whole or in part from federal funds. This bill, for taxable years beginning on or after January 1, 2020, would remove the exclusion of the above-described social security numbers, and would additionally allow the earned income tax credit to an eligible individual who has, or whose spouse has, a qualifying child younger than 6 years old, as specified, if that individual includes on the tax return the federal individual taxpayer identification number of the eligible individual, eligible individual's spouse if married, and a qualifying child who is younger than 6 years old, as specified.

**[AB 103](#) (Committee on Budget) Unemployment compensation benefits: COVID-19.**

**Status:** Chaptered – *Effective immediately.*

**Position:** Watch

**Summary:** This bill would, for the duration of all federal unemployment benefit programs specifically created to respond to the COVID-19 pandemic, prohibit unemployment compensation benefits paid to an unemployed individual from being charged against the reserve account of a tax-rated employer, unless the employer or an agent of the employer was at fault, as prescribed. Under the bill, this prohibition would become inoperative on January 1, 2021, unless the Director of Employment Development makes a specified determination.

**[SB 74](#) (Mitchell D) Budget Act of 2020.**

**Status:** Chaptered – *Effective immediately.*

**Position:** Watch

**Summary:** This bill would make appropriations for the support of state government for the 2020–21 fiscal year.

**[SB 89](#) (Committee on Budget and Fiscal Review) Budget Act of 2019.**

**Status:** Chaptered – *Effective immediately.*

**Position:** Watch

**Summary:** This bill would amend the Budget Act of 2019 by appropriating \$500,000,000 from the General Fund to be used for any purpose related to the Governor's March 4, 2020 proclamation of a state of emergency. This bill would authorize additional appropriations in increments of \$50,000,000, up to a total appropriation of \$1,000,000,000. The bill would amend the act to state the Legislature's intent that the administration work with stakeholders, including members of the Legislature and legislative staff, to develop strategies to be considered for inclusion in the Budget Act of 2020 to provide assistance related to the impacts of COVID-19. The bill would amend the act by adding an item of appropriation to the Department of Resources Recycling and Recovery.

**[SB 98](#) (Committee on Budget and Fiscal Review) Education finance: education omnibus budget trailer bill.**

**Status:** Chaptered – *Effective immediately.*

**Position:** Watch

**Summary:** Current law requires the State Department of Education to develop, on or before June 30, 2020, a standardized English language teacher observation protocol for use by teachers in evaluating a pupil's English language proficiency. This bill would extend the date for completion of that protocol until December 31, 2021. This bill is the TK-12 grade education trailer budget bill with policy and fiscal changes in the 2020-

21 fiscal year. The bill includes many key provisions related to COVID-19 flexibilities and requirements related to distance learning.

**[SB 115](#) (Committee on Budget and Fiscal Review) Budget Act of 2019: Budget Act of 2020.**

**Status:** Chaptered – *Effective immediately.*

**Position:** Watch

**Summary:** The Budget Act of 2019 and the Budget Act of 2020 made appropriations for the support of state government for the 2019–20 and 2020–21 fiscal years. This bill would amend the Budget Act of 2019 and the Budget Act of 2020 by amending, adding, and repealing items of appropriation, and making other changes.

**[SB 117](#) (Committee on Budget and Fiscal Review) Education finance: average daily attendance and timeline waivers: protective equipment and cleaning appropriation: COVID-19.**

**Status:** Chaptered – *Effective immediately.*

**Position:** Watch

**Summary:** Current law requires the governing board of a school district to report to the Superintendent of Public Instruction during each fiscal year the average daily attendance of the school district for all full school months, and describes the period between July 1 and April 15, inclusive, as the “second period” report for the second principal apportionment. Current law requires a county superintendent of schools to report the average daily attendance for the school and classes maintained by the county superintendent and the average daily attendance for the county school tuition fund. For local educational agencies that comply with Executive Order N–26–20, this bill would specify that for purposes of attendance claimed for apportionment purposes pursuant to the provision described above, for the 2019–20 school year average daily attendance reported to the State Department of Education for the second period and the annual period for local educational agencies only includes all full school months from July 1, 2019, to February 29, 2020, inclusive.

**[SB 820](#) (Committee on Budget and Fiscal Review) Education finance.**

**Status:** Chaptered – *Effective immediately.*

**Position:** Watch

**Summary:** Current law requires the State Department of Education to develop, on or before December 31, 2021, a standardized English language teacher observation protocol for use by teachers in evaluating a pupil’s English language proficiency. Existing law requires a local educational agency to assess the English language development of each pupil in order to determine the pupil’s level of proficiency. Current law requires that assessment to be conducted annually during a 4-month period after January 1. This bill would extend the date for completion of the English language teacher observation protocol until December 31, 2022. The bill would extend the time period for conducting the English language development assessment in the 2020–21 school year by 45 calendar days and would require a local educational agency to screen new pupils at the time of enrollment to informally determine English learner status. This bill is the clean-up or follow up bill modifying certain sections of SB 98. It provides clarifications to state education policies and grants additional flexibilities as a result of COVID-19.

## **Student Health Wellness, Medi-Cal, and Mental Health**

**[AB 2265](#) (Quirk-Silva D) Mental Health Services Act: use of funds for substance use disorder treatment.**

**Status:** Chaptered

**Position:** Watch

**Summary:** The Mental Health Services Act (MHSA), an initiative measure enacted by the voters as Proposition 63 at the November 2, 2004, statewide general election, funds a system of county mental health plans for the provision of mental health services, as specified. The act establishes the Mental Health Services Fund, which is continuously appropriated to, and administered by, the State Department of Health Care Services to fund specified county mental health programs. This bill would authorize the services for adults, older adults, and children, as well as innovative programs and prevention and early intervention programs that are provided by counties as part of the MHSA to include substance use disorder treatment for children, adults, and older adults with cooccurring mental health and substance use disorders who are eligible to

receive mental health services pursuant to those programs.

**[SB 793 \(Hill D\)](#) Flavored tobacco products.**

**Status:** Chaptered – *There is a possibility this bill may not become effective on January 1, 2021 if a voter initiative qualifies for the 2022 ballot to repeal the provisions of this bill.*

**Position:** Support

**Summary:** The Stop Tobacco Access to Kids Enforcement (STAKE) Act prohibits a person from selling or otherwise furnishing tobacco products, as defined, to a person under 21 years of age. Current law also prohibits the use of tobacco products in county offices of education, on charter school or school district property, or near a playground or youth sports event, as specified. This bill would prohibit 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, as those terms are defined, except as specified.

**[SB 855 \(Wiener D\)](#) Health coverage: mental health or substance use disorders.**

**Status:** Chaptered

**Position:** Watch

**Summary:** The California Mental Health Parity Act requires every health care service plan contract or disability insurance policy issued, amended, or renewed on or after July 1, 2000, that provides hospital, medical, or surgical coverage to provide coverage for the diagnosis and medically necessary treatment of severe mental illnesses of a person of any age, and of serious emotional disturbances of a child under the same terms and conditions applied to other medical conditions, as specified. Existing law requires those benefits to include, among other things, outpatient services, inpatient hospital services, partial hospital services, and prescription drugs, if the plan contract or policy includes coverage for prescription drugs. This bill would revise and recast those provisions, and would instead require a health care service plan contract or disability insurance policy issued, amended, or renewed on or after January 1, 2021, provide coverage for medically necessary treatment of mental health and substance use disorders, as defined, under the same terms and conditions applied to other medical conditions.

## Tax Policy

**[AB 1577 \(Burke D\)](#) Income taxes: federal CARES Act: gross income: loan forgiveness.**

**Status:** Chaptered – *Effectively Immediately.*

**Position:** Watch

**Summary:** Current federal law, the federal CARES Act, and its subsequent amendments in the Paycheck Protection Program and Health Care Enhancement Act and the Paycheck Protection Program Flexibility Act of 2020, among other things, authorizes forgiveness of indebtedness for eligible recipients with covered loans, as defined, in an amount equal to the sum of the recipient's payroll costs, interest on mortgage obligations, rent obligations, and utility payments, subject to specified conditions and during a specified time period. Current federal law excludes any amounts of covered loans forgiven under the CARES Act from gross income for federal income tax purposes. This bill, for taxable years beginning on or after January 1, 2020, would exclude from gross income, for state income tax purposes, any covered loan amount forgiven pursuant to those federal acts.

**[AB 1876 \(Committee on Budget\)](#) Personal income taxes: federal individual taxpayer identification number: earned income tax credits: young child tax credit.**

**Status:** Chaptered – *Effective Immediately.*

**Position:** Watch

**Summary:** The Personal Income Tax Law allows a refundable young child tax credit against the taxes imposed under that law, for each taxable year beginning on or after January 1, 2019, to a qualified taxpayer in specified amount multiplied by the earned income tax credit adjustment factor, as provided. This bill, for each taxable year beginning on or after January 1, 2020, would remove the above-described limitations on the use of a federal individual taxpayer identification number in order to be eligible for the earned income tax credit and the refundable young child tax credit, subject to specified requirements, including the provision of

specified documents to the Franchise Tax Board.

**[SB 1409 \(Caballero D\)](#) Franchise Tax Board: California earned income tax credit: report.**

**Status:** Chaptered

**Position:** Watch

**Summary:** The Personal Income Tax Law, beginning on or after January 1, 2015, in modified conformity with federal income tax laws, allows an earned income tax credit, the California Earned Income Tax Credit (CalEITC), against personal income tax and a payment from the Tax Relief and Refund Account for an allowable credit in excess of tax liability to an eligible individual that is equal to that portion of the earned income tax credit allowed by federal law as determined by the earned income tax credit adjustment factor, as specified. This bill would require the Franchise Tax Board to analyze and develop a plan to increase the number of claims of the CalEITC and the federal Earned Income Tax Credit.



## Vetoed Bills

### [AB 331 \(Medina D\)](#) Pupil instruction: high school graduation requirements: ethnic studies.

**Status:** Vetoed

**Position:** Neutral

**Summary:** This bill would add the completion of a one-semester course in ethnic studies, meeting specified requirements, to the high school graduation requirements commencing with pupils graduating in the 2029–30 school year, including for pupils enrolled in a charter school. The bill would expressly authorize local educational agencies, including charter schools, to require a full-year course in ethnic studies at their discretion. The bill would require local educational agencies, including charter schools, to offer an ethnic studies course commencing with the 2025–26 school year, as specified.

**Governor's Message:** *To the Members of the California State Assembly: I am returning Assembly Bill 331 without my signature. This bill would require a course that incorporates ethnic studies as its primary content as a high school graduation requirement starting in the 2029-30 school year. I value the role ethnic studies plays in helping students think critically about our history and understand the experience of marginalized communities in our state. This academic discipline will help prepare our young adults to become civically engaged and participate fully in our democracy. For these reasons, I already signed AB 1460, which will mandate ethnic studies as a graduation requirement for the California State University system. I appreciate the amendments the author accepted to ensure that any ethnic studies coursework is free of bias and discrimination. I am also pleased that many more schools and districts have recently joined the hundreds of schools across our state that have adopted ethnic studies courses, and we intend to support these schools with professional development resources. This bill, however, would require ethnic studies to be taught in high school at a time when there is much uncertainty about the appropriate K-12 model curriculum for ethnic studies. I have been closely monitoring the progress of the development of the K-12 ethnic studies model curriculum. Last year, I expressed concern that the initial draft of the model curriculum was insufficiently balanced and inclusive and needed to be substantially amended. In my opinion, the latest draft, which is currently out for review, still needs revision. I am directing staff in my Administration to work with State Board of Education President Linda Darling-Hammond and State Superintendent of Public Instruction Tony Thurmond to ensure that the draft ethnic studies model curriculum achieves balance, fairness, and is inclusive of all communities. In California, we don't tolerate our diversity. We celebrate it. That should be reflected in our high school curriculum. I look forward to our model curriculum achieving these goals. Sincerely, Governor Gavin Newsom.*

### [AB 826 \(Santiago D\)](#) Emergency food assistance: COVID-19.

**Status:** Vetoed

**Position:** Watch

**Summary:** Current law establishes and requires the State Department of Social Services to administer the CalFood Program to provide food and funding to food banks whose primary function is to facilitate the distribution of food to low-income households, as specified. This bill would establish a program to provide emergency food assistance. The program would require, upon the appropriation of funds by the Legislature for this purpose, or upon a determination by the Governor that specified funds available to the Governor may be used for this purpose, the department to contract with a Feeding America partner state organization with the capacity to provide a food assistance benefit statewide, or another nonprofit entity that the department deems appropriate, to issue food assistance benefits in the form of a one-time use, prepaid card preloaded with \$600 for use at retailers that sell groceries.

**Governor's Message:** *To the Members of the California State Assembly: I am returning Assembly Bill 826 without my signature. This bill would require the California Department of Social Services to contract with a Feeding America partner state organization or other appropriate nonprofit entity to provide a food assistance benefit to those who self-attest that they are eligible for state or federal nutrition assistance or immigration legal services. It has been my firm commitment that my Administration would support all Californians during the COVID-19 crisis. To that end, my Administration has advanced efforts to provide relief that is both inclusive of and directed to undocumented Californians. As we continue to address the needs of Californians during the pandemic, it is prudent to consider the most appropriate and responsible means to offer support to those in need. Given the significant General Fund impact annually that this bill would have, I am unable to sign this measure. Sincerely, Gavin Newsom*

**[AB 1066 \(Gonzalez D\)](#) Unemployment compensation: benefits payable: collection.**

**Status:** Vetoed

**Position:** Watch

**Summary:** Under current law, if an employer fails to keep and furnish to the Director of Employment Development any required records or reports necessary for a full determination, decision, or other proper disposition of a claim for unemployment benefits within a reasonable time as the director may by rule, regulation, or procedure prescribe, it is to be conclusively presumed that the claimant is entitled to the maximum total amount of benefits payable unless the director deems sufficient a lesser total amount is due and owing to the claimant. This bill would require, on and after January 1, 2021, that if an employer, within 10 days after receiving an initial notice from the director of the need to furnish over required records or reports necessary for a full determination of a claim for unemployment compensation benefits, fails to furnish those required records or reports to the director, it be conclusively presumed that the claimant is entitled to the maximum total benefits payable, unless the director determines, based on the evidence, that the claimant is entitled to a lesser amount.

**Governor's Message:** *To the Members of the California State Assembly: I am returning Assembly Bill 1066 without my signature. This bill would conclusively presume that a claimant is entitled to the maximum benefit amount for the purposes of unemployment insurance if an employer does not furnish requested wage information for the Employment Development Department (EDD) within 10 days after receiving notice. Current law already entitles a claimant to the maximum benefit amount if the employer does not provide documents responding to a claim within a reasonable time frame. By conclusively presuming an individual is entitled to the maximum benefit amount after 10 days, this bill will result in significant new borrowing of federal funds to the Unemployment Insurance fund, increasing interest costs borne by the state General Fund. These costs are not included in the 2020 Budget Act and will add cost pressures on state funds that are already strained because of the pandemic. Therefore, I am returning the bill without my signature. Sincerely, Gavin Newsom*

**[AB 1299 \(Salas D\)](#) Peace officers: employment.**

**Status:** Vetoed

**Position:** Watch

**Summary:** This bill would require any agency that employs specified peace officers to provide a notification, as described, to the Commission on Peace Officer Standards and Training when a peace officer is terminated or, if an officer leaves the agency with a complaint, charge, or investigation of a serious nature, as defined, pending, would require the agency to complete the investigation as specified and notify the commission of its findings. The bill would require the commission to include this information in an officer's profile and make that information available to specified parties including any law enforcement agency that is conducting a preemployment background investigation of the subject of the profile. The bill would also allow a peace officer to have this information removed from their profile if a court subsequently finds that an allegation of a serious nature was improperly found to be sustained, as specified.

**Governor's Message:** *To the Members of the California State Assembly: I am returning Assembly Bill 1299 without my signature. This bill would require an agency that employs specified peace officers to provide a notification to the Commission on Peace Officer Standards and Training (POST) when a peace officer is terminated, or if an officer leaves the agency with a complaint, charge, or investigation of a serious nature. This bill would also require said agency to complete the investigation as specified, within one year, and to notify POST of its findings. The bill would require POST to make that information available to any law enforcement agency conducting a preemployment background investigation of the subject of the profile. I agree with the intent of this legislation – officers with a history of misconduct should not be able to resign in lieu of termination and simply move to a different department without a completed investigation or file of misconduct. But this bill does not go far enough. I am concerned this bill will slow momentum for broader decertification measures in future legislative sessions. The Legislature has signaled that it will continue its work on decertification, and I support the development of legislation with a broader approach. Sincerely, Gavin Newsom*

**[AB 1835 \(Weber D\)](#) Education finance: local control funding formula: supplemental and concentration grants.**

**Status:** Vetoed

**Position:** Watch

**Summary:** This bill would require each school district, county office of education, and charter school to

identify unspent supplemental and concentration grant funds by annually reconciling and reporting to the department its estimated and actual spending of those moneys. The bill would require unspent funds identified pursuant to these provisions to continue to be required to be expended to increase and improve services for unduplicated pupils, and would require each local educational agency to report the amounts of unspent funds identified in its local control and accountability plan.

**Governor's Message:** *To the Members of the California State Assembly: I am returning Assembly Bill 1835 without my signature. I deeply support the underlying goal of this bill – to ensure that unspent Local Control Funding Formula (LCFF) supplemental and concentration grant funds are expended on services for our most vulnerable students – and I applaud Dr. Weber for her continued leadership. However, I believe there are some fundamental flaws with the bill, and I am concerned that it cannot be implemented in a manner that is smooth or timely. There is a simpler solution that allows us to address the objectives of AB 1835 much sooner and with more transparency. Therefore, I am directing the Department of Finance to propose language for your consideration as part of my budget in January. As written, AB 1835 would necessitate that the State Board of Education initiate a lengthy rulemaking process to amend the LCFF spending regulations at add definitions and make other necessary changes to clarify the requirements of the bill. This process would likely delay implementation for two school years. This bill would also impose new and unnecessary procedural requirements on schools that are and will be managing unprecedented challenges related to COVID-19. We all share the same goal, and it is critical that we act quickly to ensure that funding meant to support our state's most vulnerable students is used for that purpose. I look forward to working with Dr. Weber and the Legislature to implement this requirement in next year's budget. Sincerely, Gavin Newsom*

#### **[AB 2054 \(Kamlager D\)](#) Emergency services: community response: grant program.**

**Status:** Vetoed

**Position:** Watch

**Summary:** This bill would, until January 1, 2024, enact the Community Response Initiative to Strengthen Emergency Systems Act or the C.R.I.S.E.S. Act for the purpose of creating, implementing, and evaluating the C.R.I.S.E.S. Act Grant Pilot Program, which the act would establish. The bill would require the Office of Emergency Services to establish rules and regulations for the act with the goal of making grants to community organizations, over 3 years, for the purpose of expanding the participation of community organizations in emergency response for specified vulnerable populations. The bill would require that grantees receive a minimum award of \$250,000 per year.

**Governor's Message:** *To the Members of the California State Assembly: I am returning Assembly Bill 2054 without my signature. This bill would establish a grant pilot program administered by the Office of Emergency Services (OES) to stimulate and support community involvement in emergency response activities that do not require a law enforcement officer. Community organizations have a critical role to play in responding to our vulnerable neighbors and community members in crisis. Many situations involving those who are unhoused, facing mental health challenges, have been exposed to violence, or are experiencing substance use issues may be better addressed with resources and pathways for long-term healing rather than a punitive approach. We must also address the reality that people of color and other marginalized members of our communities are disproportionately harmed by interactions with law enforcement, too often in instances where a badge and a gun are unnecessary. The underlying goal of this legislation is important and implementing an effective solution will help our communities. Unfortunately, OES is not the appropriate location for the pilot program proposed in this legislation. My Administration will work with the Legislature and stakeholders during the next Legislative session on an implementable solution. Should a grant program be the consensus, such a pilot should be established through the State Budget process. Sincerely, Gavin Newsom*

#### **[AB 3216 \(Kalra D\)](#) Unemployment: rehiring and retention: state of emergency.**

**Status:** Vetoed

**Position:** Neutral

**Summary:** This bill would require an employer, as defined, to offer its laid-off employees specified information about job positions that become available for which the laid-off employees are qualified, and to offer positions to those laid-off employees based on a preference system, in accordance with specified timelines and procedures. The bill would define the term "laid-off employee" to mean any employee who was employed by the employer for 6 months or more in the 12 months preceding the state of emergency giving rise to the application of the bill's provisions, and whose most recent separation from active service was due

to a public health directive, government shutdown order, lack of business, a reduction in force, or other economic, nondisciplinary reason related to the state of emergency, as defined.

**Governor's Message:** *To the Members of the California State Assembly: I am returning Assembly Bill 3216 without my signature. This bill would provide a right of recall and retention for specified employees previously laid-off due to a local, state, or federal declaration of a public health related emergency. It would require specified employers to offer the same or similar jobs to laid off employees or those which the laid off employee could be trained to do, based on seniority. The will additionally would require employers who hire an individual other than a laid-off employee to provide that laid-off employee with the name of the individual who was hired and all the reasons for that decision. It would also require successor employers in these specified industries, regardless of existence of a state of emergency, to give preference in hiring to employees of the u=incumbent employer by seniority. I recognize the real problem this bill is trying to fix – to ensure that workers who have been laid off due to the COVID-19 pandemic have certainty about their rehiring and job security. But, as drafted, its prescriptive provisions would take effect during any state of emergency for all layoffs, including those that may be related to such emergency. Tying the bill's provisions to a state of emergency will create a confusing patchwork of requirements in different counties at different times. This bill also risks the sharing of too much personal information of hired employees. There must be more reasonable tools to effectively enforce the recall provisions. Finally, the hospitality industry and its employees have been hit hard by the economic impacts of the pandemic, I believe the requirements of this bill place too onerous a burden on employers navigating these tough challenges, and I would encourage the legislature to consider other approaches to ensure workers are not left behind. Sincerely, Gavin Newsom*

#### **[SB 912 \(Beall D\)](#) California Fostering Connections to Success Act.**

**Status:** Vetoed

**Position:** Watch

**Summary:** On March 4, 2020, the Governor proclaimed a state of emergency to exist in California as a result of the threat of COVID-19. Executive Order No. N-53-20, signed by the Governor on April 17, 2020, and as extended by Executive Order No. N-69-20, signed by the Governor on June 15, 2020, authorizes temporary waivers of certain foster youth program requirements to ensure continuity of care in response to the COVID-19 pandemic. Under this bill, a nonminor dependent who turned 21 years of age between March 4, 2020, and June 30, 2021, inclusive, would be eligible to continue receiving extended foster care support through June 30, 2021.

**Governor's Message:** *To the Members of the California State Senate: I am returning Senate Bill 912 without my signature. During the current state of emergency related to the pandemic, the State of California has addressed the needs of many of our vulnerable populations through executive orders that immediately extended benefits and waived specified requirements to remove obstacles to provide ongoing aid. Foremost among these actions was including over \$40 million in the 2020 Budget Act to allow nonminor dependents (NMDs) who would have otherwise aged out of extended foster care access to supports and services until June 30, 2021. This bill, however, is seeking to extend court jurisdiction for all NMDs who aged out of extended foster care once the state of emergency was declared on March 4, 2020, until June 30, 2021. Further, this bill also would, for any statewide or county-by-county state of emergency declared by the Governor on or after January 1, 2021, require NMDs who turn 21 years of age while the state of emergency is in effect to continue to receive foster care support for six months from the date of the declaration. Because disasters and pandemics vary and are difficult to predict, this bill would obligate the State to a specific approach that may not always be the most prudent or effective. For these reasons, I am unable to sign this bill. Sincerely, Gavin Newsom*

#### **[SB 972 \(Skinner D\)](#) Corporation taxes: disclosure.**

**Status:** Vetoed

**Position:** Watch

**Summary:** This bill would, on or before April 1, 2021, and on and before each April 1 thereafter, require the Franchise Tax Board to compile a list of all taxpayers subject to tax under the Corporation Tax Law, with gross receipts of \$5,000,000,000 or more, as measured by gross receipts, less returns and allowances, for the taxable year reported on a return in the previous calendar year. The bill would require the list to include the name and tax liability of each taxpayer, the taxable year for which the return is filed, the total gross receipts for that taxable year, and the amount and types of credits claimed for that taxable year. The bill would require the Franchise Tax Board to provide the information to specified committees of the Legislature by May 1,



2021, and each May 1 thereafter, in a list that includes specified information.

**Governor's Message:** *To the Members of the California State Senate: I am returning Senate Bill 972 without my signature. This bill would require the Franchise Tax Board (FTB) to provide certain information about corporate tax filings to two legislative committees. This bill is unnecessary, as current law already authorizes the FTB, upon request, to disclose taxpayer data to legislative committees. The committee, its officers and employees are required to maintain the confidentiality of the information provided. I am not persuaded that enactment of this bill would provide additional value to future policy deliberations. Sincerely, Gavin Newsom*

**SB 980 (Umberg D) Privacy: genetic testing companies.**

**Status:** Vetoed

**Position:** Watch

**Summary:** This bill would establish the Genetic Information Privacy Act, which would require a direct-to-consumer genetic testing company, as defined, or any other company that collects, uses, maintains, or discloses genetic data collected or derived from a direct-to-consumer genetic testing product or service, or provided directly by a consumer, to provide a consumer with certain information regarding the company's policies and procedures for the collection, use, maintenance, and disclosure, as applicable, of genetic data, and to obtain a consumer's express consent for collection, use, or disclosure of the consumer's genetic data, as specified.

**Governor's Message:** *To the Members of the California State Senate: I am returning Senate Bill 980 without my signature. This bill would establish requirements for direct-to-consumer genetic testing companies, providing opt-in privacy rights and protections for consumers. I share the perspective that the sensitive nature of human genetic data warrants strong privacy rights and protections. However, the broad language in this bill risks unintended consequences, as the "opt-in" provisions of the bill could interfere with laboratories' mandatory requirement to report COVID-19 test outcomes to the California Department of Public Health. This reporting requirement is critical to California's public health response to the COVID-19 pandemic, and we cannot afford to unintentionally impede that effort. Because I agree with the primary goal of this bill, I am directing the California Health and Human Services Agency and the Department of Public Health to work with the Legislature on a solution that achieves the privacy aims of the bill while preventing inadvertent impacts on COVID-19 testing efforts. Sincerely, Gavin Newsom*

**SB 1102 (Monning D) Employers: Labor Commissioner: required disclosures.**

**Status:** Vetoed

**Position:** Watch

**Summary:** Current law requires an employer to provide an employee, at the time of hiring, a written notice including specified information in the language the employer normally uses to communicate employment-related information to the employee. Current law requires the Labor Commissioner to prepare a template that includes the specified information mentioned above and to make the template available to employers in the manner as determined by the commissioner. This bill would require an employer to include in their written notice to all employees, specified information required in the event of a federal or state declared disaster or applicable to the county or counties in which the employee will be employed. The bill would prohibit an employer from retaliating against an employee for raising questions about the declarations' requirements or recommendations.

**Governor's Message:** *To the Members of the California State Senate: I am returning Senate Bill 1102 without my signature. SB 1102 would require an employer of H2-A employees to provide a specified notice about state and federal declared disaster information about the counties where the employees may be working. This bill would additionally require an employer to provide an H-2A employee a written notice in Spanish containing specified information relative to an H-2A employee's rights pursuant to federal and state law. SB 1102 would also amend the Labor Code to include the full language of the required notice and requires the agency to issue a template that is "substantially similar." While I applaud the intent of this bill to create accessible and easy to understand notifications, this statutory construction departs from previous H2-A notice requirements like those found in Labor Code Section 2810.5 and prevents the agency from amending the template when new laws are passed or new court decisions affect the rights and obligations of H2-A employers and workers. Therefore, I am directing my Labor and Workforce Development Agency to develop and maintain a template contemplated in this bill to make available to H2-A employers, and I am returning SB 1102 without my signature. Sincerely, Gavin Newsom*



**[SB 1220 \(Umberg D\)](#) Peace and custodial officers.**

**Status:** Vetoed

**Position:** Watch

**Summary:** Current law provides discovery procedures for peace or custodial officer personnel records, and other records pertaining to peace or custodial officers, as specified. Current law defines a Brady list as a system, index, list, or other record containing the names of peace officers whose personnel files are likely to contain evidence of dishonesty or bias, as specified. This bill would require each prosecuting agency to maintain a Brady list. The bill would, on and after January 1, 2022, require any state or local law enforcement agency maintaining personnel records of peace officers and custodial officers to annually, to each prosecuting agency within its jurisdiction, and upon request to any prosecuting agency, provide a list of names and badge numbers of officers employed by the agency in the 5 years prior to providing the list who meet specified criteria, including, among other things, that the officer has had sustained findings for conduct of moral turpitude or group bias or that the officer is on probation for a criminal offense.

**Governor's Message:** *To the Members of the California State Senate: I am returning Senate Bill 1220 without my signature. This bill would require each prosecuting agency to maintain a Brady list, which is a list containing the names of peace officers whose personnel files are likely to contain evidence of dishonesty or bias. This bill requires state and local law enforcement agencies to annually, or upon request, provide a list of names and badge numbers of officers employed by the agency in the preceding five years who have sustained findings of certain misconduct, are facing criminal prosecution, or are on probation to specified prosecuting agencies beginning January 1, 2022. This bill would impose a significant state mandate and, because of the costs associated with this mandate, I cannot sign this bill. However, I share the author's goal of ensuring that our criminal justice system provides transparency and due process for criminal defendants. I am thereby directing the California Highway Patrol and the California Department of Corrections and Rehabilitation to develop a process in which they proactively provide information in the form of a list containing officer names and badge numbers to the 58 California district attorneys' offices in order to assist them to fulfill their prosecutorial discovery obligations. Sincerely, Gavin Newsom*