



**LAUSD**  
**UNIFIED**

**2022 Legislative  
Year-End Report  
Office of Government  
Relations**

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Unless otherwise noted, the law becomes effective on January 1, 2023  
To view the full text of the bills, visit <http://leginfo.legislature.ca.gov/>

## A Note from the Director

In December 2021, the Los Angeles Unified School District Board of Education and Superintendent approved policy and funding advocacy priorities to guide the work of the **Office of Government Relations (OGR)** and to promote student academic achievement. The OGR team advocated effectively throughout the year on bills and during the state budget deliberations.

During the second year of the 2021-22 legislative session, the California State Legislature introduced 1,544 bills, with the OGR team tracking 521 legislative measures that could have potential impact on the District's programs, policies, finances, and operations. Governor Gavin Newsom signed 997 bills (85.5%) and vetoed 169 (14.5%).

### Los Angeles Unified Sponsored Legislation

Working closely with members of the Los Angeles County Delegation, the OGR team worked on behalf of Los Angeles Unified to sponsor six new legislative proposals in 2022 and continued to advocate for two two-year bills carried over from 2021. Since the State delayed the timeline to require the COVID-19 vaccine in public schools, the OGR team did not pursue **SB 871 (Pan)** that would have added the COVID-19 student vaccine to existing school vaccination requirements.

Two other key bills the OGR team emphasized through our advocacy efforts, including by seeking support from a diverse coalition of education partners, were **SB 70 (Rubio)** to make Kindergarten a required grade level and **SB 830 (Portantino)** to provide funding to local educational agencies (LEAs) based on total student enrollment. A long-standing priority of Los Angeles Unified, this was the first time the Legislature considered making this shift since 2013 when a bill on this topic was last introduced. SB 830 stalled in the second house and did not move forward in the legislative process due to its significant cost and the fact that it was not considered in the final state budget. On the other hand, the Legislature passed SB 70 and sent it to the Governor's desk with strong support from organizations representing parents, educators, businesses, early education advocacy, and school districts from across the state. Despite the policy merits and benefit to students, the bill was ultimately vetoed due to fiscal concerns.

Five of Los Angeles Unified's sponsored measures were signed into law:

- **HR 101 (Jones-Sawyer)** State resolution uplifting the work of Los Angeles Unified and encourages school districts to adopt equitable grading policies that recognize individual student needs.
- **AB 902 (O'Donnell)** Provides school districts with an additional method for executing design-build facility projects to increase transparency and construction cost certainty. This bill passed as part of AB 185, a 2022-23 state budget agreement.
- **AB 2038 (Gipson)** Clarifies the administrator-to-teacher ratio definition and permanently exempts magnet school coordinators.
- **AB 2329 (Carrillo)** Authorizes LEAs to enter into memorandum of understanding with nonprofit vision providers to increase vision exams to students.
- **SB 913 (Herzberg)** Continues statutory flexibilities to support the District's programs and operations due to its unique size.

## Legislation Supported by Los Angeles Unified

Through the administrative process, the OGR team obtained a waiver from the State Board of Education to mitigate staff shortages and hiring delays of certain entry-level school-based classified positions by expediting the hiring process. Additionally, over a dozen bills supported by Los Angeles Unified were signed into law, including:

- **AB 32 (Aguiar-Curry)** to allow for the billing reimbursement of telehealth services, including by LEAs, for Medi-Cal recipients at rates comparable with face-to-face services.
- **AB 1491 (McCarty)** to increase opportunities for adult education students by modifying the Adult Education Program funding structure through to prohibit a member of an adult education consortium from carrying over more than 15% of its allocation from the prior fiscal year.
- **AB 1797 (Weber)** to require health care providers to disclose COVID-19 immunization information into the California Immunization Registry database, which permits access to student immunization records by school districts.
- **AB 2295 (Bloom)** to streamline the process for school districts to build affordable employee workforce housing on their own property.
- **AB 2449 (Rubio)** to continue local governance meeting policies to increase democratic access by allowing members to participate remotely.
- **AB 2697 (Aguiar-Curry)** to expand outreach on Medi-Cal available services to targeted, vulnerable populations.
- **AB 2827 (Quirk-Silva)** to require the State Department of Social Services to revise policies to permit children with exceptional needs to use outdoor play spaces alongside nondisabled children without requiring a waiver.
- **SB 1019 (Gonzalez)** to direct Medi-Cal Managed Care Plans to perform targeted outreach to raise awareness of mental health benefits covered by their plan.
- **SB 1047 (Limon)** to expand the eligibility of children served in the California State Preschool Program.
- **SB 1057 (Education Committee)** to formally bring the special education community advisory committee under the same open meeting requirements as other councils and advisory committees.
- **SB 1141 (Limon)** to increase access to higher education for undocumented students by eliminating the two-year cap on full-time enrollment in credit courses that may be counted toward achieving AB 540 status.

## State Budget

During the state budget deliberations, the OGR team worked closely with the Legislature and the Governor's office on issues that had a direct impact on the District and were beneficial to students. Our advocacy efforts on the state budget aimed to protect and increase state funding for P-12 public education, including new state investments and improved state policies:

- Expansion of independent study and virtual learning flexibilities to broaden course offerings and provide options to students and families, including funding apportionment for synchronous instruction.
- Increased ongoing state funding, policies, and flexibilities to operate the Expanded Learning Opportunities Program to serve more students.
- Ongoing increases to the Local Control Funding Formula.

- Increased state funding to lower the class size for universal Transitional Kindergarten classrooms.
- Permanent change to state law that funds schools districts based on the highest Average Daily Attendance (ADA) that is either the current year, prior year or the average of three prior years' ADA to mitigate the fiscal impact of declining enrollment.
- One-time COVID-19 attendance relief to mitigate the fiscal instability created by the COVID-19 variants in 2021-22.
- Discretionary one-time funding to support accelerated student learning and services.

In this report, you will find a comprehensive summary of the notable legislation acted upon by the Governor. Over the coming months, the OGR team will collaborate with District staff to support the implementation of these new laws, many of which will become effective on January 1, 2023.

On behalf of the OGR team – Legislative Advocates **Sasha Horwitz and Deborah Bautista Zavala**, Legislative Analyst **Genesis Coronado**, Legislative Liaison **Brian Ricks**, Legislative Assistant **Laura Matz** and Coordinator of Legislative Advocacy **Colleen Pagter** – 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 Alvarez  
 Director of Legislative Affairs and Government Relations  
 Los Angeles Unified School District



## Sponsored Bills

### **AB 2038 (Gipson D) School finance: administrative employees to teacher ratio.**

**Status:** Chaptered, Chapter Number 908, Signed on September 30, 2022

**Position:** Sponsor

**Summary:** Current law sets forth the maximum ratios of administrative employees to each 100 teachers in the various types of school districts. Current law requires the Superintendent of Public Instruction to determine, for each current fiscal year, for each school district in the state, the total number of administrative employees except as provided, the total number of teachers except those serving in positions that are supported by federal funds or by categorical grants from any source and are in programs that require specific teacher/administrator ratios, the total maximum number of administrative employees that should be employed by the school district based upon the application of the appropriate ratio prescribed by law, and the number of administrative employees in excess of the number allowable without penalty, as provided. Current law, for purposes of determining the allowable ratio of administrative employees to teachers for the San Diego City School District, excludes from the numbers identified pursuant to the above provisions the number of employees and the full-time equivalent of all of the fractional time of employees serving the school district in positions mandated as the result of the school district's court-ordered integration plan. This bill would extend the exclusion described above to the Los Angeles Unified School District. The bill also would, for purposes of calculating the administrative employee-to-teacher ratio in the 2022–23 to 2024–25 fiscal years, inclusive, authorize the Los Angeles Unified School District to include in the definition of “teacher,” when calculating the ratio of administrative employees to teachers in the 2022–23 to 2024–25 fiscal years, inclusive, teachers who spend a majority of their time with pupils as intervention specialists or teachers who spend a majority of their time on a school campus providing training, coaching, or professional development to other teachers, or both of those.

### **AB 2329 (Carrillo D) Pupil health: eye examinations: schoolsites.**

**Status:** Chaptered, Chapter Number 911, Signed on September 30, 2022

**Position:** Sponsor

**Summary:** This bill would authorize a local educational agency, as defined, to enter into a memorandum of understanding with a nonprofit eye examination provider, including, but not limited to, a nonprofit mobile eye examination provider, as defined, to provide noninvasive eye examinations consisting of providing eyeglasses to pupils at any schoolsite within the local educational agency. The bill would require eye examinations provided pursuant to the bill's provisions to be supplemental to, and to not replace, the above-referenced vision appraisals or screenings provided pursuant to existing law. The bill would require a school to provide parents and guardians with an opportunity to opt out their child from receiving these eye care services, as provided. The bill would require the State Department of Education to develop and post on appropriate department internet websites a model opt-out form for these purposes. This bill contains other related provisions and other existing laws.

**HR 101 (Jones-Sawyer D) Relative to pupil instruction.**

**Status:** Adopted.

**Position:** Sponsor

**Summary:** Resolves that the Assembly encourages each school district to commit to achieving equity in college and career readiness for all pupils, especially those who are Black, Latinx, and Filipinx, emergent bilingual speakers, pupils with disabilities, foster youth, and experiencing homelessness, and to appreciate that a supportive approach to mastery-based learning and grading may be one important step towards doing so.

**SB 913 (Hertzberg D) School districts: operations.**

**Status:** Chaptered, Chapter Number 920, Signed on September 30, 2022

**Position:** Sponsor

**Summary:** Under current law, certain rules related to single-gender classes, the use of property, and terms of employment for school employees and governing board members only apply to school districts with average daily attendance of 400,000 or more pupils, as provided. This bill instead would extend the application of those rules related to single-gender classes, the use of property, and terms of employment for school employees and governing board members, to school districts with average daily attendance of 250,000 or more, as provided. This bill contains other related provisions.

## Accountability

### [ACR 128 \(Medina D\)](#) National School Counseling Week.

**Status:** Chaptered, Chapter Number 17, Signed on March 8, 2022.

**Position:** Watch

**Summary:** Recognizes February 7, 2022, to February 11, 2022, as National School Counseling Week.

### [AB 1868 \(Rivas, Luz D\)](#) School accountability: English language acquisition status: data.

**Status:** Chaptered, Chapter Number 907, Signed on September 30, 2022

**Position:** Neutral

**Summary:** Current law establishes the California Assessment of Student Performance and Progress (CAASPP) and requires the State Department of Education to ensure that local educational agencies comply with certain requirements related to CAASPP. This bill would require the department, on an annual basis, to include a report on its internet website that allows the public to view, among other assessment data, certain CAASPP test results by English language acquisition status, as provided. The bill would require the department to publicly report on an annual basis enrollment data by English language acquisition status and disability, as specified.

### [SB 997 \(Pan D\)](#) Local control and accountability plans: parent advisory committee: student advisory committee.

**Status:** Chaptered, Chapter Number 922, Signed on September 30, 2022

**Key Date(s):** Beginning July 1, 2024.

**Position:** Neutral

**Summary:** Requires, beginning July 1, 2024, the governing board of a school district serving middle school or high school pupils and a county superintendent of schools to either include at least 2 pupils as full members of the parent advisory committee to serve for a renewable term of one full school year, or to establish a student advisory committee as specified. The bill would require a school district and a county superintendent of schools to take into consideration that the pupil members of a parent advisory committee or student advisory committee represent the specified diversity of the school district or county's pupils, and would provide that particular effort should be made to reach out to at-risk or disadvantaged pupils to serve as members of a parent advisory committee or student advisory committee. By imposing additional duties on local educational agencies, the bill would impose a state-mandated local program.

## Adult Education

### [AB 1491 \(McCarty D\)](#) Adult education: consortia: carryover of allocated funds.

**Status:** Chaptered, Chapter Number 519, Signed on September 25, 2022

**Position:** Support

**Summary:** Current law establishes the Adult Education Program under the administration of the Chancellor of the California Community Colleges and the Superintendent of Public



Instruction. Current law requires the chancellor and the Superintendent, with the advice of the executive director of the State Board of Education, to divide the state into adult education regions and approve one adult education consortium in each of those regions. Current law authorizes a community college district, school district, or county office of education, or a combination of these entities in a joint powers authority, to be members of an adult education consortium. Current law requires, as a condition of receipt of an apportionment from the program, that an adult education consortium have a consortium-approved 3-year adult education plan, and approve a distribution schedule for apportionment to members of the consortium. Current law requires that the amount distributed to a member of the consortium not be reduced, except as provided, unless the consortium makes specified findings related to the member for which the distribution would be reduced, including that the member has been consistently ineffective in providing services that address the needs identified in the adult education plan. This bill would authorize a consortium to reduce a member's allocation by no more than the amount of the member's carryover, as defined, if the consortium makes a finding by a majority vote, based on the member having excessive carryover for at least 2 consecutive fiscal years beginning with the 2022–23 fiscal year, that the member has been consistently ineffective in providing services that address the needs identified in the adult education plan.

### **After School/Expanded Learning**

**[AB 2669 \(Nazarian D\)](#) Youth service organizations: child abuse and neglect prevention.** *(Cross-referenced under Child Abuse and Human Resources)*

**Status:** Chaptered, Chapter Number 261, Signed on September 6, 2022, Effective Immediately

**Position:** Watch

**Summary:** Current law, which took effect January 1, 2022, requires administrators, employees, and regular volunteers of a youth service organization to undergo criminal background checks to identify and exclude any persons with a history of child abuse. This bill would, until January 1, 2024, exclude from this background check requirement youth service organizations that, prior to January 1, 2022, did not require administrators, employees, or regular volunteers to undergo background checks. This bill contains other related provisions and other existing laws.

### **Attendance/Truancy**

**[AB 1777 \(Aguiar-Curry D\)](#) Migrant education: extended school year program: average daily attendance.**

**Status:** Chaptered, Chapter Number 483, Signed on September 23, 2022

**Key Date(s):** Authorization commences January 1, 2024.

**Position:** Watch

**Summary:** Under current law, with the concurrence of a child's parent, a child who has been identified as a "migrant child" may be deemed a migrant child for a period, not in excess of 3 years, during which the child resides in an area where programs are provided

for migrant children. Current law establishes a public school financing system that requires state funding for county superintendents of schools, school districts, and charter schools to be calculated pursuant to a local control funding formula, as specified, that includes average daily attendance as a component of that calculation. This bill, commencing on January 1, 2024, would authorize up to 2 local educational agencies to provide an extended school year program, as defined, to migratory pupils who, due to family agricultural migratory movement, enroll in kindergarten, including transitional kindergarten, or any of grades 1 to 6, inclusive, on or after March 1 of the school year and depart on or before December 1 of the next school year, and would authorize average daily attendance funding for those pupils if certain requirements are met, as provided.

**[SB 955 \(Leyva D\)](#) Pupil attendance: excused absences: civic or political events.**

**Status:** Chaptered, Chapter Number 921, Signed on September 30, 2022

**Position:** Watch

**Summary:** Would require a middle school or high school pupil who is absent from school to engage in a civic or political event to be excused for only one schoolday-long absence per school year. The bill would also authorize a middle school or high school pupil who is absent from school to engage in a civic or political event to be permitted additional excused absences in the discretion of a school administrator, as provided. To the extent that this bill would impose additional duties on local educational entities, the bill would impose a state-mandated local program.

## **Brown Act, Political Reform Act and Public Records Act**

**[AB 2158 \(Fong, Mike D\)](#) Local educational agencies: ethics training.**

**Status:** Chaptered, Chapter Number 279, Signed on September 13, 2022

**Position:** Watch

**Summary:** Current law requires a local agency to provide information on available ethics training to its officials and authorizes a local agency or an association of local agencies to offer the ethics training, as provided. Current law requires a local agency to maintain specified records related to the ethics training of its officials. Current law defines “local agency” and “local agency official” for these purposes. This bill would include in the definition of “local agency” a school district, county office of education, and charter school for purposes of those ethics training requirements and would include in the definition of “local agency official” a member of the governing board of a school district, a county board of education, or the governing body of a charter school, whether or not the member receives any type of compensation, salary, or stipend or reimbursement for actual and necessary expenses incurred in the performance of official duties. The bill would require each of those members in service as of January 1, 2025, except for members whose term of office ends before January 1, 2026, to receive that ethics training before January 1, 2026, and at least once every 2 years thereafter.

**AB 2449 (Rubio, Blanca D) Open meetings: local agencies: teleconferences.**

**Status:** Chaptered, Chapter Number 285, Signed on September 13, 2022

**Key Date(s):** Provisions are implemented in three phases. Phase one: January 1, 2023 - January 1, 2024. Phase two: January 1, 2024 - January 1, 2026. Phase 3: January 1, 2026 onward.

**Position:** Support

**Summary:** Current law, the Ralph M. Brown Act, requires, with specified exceptions, that all meetings of a legislative body of a local agency, as those terms are defined, be open and public and that all persons be permitted to attend and participate. The act generally requires posting an agenda at least 72 hours before a regular meeting that contains a brief general description of each item of business to be transacted or discussed at the meeting, and prohibits any action or discussion from being undertaken on any item not appearing on the posted agenda. This bill would revise and recast those teleconferencing provisions and, until January 1, 2026, would authorize a local agency to use teleconferencing without complying with the teleconferencing requirements that each teleconference location be identified in the notice and agenda and that each teleconference location be accessible to the public if at least a quorum of the members of the legislative body participates in person from a singular physical location clearly identified on the agenda that is open to the public and situated within the local agency's jurisdiction.

**AB 2528 (Bigelow R) Political Reform Act of 1974: campaign statements.**

**Status:** Chaptered, Chapter Number 500, Signed on September 23, 2022

**Position:** Watch

**Summary:** Would require elected local government officers and candidates for elective local government office whose campaign contributions for an upcoming election equal or exceed \$15,000 and who are not currently required to file a campaign statement or related document with the Secretary of State to file specified campaign statements and related documents with the Secretary of State, along with any other persons, such as their local filing officer, with whom they are otherwise required to file. The bill would make these requirements operative on the first January 1st after the Secretary of State certifies that necessary changes to the online filing and disclosure system described above have been made to accommodate filings by elected local government officers and candidates for elective local government office.

**AB 2647 (Levine D) Local government: open meetings.**

**Status:** Chaptered, Chapter Number 971, Signed on September 30, 2022

**Position:** Support

**Summary:** Current law, the California Public Records Act, requires state agencies and local agencies to make public records available for inspection, subject to specified criteria, and with specified exceptions. Current law, the Ralph M. Brown Act, requires the meetings of the legislative body of a local agency to be conducted openly and publicly, with specified exceptions. Current law makes agendas of public meetings and other writings distributed to the members of the governing board disclosable public records, with certain exceptions. This bill would instead require a local agency to make those writings distributed to the members of the governing board available for public inspection at a public office or location that the agency designates and list the address of the office or location on the

agenda for all meetings of the legislative body of the agency unless the local agency meets certain requirements, including the local agency immediately posts the writings on the local agency's internet website in a position and manner that makes it clear that the writing relates to an agenda item for an upcoming meeting.

**SB 459 (Allen D) Political Reform Act of 1974: lobbying.**

**Status:** Chaptered, Chapter Number 873, Signed on September 30, 2022

**Position:** Watch

**Summary:** Would, beginning one year after the Secretary of State certifies for public use an online filing and disclosure system for lobbying information, or beginning January 1, 2023, whichever is later, require lobbyists, lobbying firms, and lobbyist employers to include information in the periodic reports that identifies each bill or administrative action subject to lobbying activity during that period. For certain activities involving issue lobbying advertisements, the bill would require disclosure of the position on the bill or administrative action advocated by the advertisement. This bill would require additional specified disclosures for lobbying activity during the 60-day period before the Legislature is scheduled to adjourn for interim recess or final recess. The bill would require certain persons to file specified reports following a calendar quarter in which that person incurs cumulative costs equal to or exceeding \$5,000 for issue lobbying advertisements, as defined. The bill would authorize entities filing related reports in paper with the Secretary of State to verify those filings by electronic signature.

**SB 1057 (Committee on Education) Elementary and secondary education: omnibus bill.**

**Status:** Chaptered, Chapter Number 301, Signed on September 13, 2022

**Position:** Watch

**Summary:** The Ralph M. Brown Act and the Bagley-Keene Open Meeting Act require, except as specified, that all meetings of specified governmental bodies be open and public and all persons be permitted to attend. Current law requires meetings of school district governing boards to be conducted in accordance with the Ralph M. Brown Act and certain other provisions relating to meetings. Current law exempts certain councils and schoolsite advisory committees from those acts and provisions but specifies other open meeting requirements for those councils and committees. This bill would extend those exemptions and other open meeting requirements to special education community advisory committees.

**SB 1100 (Cortese D) Open meetings: orderly conduct.**

**Status:** Chaptered, Chapter Number 171, Signed on August 22, 2022

**Position:** Neutral

**Summary:** Current law authorizes the members of the legislative body conducting the meeting to order the meeting room cleared and continue in session, as prescribed, if a group or groups have willfully interrupted the orderly conduct of a meeting and order cannot be restored by the removal of individuals who are willfully interrupting the meeting. This bill would authorize the presiding member of the legislative body conducting a meeting or their designee to remove, or cause the removal of, an individual for disrupting the meeting. The bill, except as provided, would require removal to be preceded by a

warning to the individual by the presiding member of the legislative body or their designee that the individual's behavior is disrupting the meeting and that the individual's failure to cease their behavior may result in their removal. The bill would authorize the presiding member or their designee to then remove the individual if the individual does not promptly cease their disruptive behavior. The bill would define "disrupting" for this purpose.

## **Campus Safety**

### **AB 452 (Friedman D) Pupil safety: parental notification: firearm safety laws.**

**Status:** Chaptered, Chapter Number 199, Signed on August 29, 2022

**Key Date(s):** On or before July 1, 2023, the State Department of Education shall develop, and subsequently update model language for the notice. LEAs required to send out notice beginning of school year 23-24.

**Position:** Neutral

**Summary:** Would require a school district, county office of education, and charter school to annually inform parents and guardians of pupils at the beginning of the first semester or quarter of the regular school term of California's child access prevention laws and laws relating to the safe storage of firearms, as specified. By imposing additional duties on school districts, county offices of education, and charter schools, the bill would impose a state-mandated local program. The bill would require the State Department of Education, on or before July 1, 2023, to develop, and subsequently update as provided, in consultation with the Department of Justice, and provide to school districts, county offices of education, and charter schools, and, upon request, to provide to private schools, model language for the notice regarding those child access prevention and safe storage of firearms laws. The bill would make a school district, county office of education, charter school, private school, and the department immune from civil liability for any damages relating to the notice, as specified.

### **AB 1594 (Ting D) Firearms: civil suits.**

**Status:** Chaptered, Chapter Number 98, Signed on July 12, 2022

**Position:** Watch

**Summary:** Would, beginning on July 1, 2023, would establish a firearm industry standard of conduct, which require a firearm industry member, as defined, to establish, implement, and enforce reasonable controls, as defined, take reasonable precautions to ensure that the member does not sell, distribute, or provide a firearm-related product, as defined, to a downstream distributor or retailer of firearm-related products who fails to establish, implement, and enforce reasonable controls, and adhere to specified laws pertaining to unfair methods of competition, unfair or deceptive acts or practices, and false advertising. The bill would also prohibit a firearm industry member from manufacturing, marketing, importing, offering for wholesale sale, or offering for retail sale a firearm-related product that is abnormally dangerous and likely to create an unreasonable risk of harm to public health and safety in California, as specified.



**AB 2028 (Davies R) Pupil instruction: bicycle and scooter safety instruction.**

**Status:** Chaptered, Chapter Number 116, Signed on July 19, 2022

**Position:** Watch

**Summary:** Current law provides that the governing board of any school district having jurisdiction over any elementary, intermediate, or junior high school may provide time and facilities to any local law enforcement agency having jurisdiction over the schools of the district, for bicycle safety instruction. This bill would instead authorize the governing board of any school district having jurisdiction over any elementary, intermediate, junior high, or high school to provide time and facilities to any local law enforcement agency having jurisdiction over the schools of the district, for bicycle, scooter, electric bicycle, motorized bicycle, or motorized scooter safety instruction.

**AB 2229 (Rivas, Luz D) Peace officers: minimum standards: bias evaluation.**

**Status:** Chaptered, Chapter Number 959, Signed on September 30, 2022, Effective Immediately

**Position:** Watch

**Summary:** 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 2282 (Bauer-Kahan D) Hate crimes: nooses, crosses, and swastikas.**

**Status:** Chaptered, Chapter Number 397, Signed on September 18, 2022

**Position:** Watch

**Summary:** Existing law establishes various offenses for a person who places or displays certain symbols, marks, signs, emblems, and other physical impressions, including, but not limited to, a Nazi swastika, hangs nooses, or burns or desecrates crosses or other religious symbols on private and nonprivate property, as specified, with the intent to terrorize a person, as specified. This bill would expand these offenses to include hanging a noose, placing or displaying a sign, mark, symbol, emblem, or other physical impression, including, but not limited to, a Nazi swastika, and burning, desecrating, or destroying a religious symbol, such as a cross, at schools and public places, generally, as specified, for the purpose of terrorizing a person, as specified. The bill would, for the first conviction, punish a person who hangs a noose, places or displays certain symbols, or burns or desecrates a religious symbol, as specified, with imprisonment for 16 months or 2 or 3 years, by a fine of not more than \$10,000, or both the fine and imprisonment, or by imprisonment in a county jail not to exceed one year, by a fine not to exceed \$5,000, or by both the fine and imprisonment. For a 2nd or subsequent conviction under these provisions, the bill would punish a person with imprisonment for 16 months or 2 or 3 years, by a fine of not more than \$15,000, or by both the fine and imprisonment, or by imprisonment in a county jail not to exceed one year, by a fine not to exceed \$10,000, or by both the fine and imprisonment. This bill contains other related provisions and other existing laws.

**AB 2571 (Bauer-Kahan D) Firearms: advertising to minors.**

**Status:** Chaptered, Chapter Number 77, Signed on June 30, 2022, Effective Immediately

**Position:** Watch

**Summary:** Would prohibit a firearm industry member, as defined, from advertising or marketing any firearm-related product, as defined, in a manner that is designed, intended, or reasonably appears to be attractive to minors. The bill would also prohibit a firearm industry member from using, disclosing, or compiling a minor's personal information if it is intended to market or advertise a firearm to that minor, as specified. The bill would impose a civil penalty of up to \$25,000 for each violation of these provisions, and would authorize a person harmed by a violation to bring suit to recover any damages suffered, as specified. The bill would make each copy or republication of marketing or advertising prohibited by these provisions a separate violation. This bill would declare that its provisions are severable, as specified.

**AB 2598 (Weber, Akilah D) Pupil rights: restorative justice practices.**

**Status:** Chaptered, Chapter Number 914, Signed on September 30, 2022

**Position:** Watch

**Summary:** Current law requires suspension to be imposed on a pupil only when other means of correction fail to bring about proper conduct, and specifies that other means of correction may include, among other things, participation in a restorative justice program. This bill would require the State Department of Education to develop evidence-based best practices for restorative justice practice implementation on a school campus and to make these best practices available on the department's internet website on or before June 1, 2024, as specified. The bill would require the department to take specified actions in developing best practices and would encourage the department to, to the extent feasible, take into account resources and best practices that have been identified or developed as part of aligned efforts, as specified.

**SB 906 (Portantino D) School safety: homicide threats.**

**Status:** Chaptered, Chapter Number 144, Signed on July 21, 2022

**Key Date(s):** Requires CDE to develop model content by 7/1/2023 that informs parents or guardians of California's child access prevention laws and laws relating to the safe storage of firearms. Commencing with the 2023–24 school year, LEAs are required to be informed by the model content, include information related to the safe storage of firearms in an annual notification provided to the parents or guardians of pupils.

**Position:** Neutral

**Summary:** Requires, on or before July 1, 2023, the State Department of Education, in consultation with relevant local educational agencies, civil rights groups, and the Department of Justice, to develop model content that includes, at a minimum, content that informs parents or guardians of California's child access prevention laws and laws relating to the safe storage of firearms. The bill would require, commencing with the 2023–24 school year, local educational agencies maintaining kindergarten or any of grades 1 to 12, inclusive, to, informed by the model content, include information related to the safe storage of firearms in an annual notification provided to the parents or guardians of pupils. The bill would require a school official whose duties involve regular contact with pupils in any of grades 6 to 12, inclusive, as part of a middle school or high school, and who is alerted to or

observes any threat or perceived threat to immediately report the threat or perceived threat to law enforcement, as provided. The bill would require, with the support of the local educational agency, the local law enforcement agency or schoolsite police, as applicable, to immediately conduct an investigation and threat assessment, as specified. The bill would require the investigation and threat assessment to include a review of the firearm registry of the Department of Justice and, if justified by a reasonable suspicion that it would produce evidence related to the threat or perceived threat, a schoolsite search.

**[SB 960 \(Skinner D\)](#) Public employment: peace officers: citizenship.**

**Status:** Chaptered, Chapter Number 825, Signed on September 29, 2022

**Position:** Watch

**Summary:** Current law requires peace officers in this state to meet specified minimum standards, including, among other requirements, being at least 18 years of age, being of good moral character, as determined by a thorough background investigation, and being either a citizen of the United States or a permanent resident who is eligible for and has applied for citizenship, except as prescribed. This bill would provide that those standards shall be interpreted and applied consistent with federal law and regulations, as specified. The bill would remove the provision that requires peace officers to either be a citizen of the United States or be a permanent resident who is eligible for and has applied for citizenship, and would instead require peace officers be legally authorized to work in the United States, and make conforming changes.

## **Career Technical Education**

**[AB 1923 \(Mathis R\)](#) Partnership academies: science, technology, engineering, and mathematics (STEM).**

**Status:** Chaptered, Chapter Number 114, Signed on July 19, 2022

**Position:** Watch

**Summary:** Current law establishes the California Partnership Academies to promote state-school-private sector partnerships combining academic and vocational training to high school pupils who present a high risk of dropping out of school, and motivating them to stay in school and graduate. Current law requires the Superintendent of Public Instruction to issue grants to school districts, as specified, to plan, establish, and maintain these academies. Current law requires the Superintendent to establish eligibility criteria for school districts that apply for these grants. This bill would require the Superintendent to prioritize proposals for new partnership academies based upon a school district's enrollment of unduplicated pupils, pupils from groups historically underrepresented in career technical education or science, technology, engineering, and mathematics (STEM) programs or professions, and at-risk pupils.

**[ACR 133 \(Rivas, Luz D\)](#) Introduce a Girl to Engineering Day.**

**Status:** Chaptered, Chapter Number 26, Signed on March 28, 2022

**Position:** Watch

**Summary:** Would proclaim February 24, 2022, as Introduce a Girl to Engineering Day.

## Charter Schools

### **AB 740 (McCarty D) Foster youth: suspension and expulsion.**

**Status:** Chaptered, Chapter Number 400, Signed on September 19, 2022

**Position:** Neutral

**Summary:** Current law requires a petition for the establishment of a charter school to contain comprehensive descriptions of various matters and procedures, including procedures by which pupils can be suspended or expelled from the charter school for disciplinary reasons or otherwise involuntarily removed for any reason. Current law requires these procedures to contain a clear statement that no pupil shall be involuntarily removed by the charter school for any reason unless the parent or guardian of the pupil has been provided written notice of the intent to remove the pupil no less than 5 schooldays before the effective date of the action. Current law requires the written notice to inform the pupil, the pupil's parent or guardian, or the pupil's educational rights holder of the right to initiate a hearing adjudicated by a neutral officer before the pupil may be involuntarily removed by the charter school. This bill would require the written notice to be provided to and inform the foster child's educational rights holder, attorney, and county social worker and, if applicable, the Indian child's tribal social worker and, if applicable, county social worker of the right to initiate a hearing adjudicated by a neutral officer before the foster child or, if applicable, Indian child may be involuntarily removed by the charter school.

## Child Abuse

### **AB 2085 (Holden D) Crimes: mandated reporters.**

**Status:** Chaptered, Chapter Number 770, Signed on September 29, 2022

**Position:** Neutral

**Summary:** The Child Abuse and Neglect Reporting Act establishes procedures for the reporting and investigation of suspected child abuse or neglect. The act requires certain professionals, including specified health practitioners and social workers, known as "mandated reporters," to report known or reasonably suspected child abuse or neglect to a local law enforcement agency or a county welfare or probation department, as specified. Failure by a mandated reporter to report an incident of known or reasonably suspected child abuse or neglect is a misdemeanor. Current law defines "neglect" for these purposes as the negligent treatment or the maltreatment of a child by a person responsible for the child's welfare under circumstances indicating harm or threatened harm to the child's welfare. Current law defines "general neglect" as the negligent failure of a person having the care or custody of a child to provide adequate food, clothing, shelter, medical care, or supervision where no physical injury to the child has occurred. This bill would limit the definition of general neglect to only include circumstances where the child is at substantial risk of suffering serious physical harm or illness, and would provide that general neglect does not include a parent's economic disadvantage.

**AB 2669 (Nazarian D) Youth service organizations: child abuse and neglect prevention.** *(Cross-referenced under Human Resources and After School)*

**Status:** Chaptered, Chapter Number 261, Signed on September 6, 2022, Effective Immediately

**Position:** Watch

**Summary:** Current law, which took effect January 1, 2022, requires administrators, employees, and regular volunteers of a youth service organization to undergo criminal background checks to identify and exclude any persons with a history of child abuse. This bill would, until January 1, 2024, exclude from this background check requirement youth service organizations that, prior to January 1, 2022, did not require administrators, employees, or regular volunteers to undergo background checks. This bill contains other related provisions and other existing laws.

**AB 2274 (Rubio, Blanca D) Mandated reporters: statute of limitations.**

**Status:** Chaptered, Chapter Number 587, Signed on September 28, 2022

**Position:** Watch

**Summary:** Under current law, mandated reporters are required to report whenever the mandated reporter, in their professional capacity or within the scope of their employment, has knowledge of or observes a child whom the mandated reporter knows or reasonably suspects has been the victim of child abuse or neglect. Failure by a mandated reporter to report an incident of known or reasonably suspected child abuse or neglect is a misdemeanor. Current law generally requires prosecution of a misdemeanor to commence within one year after commission of the offense. Under current law, a case involving the failure to report an incident known or reasonably suspected by the mandated reporter to be sexual assault may be filed at any time within 5 years from the date of occurrence of the offense. This bill would allow a case involving the failure to report an incident known or reasonably suspected by the mandated reporter to be child abuse or severe neglect, as defined, to be filed within one year of the discovery of the offense, but in no case later than 4 years after the commission of the offense.

## **Commission on Teacher Credentialing**

**AB 1876 (Seyarto R) Substitute teachers: emergency career substitute teaching permit: employment verification.**

**Status:** Chaptered, Chapter Number 113, Signed on July 19, 2022

**Position:** Neutral

**Summary:** A regulation adopted by the Commission on Teacher Credentialing establishes requirements relating to the initial issuance of an emergency career substitute teaching permit, including, among others, a requirement for verification by one or more employers of, in the 3 years immediately preceding the date of application, 3 consecutive years of at least 90 days per year of day-to-day substitute teaching in either the school district requesting the permit or, if the county office of education is responsible for the assignment of day-to-day substitutes for all the school districts in the county, accumulated from one or more California school districts in the county requesting the permit. This bill would require



the commission to accept, as an alternative to that verification requirement, verification by an employer or employers of, in the 3 years immediately preceding the date of application, 3 consecutive years of at least 90 days per year of day-to-day substitute teaching accumulated from one or more California school districts participating in a consortium with the school district requesting the permit.

**SB 1487 (Rubio D) Commission on Teacher Credentialing: survey: teacher resignations.**

**Status:** Chaptered, Chapter Number 924, Signed on September 30, 2022

**Key Date(s):** Survey development by the CTC required no later than July 1, 2023.

**Position:** Watch

**Summary:** Requires the Commission on Teacher Credentialing and the State Department of Education to develop a survey no later than July 1, 2023, for purposes of collecting data from teachers of local educational agencies resigning their positions or electing not to accept a teaching assignment for the upcoming school year, including data on whether or not they are exiting the profession. The bill encourages a local educational agency, on and after the commencement of the 2023–24 school year, to administer the survey within 15 days of a teacher of the local educational agency resigning their position or electing not to accept a teaching assignment for the upcoming school year. The bill would authorize the commission and the department to use existing resources in developing the survey, as provided. The bill would encourage local educational agencies to report the results of these surveys to the commission on an annual basis.

## **Curriculum and Instruction**

**SB 941 (Portantino D) Local educational agency instruction collaboration agreements: science, technology, engineering, and mathematics: dual language immersion programs.**

**Status:** Chaptered, Chapter Number 711, Signed on September 28, 2022

**Key Date(s):** Bill sunsets July 1, 2029 and is repealed on January 1, 2030.

**Position:** Watch

**Summary:** Current law authorizes the governing board of a school district to accept pupils from other school districts by adopting a resolution to become a school district of choice, as defined, in accordance with specified procedural requirements and limitations. This bill authorizes the governing board of a school district, a county board of education, or the governing body of a charter school to enter into an agreement with one or more local educational agencies to offer the same or similar corresponding individual courses and coursework to pupils from other local educational agencies who have been impacted by disruptions, cancellations, or teacher shortages in science, technology, engineering, or mathematics classes, or dual language immersion programs, as provided. The bill requires a local educational agency subject to the agreement to accept pupils through an unbiased process that prohibits an inquiry into, or evaluation or consideration of, specified pupil characteristics, as provided, to hold random drawings to determine approval for study when the number of pupils seeking a classroom opportunity exceeds the available number of seats in a classroom, as provided, and to publicly post certain information related to

these opportunities. The bill would require the department, on or before January 1, 2028, to evaluate the success of these local educational agency collaborations, as provided.

**SB 1299 (Min D) Pupil instruction: California State Summer School for Mathematics and Science: eligibility: funding: tuition and application fee.**

**Status:** Chaptered, Chapter Number 334, Signed on September 15, 2022

**Position:** Watch

**Summary:** Current law establishes the California State Summer School for Mathematics and Science to provide academic development to enable pupils, including pupils who are not California residents, with demonstrated academic excellence in mathematics and science who meet one of 3 specified enrollment criteria to receive intensive educational enrichment in these subjects and to provide an opportunity for pupils who wish to study mathematics or science or to pursue careers that require a high degree of skills in and knowledge of mathematics and science. Current law states the Legislature's intent that the Regents of the University of California adopt policies that will enable pupils who are not California residents, including residents of other countries, to be admitted to the summer school. This bill would limit the eligibility criteria to certain pupils from a California school and would delete provisions related to the admission of pupils who are not California residents to the summer school.

## **Early Childhood Education**

**AB 22 (McCarty D) Preschool data: data collection. *(Cross-referenced under Pupil Records/Data Systems)***

**Status:** Chaptered, Chapter Number 901, Signed on September 30, 2022

**Key Date(s):** By July 1, 2024, to collect pupil and educator data for a California state preschool program operated by a local educational agency.

**Position:** Watch

**Summary:** Current law establishes the California Longitudinal Pupil Achievement Data System, which is maintained by the State Department of Education and consists of pupil data from elementary and secondary schools, as specified, relating to demographics, program participation, enrollment, and statewide assessments, among other things. Current law requires the system to be used to accomplish specified goals, including to provide an efficient, flexible, and secure means of maintaining statewide pupil level data, as provided. This bill would require the department, by July 1, 2024, to collect pupil data for each pupil enrolled in a California state preschool program operated by a local educational agency, including all applicable data elements that are collected for pupils in transitional kindergarten, as provided. The bill would also require the department, by July 1, 2024, to collect the same data for educators in a California state preschool program operated by a local educational agency that is collected for educators in the K-12 classroom setting, as provided.

**AB 210 (Committee on Budget) Early childhood: childcare and education.**

**Status:** Chaptered, Chapter Number 62, Signed on June 30, 2022, Effective Immediately

**Position:** Watch

**Summary:** The Early Education Act, among other things, has a purpose of supporting the cognitive and social-emotional development of all children, including children with exceptional needs. The act defines children with exceptional needs as, among other things, children who require the special attention of adults while in a childcare setting. Current law requires the Superintendent of Public Instruction to provide an inclusive and cost-effective preschool program, known as the California State Preschool Program. Current law provides that a family shall be considered to meet all eligibility and need requirements for these services for not less than 12 months, shall receive those services for not less than 12 months, and shall not be required to report changes for at least 12 months, as provided. Current law requires each state preschool program applicant or contracting agency to give priority for part-day and full-day programs according to a specified priority ranking. Current law establishes adjustment factors to reflect the additional expense of serving full-day preschool children, including children with exceptional needs, children with severe disabilities, and dual language learner children, as provided. This bill would revise and recast provisions of the act to, among other things, remove from the definition of “children with exceptional needs,” children who require the special attention of adults while in a childcare setting. The bill would additionally expand eligibility to the program to include those families where a child has exceptional needs, as provided.

**AB 321 (Valladares R) Childcare services: enrollment priority.**

**Status:** Chaptered, Chapter Number 903, Signed on September 30, 2022

**Position:** Neutral

**Summary:** The Child Care and Development Services Act and the Early Education Act require that families meet specified requirements to be eligible for federal- and state-subsidized childcare and development services and preschool programs, including, among other requirements, that the family needs childcare services or full-day preschool because, among other reasons, the family is homeless, the child’s parents are seeking employment or permanent housing, or the child’s parents are employed. This bill would additionally require that priority be given to a child from a family in which the primary home language is a language other than English if there are no families with a child with exceptional needs. The bill would make conforming changes.

**AB 2131 (Mullin D) Child daycare facilities.**

**Status:** Chaptered, Chapter Number 910, September 30, 2022.

**Position:** Watch

**Summary:** The California Child Day Care Facilities Act provides for the licensure and regulation of daycare centers by the State Department of Social Services. Current regulations require a separate license to be issued for each component of a daycare center. Current law required the department to adopt regulations on or before January 1, 2021, to create a childcare center license to serve infant, toddler, preschool, and schoolage children, and requires, before January 1, 2024, all daycare centers to be licensed as childcare centers. This bill would remove the department’s ability to implement this section through the adoption of emergency regulations. The bill would authorize the department to implement

and administer these provisions by all-county letter or similar written instructions until regulations are adopted.

**AB 2806 (Rubio, Blanca D) Childcare and developmental services: preschool: expulsion and suspension: mental health services: reimbursement rates.**

**Status:** Chaptered, Chapter Number 915, Signed on September 30, 2022

**Key Date(s):** Requires, beginning July 1, 2030, and annually thereafter, the State Department of Education or the State Department of Social Services, as applicable, to collect specified data on this information, as provided, and would require the departments to publish that information no later than January 1, 2031, and annually thereafter. Requires the respective departments, on or before December 31, 2023, to issue guidance for programs on implementing these requirements.

**Position:** Neutral

**Summary:** The Child Care and Development Services Act, administered by the State Department of Social Services, establishes a system of childcare and development services for children up to 13 years of age. This bill would revise and recast the above provisions relating to the expulsion or unenrollment of a child from the state preschool program and would include a general childcare and development program and family childcare home education network program as part of those provisions, as provided. The bill would also establish requirements for the use of suspensions in the programs described above. The bill would require these programs to maintain records on expulsion and suspension, as provided. The bill would require, beginning July 1, 2030, and annually thereafter, the State Department of Education or the State Department of Social Services, as applicable, to collect specified data on this information, as provided, and would require the departments to publish that information no later than January 1, 2031, and annually thereafter. The bill would require the respective departments, on or before December 31, 2023, to issue guidance for programs on implementing these requirements. The bill would also require those departments to create guidelines for offering additional support and requiring additional staff training for programs with exceptionally high numbers of suspension and expulsion, as specified. other related provisions and other existing laws.

**AB 2821 (Nazarian D) California Kids Investment and Development Savings Program.**

**Status:** Chaptered, Chapter Number 164, Signed on August 22, 2022, Effective Immediately

**Position:** Watch

**Summary:** Current law establishes the California Kids Investment and Development Savings Program Fund in the State Treasury to serve as the initial repository of all moneys received from state and private sources for the KIDS Program, and continuously appropriates moneys in the fund to the Scholarshare Investment Board for the KIDS Program. Existing law requires moneys in the fund, subject to availability, to be deposited in KIDS Accounts, one designated for each California resident child born on or after a date to be determined by the board, as provided. Existing law requires the board to provide awards from these KIDS Accounts, as specified, for each recipient child's qualified higher education expenses at an eligible institution of higher education. Existing law requires the board, on or before June 30, 2022, and annually thereafter, to report to the Department of

Finance and the Legislature, information pertaining to the KIDS program's implementation, as provided. This bill would delay the initial reporting date by one year until June 30, 2023.

**AB 2832 (Rivas, Robert D) Whole Child Community Equity.**

**Status:** Chaptered, Chapter Number 699, Signed on September 28, 2022

**Position:** Watch

**Summary:** Requires the State Department of Social Services, in consultation with the State Department of Education, and with input from early childhood stakeholders, to develop the Whole Child Equity Framework (the Framework) and Whole Child Community Equity Screening Tool (the Equity Tool) to provide the data needed to support the equitable distribution of resources and monitor progress on addressing racial and economic inequities. The bill would require the State Department of Social Services, in consultation with the State Department of Education, to convene a workgroup to provide recommendations to the State Department of Social Services for the development of the Framework, the Equity Tool, and recommended uses of the Equity Tool for early childhood investments and whole child resources. The bill would require the workgroup to include parents and families from historically underserved communities and other stakeholders that bring insight to support the whole child. The bill would require the State Department of Social Services, on or before January 1, 2025, to finalize and present the Framework, the Equity Tool, and recommended uses of the Equity Tool to the Legislature. The bill would also require the State Department of Social Services to publish the tool for public use, including the data and methodology, on the department's internet website.

**SB 1047 (Limón D) Early learning and care.**

**Status:** Chaptered, Chapter Number 923, Signed on September 30, 2022

**Position:** Support

**Summary:** The Child Care and Development Services Act requires, upon establishing eligibility for services, a family to be considered to meet all eligibility and need requirements for services and to receive those services without being required to report income or other changes for at least 12 months, except as specified. This bill would extend eligibility for childcare and development programs and the preschool program to families in which a member of the family has been certified as eligible to receive benefits from certain means-tested government programs, including Medi-Cal and CalFresh, as specified, and would require those families to submit a self-certification of income for the purposes of prioritizing enrollment and calculating family fees. The bill would also extend the time a family is to be considered to meet all eligibility and need requirements for services to 24 months, except as specified, and would require the State Department of Social Services to implement that requirement through management bulletins or similar letters of instruction on or before December 1, 2023, and until regulations are adopted.

**SB 1183 (Grove R) The California State Library: Statewide Imagination Library Program.**

**Status:** Chaptered, Chapter Number 992, Signed on September 30, 2022, Effective Immediately

**Position:** Watch

**Summary:** Establishes the Statewide Imagination Library Program under the



administration of the State Librarian for purposes of developing, implementing, promoting, and fostering a comprehensive statewide initiative for encouraging preschool children to develop a love of reading and learning. The bill would create and continuously appropriate the Imagination Library of California Fund for purposes of the program, as provided, thereby making an appropriation. The bill would require moneys from the fund to be used to provide age-appropriate books on a monthly basis, at home, to each child registered in the program, from birth to their 5th birthday, inclusive, at no cost to families, through Dolly Parton's Imagination Library. The bill would require moneys from the fund to be allocated to qualified local entities that agree to a dollar-for-dollar match for purposes of the program, unless waived by the State Librarian, as provided.

## **Elections & Ballot Initiatives**

### **[AB 1416 \(Santiago D\)](#) Elections: ballot label.**

**Status:** Chaptered, Chapter Number 751, Signed on September 29, 2022

**Position:** Watch

**Summary:** Current law defines the ballot label as the portion of the ballot containing the names of the candidates or a statement of a measure. For statewide measures, existing law requires the Attorney General to prepare a condensed version of the ballot title and summary, including the fiscal impact summary prepared by the Legislative Analyst that is printed in the state voter information guide. This bill would additionally require the ballot label for statewide measures, and, at the option of a county, the ballot label or similar description on the ballot of county, city, district, and school district measures, to include a listing of nonprofit organizations, businesses, or individuals taken from the signers or the text of ballot arguments printed in the voter information guide that support and oppose the measure, as specified. The bill would require a nonprofit organization, business, or individual to meet certain criteria before being listed on the ballot label or similar description of the measure on the ballot.

### **[AB 2582 \(Bennett D\)](#) Recall elections: local offices.**

**Status:** Chaptered, Chapter Number 790, Signed on September 29, 2022

**Position:** Watch

**Summary:** The California Constitution reserves to the electors the power to recall an elective officer and requires the Legislature to provide for recall of local officers. Current law requires a recall election to include the question of whether the officer sought to be recalled shall be removed from office and an election for the officer's successor in the event the officer is removed from office. This bill would instead require a recall election for a local officer to include only the question of whether the officer sought to be recalled shall be removed from office. If a local officer is removed from office in a recall election, the bill would provide that the office is vacant until it is filled according to law.

### **[AB 2584 \(Berman D\)](#) Recall elections.**

**Status:** Chaptered, Chapter Number 791, Signed on September 29, 2022

**Position:** Watch

**Summary:** Current law authorizes a registered voter of an electoral jurisdiction to seek the

recall of an officer of that jurisdiction by publishing or posting a notice of intention to circulate a recall petition. Current law requires the notice of intention to contain, among other things, a statement of the reasons for the proposed recall and the signatures of a specified number of proponents of the recall. Under current law, within 7 days of the filing of the notice of intention, the officer sought to be recalled may file an answer to the proponents' statement of reasons for the recall. This bill would increase the number of signatures required to be included in the notice of intention, with the total number of necessary signatures determined by the type of office held by the officer sought to be recalled, as provided. The bill would require, for a recall of a member of the governing board of a school district, the recall petition to include an estimate of the cost of conducting the special election.

**[SB 1061 \(Laird D\)](#) School district and community college district elections: special elections: petition requirements: election timing.**

**Status:** Chaptered, Chapter Number 831, Signed on September 29, 2022

**Position:** Watch

**Summary:** Under current law, whenever a school district or community college district vacancy occurs, or if a resignation has been filed with the county superintendent of schools creating a deferred effective date, the school district or community college district governing board is required, within 60 days of the vacancy or the filing of the deferred resignation, either to order an election or to make a provisional appointment. Current law provides that if a provisional appointment is made, the registered voters of the district may, within 30 days, petition for a special election to fill the vacancy. Current law requires that a special election be called if specified signature thresholds are met and requires special election petitions to contain the elections official's estimate of the cost of conducting the special election, as provided. This bill would require the special election petition to also contain that cost estimate expressed on a per-pupil or per-student basis.

## **Employee and Affordable Housing**

**[AB 1719 \(Ward D\)](#) Housing: Community College Faculty and Employee Housing Act of 2022.**

**Status:** Chaptered, Chapter Number 640, Signed on September 28, 2022

**Position:** Watch

**Summary:** The Teacher Housing Act of 2016 authorizes a school district to establish and implement programs that address the housing needs of teachers and school district employees who face challenges in securing affordable housing, as provided. Under current law, a program established under the act is restricted to "teacher or school district employees," except as specified. Current law defines the term "teacher or school district employees" for these purposes to mean any person employed by a unified school district maintaining prekindergarten, transitional kindergarten, and grades 1 to 12, inclusive, an elementary school district maintaining prekindergarten, transitional kindergarten, and grades 1 to 8, inclusive, or a high school district maintaining grades 9 to 12, inclusive, including, but not limited to, certificated and classified staff. This bill would establish a substantially similar program for community college faculty and employees.

**AB 2295 (Bloom D) Local educational agencies: housing development projects.**

**Status:** Chaptered, Chapter Number 652, Signed on September 28, 2022

**Key Date(s):** All provisions affecting LEAs are effective January 1, 2024.

**Position:** Support

**Summary:** Would deem a housing development project an allowable use on any real property owned by a local educational agency, as defined, if the housing development satisfies certain conditions, including other local objective zoning standards, objective subdivision standards, and objective design review standards, as described. The bill would deem a housing development that meets these requirements consistent, compliant, and in conformity with local development standards, zoning codes or maps, and the general plan. The bill, among other things, would authorize the land used for the development of the housing development to be jointly used or jointly occupied by the local educational agency and any other party, subject to specified requirements. The bill would exempt a housing development project subject to these provisions from various requirements regarding the disposal of surplus land. The bill would make these provisions effective on January 1, 2024, except that the bill would require the Department of Housing and Community Development to provide a specified notice to the planning agency of each county and city on or before January 31, 2023. The bill would repeal its provisions on January 1, 2033.

## **Energy and Water**

**AB 2143 (Carrillo D) Net energy metering: construction of renewable electrical generation facilities: prevailing wage.**

**Status:** Chaptered, Chapter Number 774, Signed on September 29, 2022

**Position:** Watch

**Summary:** Current law imposes various requirements on public works projects, as defined, including a requirement that, at minimum, all workers employed on a public works project be paid the general prevailing rate of per diem wages for work of a similar character in the locality in which a public work is performed, as specified. This bill would apply those public works project requirements to the construction of any renewable electrical generation facility, and any associated battery storage, after December 31, 2023, that receives service pursuant to the 2nd standard contract or tariff, except (1) a residential facility that will have a maximum generating capacity of 15 kilowatts or less of electricity or that will be installed on a single-family home, (2) a project that is already a public work under existing law, or (3) a facility that serves only a modular home, a modular home community, or multiunit housing that has 2 or fewer stories. The bill would require a contractor who enters into a contract to perform work on the renewable electrical generation facility or associated battery storage to pay each construction worker employed in the execution of the work, at minimum, the general prevailing rate of per diem wages and each apprentice, at minimum, the applicable apprentice prevailing rate, as specified. The bill would authorize specified mechanisms to be used to enforce those wage requirements. The bill would provide that, if a willful violation of the bill's requirements has been enforced against a contractor for the construction of a renewable electrical generation facility using those mechanisms, the facility is not eligible to receive service pursuant to those standard contracts and tariffs.

**AB 2638 (Bloom D) School facilities: drinking water: water bottle filling stations.**

**Status:** Chaptered, Chapter Number 793, Signed on September 29, 2022

**Position:** Neutral

**Summary:** Would require a new construction or modernization project submitted to the Division of the State Architect by a school district or the governing body of a charter school to include water bottle filling stations, as specified. The bill would require, for modernization projects, a minimum of one water bottle filling station for each school undergoing modernization, and for new construction projects, a minimum of one water bottle filling station per 350 people at each school being constructed. The bill would require water bottle filling stations to be placed in or near high traffic and common areas and to meet specified requirements, including dispensing drinking water that meets primary drinking water standards and secondary drinking water standards, as defined. The bill would provide that these requirements only apply to new construction and modernization projects submitted to the Division of the State Architect 3 months after voters approve a statewide general obligation bond that provides funds for school facilities for kindergarten or any of grades 1 to 12, inclusive, at a statewide election occurring on or after November 1, 2022.

**SB 1112 (Becker D) Energy: building decarbonization: notice and recordation of a decarbonization charge.**

**Status:** Chaptered, Chapter Number 834, Signed on September 29, 2022

**Position:** Neutral

**Summary:** Would require the Energy Commission, on or before December 31, 2023, to identify state and federal financing or investment solutions, as defined, that will enable electrical corporations, community choice aggregators, or other eligible entities to provide zero-emission, clean energy, or decarbonizing building upgrades. The bill would also require the Energy Commission to apply for federal financing or investment solutions, where applicable, and provide technical assistance to certain entities to apply for state and federal financing or investment solutions. The bill would require the Energy Commission, on or before December 31, 2023, to prepare and submit a report to the relevant committees of the Legislature that describes any statutory changes necessary to improve access to federal funding for financing or investment solutions.

**SB 1188 (Laird D) Safe Drinking Water State Revolving Fund: financial assistance.**

**Status:** Chaptered, Chapter Number 680, Signed on September 28, 2022

**Position:** Watch

**Summary:** Current law authorizes the State Water Resources Control Board, to the extent permitted by federal law, to provide up to 100% grant funding, and principal forgiveness and 0% financing on loans, from the fund to a project for a water system that serves a severely disadvantaged community. Current law requires the interest rate for repayable financing provided from the fund to be 0% if the financing is for a public water system that serves a disadvantaged community with a financial hardship or if the financing is for a public water system that provides matching funds. This bill would delete those provisions relating to 0% financing and interest and would instead generally authorize the board, to the extent authorized by federal law, to provide reduced or 0% financing to further the

purposes of the Safe Drinking Water State Revolving Fund Law of 1997. The bill would delete the requirement that a water system serve a severely disadvantaged community in order to be provided with up to 100% grant funding or principal forgiveness and instead authorize providing that grant funding or principal forgiveness to certain other water systems. By making moneys in the Safe Drinking Water State Revolving Fund, a continuously appropriated fund, available for new purposes, the bill would make an appropriation.

## **Foster and Homeless Youth**

### **AB 408 (Quirk-Silva D) Homeless children and youths: reporting.**

**Status:** Chaptered, Chapter Number 904, Signed on September 30, 2022

**Position:** Neutral

**Summary:** The McKinney-Vento Homeless Assistance Act requires a state plan submitted for the receipt of the grant to include assurances that local educational agencies will designate an appropriate staff person to act as a local educational agency liaison for homeless children and youths and a description of how the state will ensure that local educational agencies and their liaisons will comply with specified requirements of the act, including the identification of homeless children and youths. Current federal law, the American Rescue Plan Act of 2021, also allocates funds for states to provide services for homeless children and youth, as provided. Under current state law, public schools, including charter schools, and county offices of education are required to immediately enroll a homeless child or youth seeking enrollment, except as specified. Current law requires a local educational agency liaison for homeless children and youths to ensure that public notice of the educational rights of homeless children and youths is disseminated in schools within the liaison's local educational agency that provide services pursuant to the act. Current law also requires the department to develop best practices that a local educational agency may use to identify and obtain accurate data on all homeless children and youths and unaccompanied youths enrolled in schools of the local educational agency and a model housing questionnaire, and to post this information on its internet website. This bill would require a local educational agency, as defined to include a school district, county office of education, charter school, or special education local plan area, to establish homeless education program policies that are consistent with specified state laws and use the above-described resources developed and posted on the department's internet website and resources developed by homeless education technical assistance centers established using certain federal funds.

### **AB 1735 (Bryan D) Foster care: rights.**

**Status:** Chaptered, Chapter Number 405, Signed on September 19, 2022

**Position:** Watch

**Summary:** Current law provides that it is the policy of the state that all minors and nonminors in foster care have specified rights, including, among others, the right to receive medical, dental, vision, and mental health services, the right to be informed of these rights in an age and developmentally appropriate manner, and the right to receive a copy of these rights, at specified intervals. This bill would additionally provide that a child who speaks a



primary language other than English has the right to receive a copy of their rights in their primary language. The bill also would require, when a child is entitled to receive a copy of the court report, case plan, and transition to independent living plan, those items to be provided in the child's primary language.

**AB 2375 (Rivas, Luz D) Homeless children and youths and unaccompanied youths: housing questionnaire.**

**Status:** Chaptered, Chapter Number 912, Signed on September 30, 2022

**Position:** Watch

**Summary:** Current federal law, the McKinney-Vento Homeless Assistance Act, provides grants to states to carry out activities relating to the education of homeless children and youths, as defined, including, among others, providing services and activities to improve the identification of homeless children and youths and to enable them to enroll in, attend, and succeed in school. Current law requires a local educational agency that receives certain funds from the federal American Rescue Plan Act of 2021 to administer a housing questionnaire, as specified, by annually providing it to all parents or guardians of pupils and to all unaccompanied youths of the local educational agency for purposes of identifying homeless children and youths and unaccompanied youths of the local educational agency, and by, commencing no later than the beginning of the 2021–22 school year, ensuring that the housing questionnaire is based on best practices developed by the State Department of Education. This bill instead would require a local educational agency, regardless of the receipt of those federal funds, to ensure, by the end of the 2021–22 school year, that the housing questionnaire is based on best practices developed by the department.

**SB 532 (Caballero D) Pupil instruction: high school coursework and graduation requirements: exemptions and alternatives.**

**Status:** Chaptered, Chapter Number 918, Signed on September 30, 2022

**Position:** Neutral

**Summary:** Current law requires a local educational agency, as defined, to exempt a pupil in foster care, a pupil who is a homeless child or youth, a former juvenile court school pupil, a pupil who is a child of a military family, or a pupil who is a migratory child who transfers between schools any time after the completion of the pupil's 2nd year of high school, or a pupil participating in an English language proficiency program for newly arrived immigrant pupils and who is in their 3rd or 4th year of high school, from all coursework and other requirements adopted by the governing body of the local educational agency that are in addition to the statewide coursework requirements necessary to receive a diploma of graduation from high school, unless the local educational agency makes a finding that the pupil is reasonably able to complete the local educational agency's graduation requirements in time to graduate from high school by the end of the pupil's 4th year of high school. This bill, among other things, would require the local educational agency to instead consult with a pupil described-above and the person holding the right to make educational decisions for the pupil, of the option to remain in school for a 5th year if the local educational agency determines the pupil is reasonably able to complete the local educational agency's graduation requirements within the pupil's 5th year of high school and would, until January 1, 2028, require that consultation and option to be provided if the local educational agency determines the pupil is not reasonably able to complete the local

graduation requirements within a 5th year but is reasonably able to complete the statewide graduation requirements within the pupil's 5th year of high school, as provided.

## **Higher Education**

### **[AB 102 \(Holden D\)](#) Pupil attendance at community colleges: College and Career Access Pathways partnerships: county offices of education.**

**Status:** Chaptered, Chapter Number 902, Signed on September 30, 2022

**Position:** Watch

**Summary:** Current law authorizes the governing board of a school district to authorize a pupil who meets specified criteria to attend community college. Current law limits the number of pupils a principal is authorized to recommend for a community college summer session pursuant to those provisions to 5% of the total number of pupils in any grade level, as specified. Current law, until January 1, 2027, exempts from the 5% limitation pupils who meet specified requirements, prohibits the Board of Governors of the California Community Colleges from including enrollment growth attributable to pupils enrolled pursuant to these provisions as part of its annual budget request for the California Community Colleges, and requires the Chancellor of the California Community Colleges to report to the Department of Finance the number of pupils who enrolled and received a passing grade in a community college summer session course under these provisions. This bill would extend those provisions indefinitely.

### **[AB 1232 \(McCarty D\)](#) Community colleges: nonresident tuition fees: English as a second language courses.**

**Status:** Chaptered, Chapter Number 512, Signed on September 23, 2022

**Position:** Watch

**Summary:** Current law authorizes the establishment of community college districts, and further authorizes the operation, by these districts, of community college campuses that offer instructional services throughout the state. Current law authorizes community college districts to admit nonresident students, and requires community college districts to charge a tuition fee to nonresident students, with specified exceptions. This bill would add an exception to the requirement for payment of nonresident tuition for the tuition fee for credit English as a second language courses for specified nonresident students enrolled in those courses. To the extent that this provision would impose new duties on community college districts, it would constitute a state-mandated local program.

### **[AB 1705 \(Irwin D\)](#) Seymour-Campbell Student Success Act of 2012: matriculation: assessment.**

**Status:** Chaptered, Chapter Number 926, Signed on September 30, 2022

**Key Date(s):** Requires the community college to verify benefits of transfer coursework if students in transfer-level math or English courses do not satisfy requirements for degrees by July 1, 2023.

**Position:** Watch

**Summary:** The Seymour-Campbell Student Success Act of 2012 requires a community college district or community college to maximize the probability that students will enter

and complete transfer-level coursework in English and mathematics within one-year. This bill would, among other things, instead require a community college district or community college to maximize the probability that students will enter and complete transfer-level coursework in English and mathematics within a one-year timeframe of their initial attempt in the discipline, and for a student with a declared academic goal, that the transfer-level coursework satisfies the English and mathematics coursework requirements of the intended certificate or associate degree, or a requirement for transfer within the intended major, within a one-year timeframe of their initial attempt in the discipline. By July 1, 2023, if a community college places and enrolls a student into transfer-level mathematics or English coursework that does not satisfy a requirement for the student's intended certificate or associate degree, or a requirement for transfer within the intended major, the bill would require the community college to verify the benefit of the coursework to the student, as specified.

**AB 1958 (Fong, Mike D) The Community College Student Access, Retention, and Debt Cancellation Program.**

**Status:** Chaptered, Chapter Number 929, Signed on September 30, 2022

**Position:** Watch

**Summary:** Current law appropriates \$120,000,000 in the 2021–22 fiscal year to the Board of Governors of the California Community Colleges, for allocation by the office of the Chancellor of the California Community Colleges, to support efforts to increase student retention rates and enrollment by primarily engaging former community college students who may have withdrawn from a community college due to the impacts of the COVID-19 pandemic, current community college students who may be hesitant to remain enrolled at a community college due to the impacts of the COVID-19 pandemic, and prospective community college students who may be hesitant to enroll at a community college due to the impacts of the COVID-19 pandemic. Current law authorizes a community college to use those funds to provide a fiscal incentive for students to reenroll, or for prospective students to enroll, at the community college. This bill would, contingent upon an appropriation for its purposes, establish the Community College Student Access, Retention, and Debt Cancellation Program for those same purposes, as provided.

**SB 1141 (Limón D) Public postsecondary education: exemption from payment of nonresident tuition.**

**Status:** Chaptered, Chapter Number 490, Signed on September 23, 2022

**Position:** Support

**Summary:** Current law exempts a student, other than a person excluded from the term “immigrant,” as defined, from paying nonresident tuition at the California State University and the California Community Colleges if, among other conditions, the student has a total of 3 or more years of full-time attendance in certain California schools or attainment of equivalent credits earned while in those schools, as specified, or the student completes 3 or more years of full-time high school coursework in California and a total of 3 or more years of attendance in California elementary schools or California secondary schools. Current law requires attendance in credit courses at a campus of the California Community Colleges counted toward meeting the 3-year requirement to not exceed 2 years of full-time attendance. This bill would delete the requirement that attendance in credit courses at a

campus of the California Community Colleges counted toward meeting the 3-year requirement not exceed 2 years of full-time attendance.

## **Human Resources & Employees**

**[AB 551 \(Rodriguez D\)](#) Disability retirement: COVID-19: presumption.** *(Cross referenced under PERS/STRS)*

**Status:** Chaptered, Chapter Number 741, Signed on September 29, 2022

**Key Date(s):** Sunsets January 1, 2023.

**Position:** Watch

**Summary:** Current law, until January 1, 2023, establishes a disability retirement presumption that is applicable to the members of various public employee retirement systems who are employed in certain firefighter, public safety officer, and health care job classifications, among others, who test positive for COVID-19, as specified. Existing law requires, if the member retires for disability on the basis, in whole or in part, of a COVID-19-related illness, that it be presumed that the disability arose out of, or in the course of, the member's employment, unless rebutted. This bill would extend the operation of the provisions described above until January 1, 2024.

**[AB 1041 \(Wicks D\)](#) Employment: leave.**

**Status:** Chaptered, Chapter Number 748, Signed on September 29, 2022

**Position:** Watch

**Summary:** Would expand the class of people for whom an employee may take leave to care for to include a designated person. The bill would define "designated person" to mean any individual related by blood or whose association with the employee is the equivalent of a family relationship. The bill would authorize a designated person to be identified at the time the employee requests the leave. The bill would authorize an employer to limit an employee to one designated person per 12-month period.

**[AB 1637 \(Cooper D\)](#) Criminal profiteering: asset forfeiture: unemployment and disability insurance fraud.**

**Status:** Chaptered, Chapter Number 950, Signed on September 30, 2022, Effective Immediately

**Position:** Watch

**Summary:** The California Control of Profits of Organized Crime Act provides the procedure for the forfeiture of property and proceeds acquired through a pattern of criminal profiteering activity, as specified. Under current law, criminal profiteering activity is defined as certain acts or threats made for financial gain or advantage that may be charged as specified crimes, including, among others, offenses relating to insurance fraud. This bill would include fraud offenses relating to COVID-19 pandemic-related insurance programs administered by the Employment Development Department within the definition of criminal profiteering activity for the purposes of these provisions.

**[AB 1751 \(Daly D\)](#) Workers' compensation: COVID-19: critical workers.**

**Status:** Chaptered, Chapter Number 758, Signed on September 29, 2022

**Position:** Watch

**Summary:** Current law establishes a workers' compensation system, administered by the Administrative Director of the Division of Workers' Compensation, to compensate an employee, as defined, for injuries sustained in the course of employment. Current law defines "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. Current law creates 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. Current law requires 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. Current law 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. Current law, until January 1, 2023, allows for a presumption of injury for all employees whose fellow employees at their place of employment experience specified levels of positive testing, and whose employer has 5 or more employees. This bill would extend the above-described provisions relating to COVID-19 until January 1, 2024. The bill would also expand the above-described provisions applicable to firefighters and police officers to include active firefighting members of a fire department at the State Department of State Hospitals, the State Department of Developmental Services, the Military Department, and the Department of Veterans Affairs and to officers of a state hospital under the jurisdiction of the State Department of State Hospitals and the State Department of Developmental Services.

**[AB 1805 \(Choi R\)](#) Unemployment: online information: Federal Unemployment Tax Act tax credit.**

**Status:** Chaptered, Chapter Number 109, Signed on July 19, 2022

**Position:** Watch

**Summary:** Current law authorizes the Director of Employment Development to apply for an advance to the Unemployment Fund and accept the responsibility for the repayment of the advance in accordance with the conditions specified in Title XII of the Social Security Act, as amended, to secure the advantages available under the provisions of that title. Current law authorizes the federal government to make advances to the states from the federal unemployment account in the federal Unemployment Trust Fund and requires repayment of those advances, with interest, as specified. This bill would require the director to post on the homepage of the department's internet website a hyperlink to information about the Federal Unemployment Tax Act tax credit. The bill would also require the director to indicate on the web page describing this credit whether the Unemployment Fund owes money to the federal government, and if so, the implications of that outstanding debt on employers' unemployment insurance costs. The bill would require the director to update that information, as specified, and repeal these provisions on January 1, 2030.

**AB 1854 (Boerner Horvath D) Unemployment insurance: work sharing plans.**

**Status:** Chaptered, Chapter Number 112, Signed on July 19, 2022

**Position:** Watch

**Summary:** Current law requires 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 requires the Employment Development Department to create a portal on its internet website for the provision and receipt of these applications. For work sharing plan applications submitted by eligible employers between September 15, 2020, and September 1, 2023, current law requires that, upon approval by the director, they be deemed approved for one year, except as specified. Current law requires the department to mail to an eligible employer a claim packet for each participating employee within 5 business days following approval of the application. Current law also requires the department, among other things, to make online claim forms available to the approved employer for each participating employee within 5 business days following approval of the application if an employer submitted its work sharing plan application online. This bill would extend these provisions indefinitely, and would require the department to accept electronic signatures on all work sharing plan documents. The bill would, beginning September 15, 2020, require that work sharing plan applications submitted by eligible employers, upon approval by the director, be deemed approved for one year, except as specified.

**AB 1949 (Low D) Employees: bereavement leave.**

**Status:** Chaptered, Chapter Number 767, Signed on September 29, 2022

**Position:** Watch

**Summary:** Would make it an unlawful employment practice for an employer to refuse to grant a request by an eligible employee to take up to 5 days of bereavement leave upon the death of a family member, as defined. The bill would require that leave be completed within 3 months of the date of death. The bill would require that leave be taken pursuant to any existing bereavement leave policy of the employer. Under the bill, in the absence of an existing policy, the bereavement leave may be unpaid. However, the bill would authorize an employee to use certain other leave balances otherwise available to the employee, including accrued and available paid sick leave.

**AB 2072 (Gabriel D) Mental health professionals: natural disasters: county offices of education: personnel sharing agreements. (Cross-referenced under Student Health Wellness)**

**Status:** Chaptered, Chapter Number 909, Signed on September 30, 2022

**Key Date(s):** COEs are required to finalize coordination by November 1, 2024.

**Position:** Watch

**Summary:** Would require, on or before November 1, 2024, county offices of education, in consultation with the State Department of Education and other relevant state and local agencies, to coordinate agreements between school districts and charter schools within the county to develop a system for rapidly deploying qualified mental health professionals and other key school personnel employed by individual school districts and charter schools throughout the county to areas of the county that experienced a natural disaster or other



traumatic event, as provided. The bill would require county offices of education, in developing these agreements, to consider cost, criteria for a local educational agency to request the use of mental health professionals and other key school personnel, and reimbursements between local educational agencies and for travel expenses, as provided.

**AB 2148 (Calderon D) Workers' compensation: disability payments.**

**Status:** Chaptered, Chapter Number 120, Signed on July 19, 2022

**Position:** Watch

**Summary:** Current law establishes a workers' compensation system, administered by the Administrative Director of the Division of Workers' Compensation, to compensate an employee for injuries sustained in the course of the employee's employment. Current law governs temporary and permanent disability indemnity payments. Existing law, until January 1, 2023, allows an employer to commence a program under which disability indemnity payments are deposited in a prepaid card account for employees. This bill would extend the authorization to deposit indemnity payments in a prepaid card account until January 1, 2024.

**AB 2188 (Quirk D) Discrimination in employment: use of cannabis.**

**Status:** Chaptered, Chapter Number 392, Signed on September 18, 2022

**Key Date(s):** On and after January 1, 2024.

**Position:** Watch

**Summary:** Would, on and after January 1, 2024, make it unlawful for an employer to discriminate against a person in hiring, termination, or any term or condition of employment, or otherwise penalize a person, if the discrimination is based upon the person's use of cannabis off the job and away from the workplace, except for preemployment drug screening, as specified, or upon an employer-required drug screening test that has found the person to have nonpsychoactive cannabis metabolites in their hair, blood, urine, or other bodily fluids. The bill would exempt certain applicants and employees from the bill's provisions, including employees in the building and construction trades and applicants and employees in positions requiring a federal background investigation or clearance, as specified. The bill would specify that the bill does not preempt state or federal laws requiring applicants or employees to be tested for controlled substances as a condition of employment, receiving federal funding or federal licensing-related benefits, or entering into a federal contract.

**AB 2413 (Carrillo D) Classified school and community college employees: disciplinary hearings: compensation.**

**Status:** Chaptered, Chapter Number 913, Signed on September 30, 2022

**Position:** Watch

**Summary:** Would prohibit the suspension without pay, suspension or demotion with a reduction in pay, or dismissal of a permanent employee of a school district or community college district who timely requests a hearing on charges against the employee before a decision is rendered after the hearing, unless the governing board or impartial third-party hearing officer finds that at the time discipline was imposed at the conclusion of the initial review process, the employer demonstrated by a preponderance of the evidence that the employee engaged in criminal misconduct, misconduct that presents a risk of harm to

pupils or students, staff, or property, or committed habitual violations of the district's policies or regulations.

**AB 2556 (O'Donnell D) Local public employee organizations.**

**Status:** Chaptered, Chapter Number 412, Signed on September 19, 2022

**Position:** Watch

**Summary:** This bill would authorize a recognized employee organization to charge an employee covered by the Firefighters Procedural Bill of Rights Act for the reasonable cost of representation when the employee holds a conscientious objection, as described above, or declines membership in the organization and requests individual representation in a discipline, grievance, arbitration, or administrative hearing from the organization. The bill would apply this authorization only to these proceedings for which the recognized employee organization does not exclusively control the process. This bill contains other related provisions and other existing laws.

**AB 2669 (Nazarian D) Youth service organizations: child abuse and neglect prevention.** *(Cross-referenced under After School and Child Abuse)*

**Status:** Chaptered, Chapter Number 261, Signed on September 6, 2022, Effective Immediately

**Position:** Watch

**Summary:** Current law, which took effect January 1, 2022, requires administrators, employees, and regular volunteers of a youth service organization to undergo criminal background checks to identify and exclude any persons with a history of child abuse. This bill would, until January 1, 2024, exclude from this background check requirement youth service organizations that, prior to January 1, 2022, did not require administrators, employees, or regular volunteers to undergo background checks. This bill contains other related provisions and other existing laws.

**AB 2693 (Reyes D) COVID-19: exposure.**

**Status:** Chaptered, Chapter Number 799, Signed on September 29, 2022

**Position:** Watch

**Summary:** (1) Existing law, the California Occupational Safety and Health Act of 1973, authorizes the Division of Occupational Safety and Health to prohibit the performance of an operation or process, or entry into that place of employment when, in its opinion, a place of employment, operation, or process, or any part thereof, exposes workers to the risk of infection with COVID-19, so as to constitute an imminent hazard to employees. This bill would extend those provisions until January 1, 2024. By expanding the scope of a crime, this bill imposes a state-mandated local program. This bill contains other related provisions and other existing laws.

**AB 2777 (Wicks D) Sexual assault: statute of limitations.**

**Status:** Chaptered, Chapter 442, Signed on September 19, 2022

**Position:** Watch

**Summary:** Current law sets the time for commencement of any civil action for recovery of damages suffered as a result of sexual assault, as defined, as the later of within 10 years from the date of the last act, attempted act, or assault with the intent to commit an act of

sexual assault against the plaintiff or within 3 years from the date the plaintiff discovers or reasonably should have discovered that an injury or illness resulted from those acts. Under current law, this provision applies to any action that is commenced on or after January 1, 2019. This bill would, until December 31, 2026, revive claims seeking to recover damages suffered as a result of a sexual assault that occurred on or after January 1, 2009, that would otherwise be barred solely because the statute of limitations has or had expired. The bill would additionally revive claims seeking to recover damages suffered as a result of a sexual assault that occurred on or after the plaintiff's 18th birthday when one or more entities are legally responsible for damages and the entity or their agents engaged in a cover up, as defined, and any related claims, that would otherwise be barred prior to January 1, 2023, solely because the applicable statute of limitations has or had expired, and would authorize a cause of action to proceed if already pending in court on the effective date of the bill or, if not filed by the effective date of the bill, to be commenced between January 1, 2023, and December 31, 2023.

**SB 114 (Committee on Budget and Fiscal Review) Employment: COVID-19:  
supplemental paid sick leave.**

**Status:** Chaptered, Chapter Number 4, Signed on February 9, 2022, Effective Immediately  
**Key Date(s):** Beginning January 1, 2022, until September 30, 2022.

**Position:** Watch

**Summary:** Would, beginning January 1, 2022, until September 30, 2022, provide for COVID-19 supplemental paid sick leave for covered employees who are unable to work or telework due to certain reasons related to COVID-19, including that the employee is attending a COVID-19 vaccine or vaccine booster appointment for themselves or a family member, or is experiencing symptoms, or caring for a family member experiencing symptoms, related to a COVID-19 vaccine or vaccine booster. The bill would entitle a covered employee to 40 hours of COVID-19 supplemental paid sick leave if that employee works full time or was scheduled to work, on average, at least 40 hours per week for the employer in the 2 weeks preceding the date the covered employee took COVID-19 supplemental paid sick leave. The bill would provide a different calculation for supplemental paid sick leave for a covered employee who is a firefighter subject to certain work schedule requirements and for a covered employee working fewer or variable hours, as specified.

**SB 191 (Committee on Budget and Fiscal Review) Employment.**

**Status:** Chaptered, Chapter Number 67, Signed on June 30, 2022, Effective Immediately

**Position:** Watch

**Summary:** Current law generally grants public employees the right to join employee organizations and to be represented by those organizations in their employment relation. Existing law requires specified public employers to provide exclusive employee representatives access to new employee orientations, as defined. Current law prescribes certain requirements in this regard, while providing that the structure, time, and manner of exclusive representative access be determined through mutual agreement between the employer and the exclusive representative. This bill would, until June 31, 2025, require that an exclusive representative be entitled to schedule an in-person meeting at the worksite during employment hours, if a public employer has not conducted an in-person new

employee orientation within 30 days, as specified. The bill would require that newly hired employees be relieved of other duties in order to attend the meeting, during which an exclusive representative would be authorized to communicate with newly hired employees in the applicable bargaining unit for up to 30 minutes on paid time. The bill would require employers to provide appropriate onsite meeting space within 7 calendar days of receiving a request from an exclusive bargaining representative.

**SB 731 (Durazo D) Criminal records: relief.**

**Status:** Chaptered, Chapter Number 814, Signed on September 29, 2022

**Key Date(s):** Change the effective date to July 1, 2023.

**Position:** Watch

**Summary:** (1) Current law establishes the Commission on Teacher Credentialing to, among other things, issue teaching and services credentials. Current law requires the commission to appoint a Committee of Credentials and requires allegations of acts or omissions for which adverse action may be taken against applicants or holders of teaching or services credentials to be reported to the committee, including conviction for a controlled substance offense, as defined. Current law requires the commission to deny an application for the issuance of a credential or the renewal of a credential for a person who has been convicted of a controlled substance offense. This bill would prohibit the record of a conviction for possession of specified controlled substances that is more than 5 years old and for which relief was granted from being presented to the committee or from being used to deny a credential.

**SB 931 (Leyva D) Deterring union membership: violations.**

**Status:** Chaptered, Chapter Number 823, Signed on September 29, 2022

**Position:** Watch

**Summary:** Current law prohibits a public employer from deterring or discouraging public employees or applicants to be public employees from becoming or remaining members of an employee organization, authorizing representation by an employee organization, or authorizing dues or fee deductions to an employee organization. Current law generally vests jurisdiction over violations of these provisions in the Public Employment Relations Board. This bill would authorize an employee organization, as described, to bring a claim before the Public Employment Relations Board alleging that a public employer violated the above-described provisions. Upon a finding by the board that the public employer violated those provisions, the public employer would be subject to a civil penalty, to be deposited in the General Fund, of up to \$1,000 for each affected employee, not to exceed \$100,000 in total, and subject to attorney's fees and costs, as described and except as specified.

**SB 951 (Durazo D) Unemployment insurance: contribution rates: disability insurance: paid family leave: weekly benefit amount.**

**Status:** Chaptered, Chapter Number 878, Signed on September 30, 2022

**Position:** Watch

**Summary:** Current law authorizes the Director of Employment Development to increase or decrease the rate of worker contributions, up to a certain amount, if the director determines the adjustment is necessary to reimburse the Unemployment Compensation Disability Fund for disability benefits paid or estimated to be paid or to prevent the

accumulation of funds in excess of those needed to maintain an adequate fund balance. Under current law, the remuneration of a worker over a specified amount is not subject to the contribution levels described above. Under existing law, specifically, the worker contribution provision does not apply to that part of a worker's remuneration which is paid after remuneration with respect to employment equal to 4 times the maximum weekly benefit for each calendar year specified, multiplied by 13 and divided by 55%, has been paid to an individual by an employer. This bill would remove that limitation on January 1, 2024.

**SB 1002 (Portantino D) Workers' compensation: licensed clinical social workers.**

**Status:** Chaptered, Chapter 609, Signed on September 28, 2022

**Position:** Watch

**Summary:** Existing law establishes a workers' compensation system, administered by the Administrative Director of the Division of Workers' Compensation, that generally requires employers to secure the payment of workers' compensation for injuries incurred by their employees that arise out of, and in the course of, employment. Existing law requires an employer to provide medical, surgical, chiropractic, acupuncture, and hospital treatment reasonably required to cure or relieve the injured worker from the effects of the injury. Existing law includes in the meaning of medical treatment services and supplies by physical therapists, chiropractic practitioners, and acupuncturists, that are licensed and within the scope of their practice. Existing law authorizes an insurer, employer, or entity that provides physician network services to establish or modify a medical provider network for the provision of medical treatment to injured employees, and requires that a network include an adequate number and type of physicians or other providers, as defined. This bill would include a licensed clinical social worker (LCSW) as treatment the employer is reasonably required to provide, would expand the meaning of medical treatment to include the services of an LCSW, and would authorize an employer to provide an employee with access to an LCSW, as defined, acting within the scope of their practice. The bill would authorize medical provider networks to add LCSWs to the physician providers listing, authorize an LCSW to treat or evaluate an injured worker only upon referral from a physician, as defined, and prohibit an LCSW from determining disability, as specified. This bill would make legislative findings and declarations in support of allowing licensed clinical social workers to treat work-related mental and behavioral health issues. This bill contains other related provisions and other existing laws.

**SB 1044 (Durazo D) Employers: emergency condition: retaliation.**

**Status:** Chaptered, Chapter Number 829, Signed on September 29, 2022

**Position:** Watch

**Summary:** Would prohibit an employer, in the event of an emergency condition, as defined, from taking or threatening adverse action against any employee for refusing to report to, or leaving, a workplace or worksite within the affected area because the employee has a reasonable belief that the workplace or worksite is unsafe, except as specified. The bill would also prohibit an employer from preventing any employee, including employees of public entities, as specified, from accessing the employee's mobile device or other communications device for seeking emergency assistance, assessing the safety of the situation, or communicating with a person to confirm their safety. The bill



would require an employee to notify the employer of the emergency condition requiring the employee to leave or refuse to report to the workplace or worksite, as specified. The bill would clarify that these provisions are not intended to apply when emergency conditions that pose an imminent and ongoing risk of harm to the workplace, the worksite, the worker, or the worker's home have ceased.

**SB 1155 (Caballero D) Liability claims: time-limited demands.**

**Status:** Chaptered, Chapter Number 719, Signed on September 28, 2022

**Position:** Watch

**Summary:** Current law provides for liability insurance to protect against loss resulting from liability for an injury suffered by a person or for damage to property. Current case law establishes obligations liability insurers have to the insured, including the duty to indemnify and the duty to defend. This bill would provide a framework for parties to settle a liability claim using a "time-limited" demand, as specified. The bill would define "time-limited" demand as an offer to a tortfeasor to settle a cause of action or claim for personal or bodily injury, property damage, or wrongful death within the tortfeasor's liability insurance policy limits prior to the filing of a complaint or demand for arbitration. The bill would require a time-limited demand to be accepted not fewer than 30 or 33 days from the date of transmission, as specified, and to contain specified information, including a clear and unequivocal offer to settle all claims within policy limits, a description of all known injuries sustained by the claimant, and reasonable proof to support the claim. The bill would require a claimant to send their time-limited demand to the email address or physical address designated by the liability insurer for receipt of time-limited demands, if available, or the insurance representative assigned to handle the claim, if known, and would require the Department of Insurance to post a liability insurer's designated email address or physical address on the department's internet website. The bill would allow a recipient of a demand to accept the demand in writing or to seek clarification or additional information or a request for extension. If an insurer does not accept a time-limited demand, the bill would require the insurer to notify the claimant of its decision and the basis of its decision prior to the expiration of the time-limited demand. The bill would specify that this notification is relevant in any lawsuit alleging extracontractual damages against the tortfeasor's liability insurer.

**SB 1162 (Limón D) Employment: Salaries and Wages.**

**Status:** Chaptered, Chapter Number 559, Signed on September 27, 2022

**Position:** Watch

**Summary:** Current law requires a private employer that has 100 or more employees and is required to file an annual Employer Information Report (EEO-1) pursuant to federal law to submit a pay data report to the Civil Rights Department that contains specified employee information on or before March 31, 2021, and on or before March 31 each year thereafter. Current law prescribes the information that must be included in the pay data report, including the number of employees by race, ethnicity, and sex in specified job categories. Current law requires employers with multiple establishments to submit a report for each establishment and a consolidated report that includes all employees. Current law permits the department to develop, publish on an annual basis, and publicize aggregate reports, provided that the aggregate reports are reasonably calculated to prevent the association of



any data with any individual business or person. Current law provides that an employer is in compliance with the requirement that it submit a pay data report if it submits an EEO-1 to the department containing the same or substantially similar pay data information. Current law permits the department to seek an order requiring an employer to comply with these provisions and permits it to recover the costs associated with seeking the order for compliance. This bill would, instead, require a private employer that has 100 or more employees to submit a pay data report to the department. This bill would revise the timeframe in which a private employer is required to submit this information to require that it be provided on or before the second Wednesday of May 2023, and for each year thereafter on or before the second Wednesday of May.

**SB 1397 (Borgeas R) Teacher credentialing: emergency teaching permits.**

**Status:** Chaptered, Chapter Number 335, Signed on September 15, 2022

**Key Date(s):** Sunsets July 1, 2024.

**Position:** Watch

**Summary:** Current law authorizes the Commission on Teacher Credentialing to issue or renew emergency teaching and specialist permits if certain conditions are met, including that the applicant passes the state basic skills proficiency test. This bill would require the commission to waive the basic skills proficiency requirement for the issuance of an emergency 30-day substitute permit until July 1, 2024. The bill would also delete obsolete references and update cross-references.

## **Miscellaneous**

**AB 587 (Gabriel D) Social media companies: terms of service.**

**Status:** Chaptered, Chapter Number 268, Signed on September 13, 2022

**Position:** Watch

**Summary:** Would require a social media company, as defined, to post their terms of service for each social media platform, as defined, owned or operated by the company in a specified manner and with additional specified information, subject to certain exceptions. The bill would define “terms of service” to mean a policy or set of policies adopted by a social media company that specifies, at least, the user behavior and activities that are permitted on the internet-based service owned or operated by the social media company, and the user behavior and activities that may subject the user or an item of content to being actioned, as defined.

**AB 1655 (Jones-Sawyer D) State holidays: Juneteenth.**

**Status:** Chaptered, Chapter Number 753, Signed on September 29, 2022

**Position:** Watch

**Summary:** Adds June 19, known as “Juneteenth,” to the list of state holidays. The bill would specify that holidays created by federal legislation signed by the President are considered days appointed as holidays for the purposes of the above-described provisions requiring community colleges and public schools to close. The bill would authorize state employees to elect to take time off with pay in recognition of Juneteenth, as specified.

**Governor's Message:** *To the Members of the California State Assembly: I am signing*

*Assembly Bill 1655, which authorizes state employees to elect to use their existing eight hours of holiday credit in lieu of receiving eight hours of personal holiday credit, to observe the new state holiday of June 19, also known as "Juneteenth." Juneteenth is a federal holiday that commemorates the emancipation of African American slaves. It is a time of remembrance of the cruelty of slavery, celebration of the abolishment of slavery, pride in the profound contributions of African Americans and a time for reflection of how we can each contribute to a more just society. I am immensely proud of the richness of diversity and backgrounds represented in our state and understand the importance of wanting to see one's own experience reflected in state holidays. While I am signing this bill and two other bills that also mark two significant days, before increasing the number of state holidays beyond the more than a dozen already recognized, I encourage the Legislature to identify criteria to help evaluate and inform future establishment of additional state holidays.*

**AB 1703 (Ramos D) California Indian Education Act: California Indian Education Task Forces.**

**Status:** Chaptered, Chapter Number 477, Signed on September 23, 2022

**Position:** Support

**Summary:** Would establish the California Indian Education Act and encourage school districts, county offices of education, and charter schools to form California Indian Education Task Forces with California tribes local to their regions or tribes historically located in the region. The bill would encourage task force participants to discuss issues of mutual concern and to undertake certain work. The bill would require California Indian Education Task Forces to submit, within one year of formation and annually thereafter, a report of findings to the department, as provided. The bill would require the department to submit, within one year of receiving task force reports and annually thereafter, a report to certain education committees of both houses of the Legislature regarding the narrowing of the achievement gap and the adoption of curriculum, as provided. The bill would authorize California Indian Education Task Forces to submit curricular materials to the county office of education, or consortium of county offices of education, that contracted to develop the model curricula related to Native American studies. The bill would require the contracted county office of education, or consortium of county offices of education, to consider these submitted materials for inclusion in the model curriculum.

**AB 1801 (Nazarian D) State holidays: Genocide Remembrance Day.**

**Status:** Chaptered, Chapter Number 761, Signed on September 29, 2022

**Position:** Watch

**Summary:** Adds April 24, known as "Genocide Remembrance Day," to the list of state holidays. The bill would authorize community colleges and public schools to close on April 24, known as "Genocide Remembrance Day," as specified. The bill would authorize state employees to elect to take time off with pay in recognition of "Genocide Remembrance Day," as specified. This bill contains other related provisions and other existing laws.

**Governor's Message:** *To the Members of the California State Assembly: I am signing Assembly Bill 1801, which establishes Genocide Remembrance Day as a state holiday to be observed on April 24, and permits public schools and community colleges to close in observance of this holiday. This bill also permits state employees to utilize eight hours of vacation, annual leave, or compensating time off in lieu of receiving eight hours of personal*

*holiday credit to observe Genocide Remembrance Day. Genocide commemoration is more than a history lesson. It is a powerful tool to engage people across generations in the sanctity of human rights, the enormity of crimes, and how to prevent future atrocities. Establishing a state holiday that commemorates genocides - both past and present - provides space for groups to heal and sends a powerful signal about our California values. Importantly, California continues to lead by example, with a strong record of providing refuge to countless groups suffering through the atrocity of genocide. I am immensely proud of the richness of diversity and backgrounds represented in our state and understand the importance of wanting to see one's own experience reflected in state holidays. While I am signing this bill and two other bills that also mark two significant days, before increasing the number of state holidays beyond the more than a dozen already recognized, I encourage the Legislature to identify criteria to help evaluate and inform future establishment of additional state holidays.*

**AB 2260 (Rodriguez D) Emergency response: trauma kits.**

**Status:** Chaptered, Chapter Number 586, Signed on September 28, 2022

**Position:** Watch

**Summary:** Under current law, everyone is generally responsible, not only for the result of their willful acts, but also for an injury occasioned to another by their want of ordinary care or skill in the management of their property or person. Current law exempts from civil liability any person who, in good faith and not for compensation, renders emergency medical or nonmedical care or assistance at the scene of an emergency other than an act or omission constituting gross negligence or willful or wanton misconduct. Current law exempts public or private organizations that sponsor, authorize, support, finance, or supervise the training of people, or certifies those people in emergency medical services, from liability for civil damages alleged to result from those training programs. This bill would define "trauma kit" to mean a first aid response kit that contains specified items, including, among other things, a tourniquet. The bill would allow medical materials and equipment and any additional items that are approved by the medical director of the local emergency medical services agency to be included as supplements in addition to the specified items that are required to be included in a trauma kit if they adequately treat a traumatic injury and can be stored in a readily available kit.

**AB 2273 (Wicks D) The California Age-Appropriate Design Code Act.**

**Status:** Chaptered, Chapter Number 320, Signed on September 15, 2022

**Position:** Watch

**Summary:** Enacts the California Age-Appropriate Design Code Act, which, commencing July 1, 2024, would, among other things, require a business that provides an online service, product, or feature likely to be accessed by children to comply with specified requirements, including a requirement to configure all default privacy settings offered by the online service, product, or feature to the settings that offer a high level of privacy, unless the business can demonstrate a compelling reason that a different setting is in the best interests of children, and to provide privacy information, terms of service, policies, and community standards concisely, prominently, and using clear language suited to the age of children likely to access that online service, product, or feature. The bill would require a business, before any new online services, products, or features are offered to the public, to complete a Data Protection Impact Assessment, as defined, for any online service, product,

or feature likely to be accessed by children and maintain documentation of this assessment as long as the online service, product, or feature is likely to be accessed by children. The bill would require a business to make a Data Protection Impact Assessment available, within 5 business days, to the Attorney General pursuant to a written request and would exempt a Data Protection Impact Assessment from public disclosure, as prescribed. The bill would prohibit a business that provides an online service, product, or feature likely to be accessed by children from taking proscribed action, including, if the end user is a child, using personal information for any reason other than a reason for which the personal information was collected, unless the business can demonstrate a compelling reason that use of the personal information is in the best interests of children.

**AB 2337 (Dahle, Megan R) School districts: frontier school district.**

**Status:** Chaptered, Chapter Number 83, Signed on July 1, 2022

**Position:** Watch

**Summary:** Current law establishes the Education Code and sets forth general provisions, rules of construction, and definitions that govern its construction. This bill, for purposes of the Education Code, would define “frontier school district” to mean a school district that meets certain attendance or population criteria.

**AB 2417 (Ting D) Juveniles: Youth Bill of Rights.**

**Status:** Chaptered, Chapter Number 786, Signed on September 29, 2022

**Position:** Watch

**Summary:** Current law requires the Division of Juvenile Justice to close on June 30, 2023, and provides for the transition of youth who are currently housed within a Division of Juvenile Justice facility to the care and custody of counties. Current law further requires that, beginning July 1, 2021, counties are generally responsible for all youth adjudged wards of the court. Current law requires the office to have an ombudsperson who has the authority to investigate complaints from youth, families, staff, and others about harmful conditions or practices, violations of laws and regulations governing facilities, and circumstances presenting an emergency situation, or to refer complaints to another body for investigation. Current law requires the ombudsperson to notify a complainant of the decision to investigate or refer the complaint. Current law requires the ombudsperson to publish and provide regular reports to the Legislature about complaints received and subsequent findings and actions taken. This bill would require the ombudsperson to notify the complainant in writing of the intention to investigate or refer the complaint for investigation. The bill would also require the ombudsperson to provide written notice of the final outcome of a complaint. The bill would require data published and provided to the Legislature by the ombudsperson to be disaggregated by gender, sexual orientation, race, and ethnicity of the complainants to the extent this information is available.

**AB 2596 (Low D) Lunar New Year holiday.**

**Status:** Chaptered, Chapter Number 792, Signed on September 29, 2022

**Position:** Watch

**Summary:** Current law entitles state employees, with specified exceptions, to elect to receive 8 hours of holiday credit for “Native American Day,” in lieu of receiving 8 hours of personal holiday credit, and to elect to use 8 hours of vacation, annual leave, or

compensating time off, consistent with departmental operational needs and collective bargaining agreements, for “Native American Day,” as specified. This bill would repeal provisions requiring the Governor to annually proclaim the “Lunar New Year,” and would instead recognize the “Lunar New Year” as a state holiday. The bill would authorize state employees, with specified exceptions, to elect to receive 8 hours of holiday credit for the “Lunar New Year” in lieu of receiving 8 hours of personal holiday credit, and to elect to use 8 hours of vacation, annual leave, or compensating time off, consistent with departmental operational needs and collective bargaining agreements, for “Lunar New Year,” as specified.

**Governor's Message:** *To the Members of the California State Assembly: I am signing Assembly Bill 2596, which authorizes any state employee to utilize eight hours of vacation, annual leave, or compensating time off in lieu of receiving eight hours of personal holiday credit to observe the "Lunar New Year." The Lunar New Year celebrates a chance to leave behind the troubles of the past year and invite prosperity and good luck moving forward . Recognizing this day as a state holiday acknowledges the diversity and cultural significance Asian Americans bring to California and provides an opportunity for all Californians to participate in the significance of the Lunar New Year. I am immensely proud of the richness of diversity and backgrounds represented in our state and understand the importance of wanting to see one's own experience reflected in state holidays. While I am signing this bill and two other bills that also mark two significant days, before increasing the number of state holidays beyond the more than a dozen already recognized, I encourage the Legislature to identify criteria to help evaluate and inform future establishment of additional state holidays.*

**[SB 1037 \(Umberg D\)](#) Civil discovery: oral depositions: conduct of deposition.**

**Status:** Chaptered, Chapter Number 92, Signed on July 1, 2022

**Position:** Watch

**Summary:** Current law establishes procedures for conducting oral depositions inside the state. Current law provides that any party or attorney of record may, but is not required to, be physically present at the deposition at the location of the deponent, subject to any protective order issued by the court. This bill would require all physically present participants in a deposition to comply with local health and safety ordinances, rules, and orders.

## **Parent & Community Involvement**

**[ACR 112 \(Grayson D\)](#) Positive Parenting Awareness Month.**

**Status:** Chaptered, Chapter Number 12, Signed on February 22, 2022

**Position:** Watch

**Summary:** Would declare the month of January 2022 as Positive Parenting Awareness Month.

**[SCR 72 \(Portantino D\)](#) PTA Day.**

**Status:** Chaptered, Chapter Number 42, Signed on April 19, 2022

**Position:** Watch

**Summary:** This measure would declare February 17, 2022, as PTA Day, commend the National Parent Teacher Association on the occasion of its 125th anniversary, and



encourage all California residents to attend and participate in the celebration of this commemorative event.

## **PERS/STRS**

### **AB 551 (Rodriguez D) Disability retirement: COVID-19: presumption.** *(Cross referenced under Human Resources)*

**Status:** Chaptered, Chapter Number 741, Signed on September 29, 2022

**Key Date(s):** Sunsets January 1, 2023.

**Position:** Watch

**Summary:** Current law, until January 1, 2023, establishes a disability retirement presumption that is applicable to the members of various public employee retirement systems who are employed in certain firefighter, public safety officer, and health care job classifications, among others, who test positive for COVID-19, as specified. Existing law requires, if the member retires for disability on the basis, in whole or in part, of a COVID-19-related illness, that it be presumed that the disability arose out of, or in the course of, the member's employment, unless rebutted. This bill would extend the operation of the provisions described above until January 1, 2024.

### **AB 1667 (Cooper D) State Teachers' Retirement System: administration.**

**Status:** Chaptered, Chapter Number 754, Signed on September 29, 2022

**Key Date(s):** Definitions of Advisory Letter and Material Facts, and related provisions become operative July 1, 2023.

**Position:** Watch

**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 administrated by the Teachers' Retirement Board (board). Current law also creates the Cash Balance Benefit Program, which is administered by the board, to provide a retirement plan for the benefit of participating employees who provide creditable service for less than 50% of full time. Current law authorizes the board to audit, or cause to be audited, the records of any public agency as often as it deems necessary. This bill would prescribe various requirements and duties in connection with audits of public agencies by the board. The bill would require the board to provide written notice of an intended audit to the affected public agency and to the exclusive representative of the members affected by the audit. The bill would require this notice to apprise the public agency and the exclusive representative of the purpose and scope of the intended audit. The bill would define "exclusive representative" for purposes of STRS.

### **AB 1722 (Cooper D) Public employees' retirement: safety members: industrial disability retirement.**

**Status:** Chaptered, Chapter Number 404, Signed on September 19, 2022

**Position:** Watch

**Summary:** The Public Employees' Retirement Law, until January 1, 2023, provides a state



safety member of the Public Employees' Retirement System who retires for industrial disability a retirement benefit equal to the greatest amount resulting from 3 possible calculations. In this regard, the benefit amount is based on an actuarially reduced service retirement, a service retirement allowance, if the member is qualified, or 50% of the member's final compensation, plus an annuity purchased with their accumulated contributions, if any. Current law establishes the Public Employees' Retirement Fund, which is a trust fund that is appropriated continuously for various purposes, including the payment of benefits. This bill would delete the termination of these provisions on January 1, 2023, thereby making them operative in perpetuity.

**AB 1824 (Committee on Public Employment and Retirement) Public employees' retirement.**

**Status:** Chaptered, Chapter Number 231, Signed on September 2, 2022

**Position:** Watch

**Summary:** Current law creates the Cash Balance Benefit Program, which is administered by the Teachers' Retirement Board, to provide a retirement plan for the benefit of participating employees who provide creditable service for less than 50% of full time. The Teachers' Retirement Law (TRL) defines "creditable service" in connection with the Cash Balance Benefit Program with reference to specified activities performed for certain employers, including for a prekindergarten through grade 12 employer, as specified, and for a community college employer, as specified. State Teachers' Retirement System (STRS) prescribes the activities that earn creditable service in this regard to include trustee service, as specified. This bill would revise the description of trustee service to link it to the definition of this service, which means duties performed by a member of the governing body of an employer.

**SB 868 (Cortese D) State teachers' retirement: supplemental benefits.**

**Status:** Chaptered, Chapter Number 818, Signed on September 29, 2022

**Key Date(s):** Additional benefits applicable starting July 1, 2023.

**Position:** Neutral

**Summary:** Current law, 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. Current law creates the Teachers' Retirement Fund and establishes within that fund a segregated account named the Supplemental Benefit Maintenance Account. Current law continuously appropriates funds in the Supplemental Benefit Maintenance Account for expenditure for the purpose of restoring the purchasing power of the allowances of retired members and nonmember spouses, disabled members, and beneficiaries, and prescribes various schedules pursuant to which these allowances are augmented. This bill would prescribe additional benefits to be paid quarterly from the Supplemental Benefit Maintenance Account, beginning July 1, 2023, to retired members and nonmember spouses, disabled members, and beneficiaries, to be made pursuant to a specified schedule. By providing for additional payments to be made from a continuously appropriated fund, this bill would make an appropriation. The bill would require the amount of these increases to be determined on July 1, 2023, as

specified, and would require that amount to be increased each year commencing on July 1, 2024, but not compounded. The bill would specify that these increases are not part of the base allowance, are payable only to the extent that funds are available from the Supplemental Benefit Maintenance Account, and would state the extent to which these payments would be vested.

**SB 874 (Cortese D) Classified school district and community college employees: probation: promotion.**

**Status:** Chaptered, Chapter Number 150, Signed on August 15, 2022

**Position:** Watch

**Summary:** Current law establishes procedures through which a school district or community college district may be authorized to adopt a merit system with respect to its personnel. Current law requires a school district or community college district that has a merit system to appoint a personnel commission to prescribe, amend, and interpret rules regarding the merit system. Current law deems a person who has served an initial probationary period in a class not to exceed 6 months or 130 days of paid service, whichever is longer, as prescribed by the rules of the commission, to be in the permanent classified service, except as provided. Current law requires that, in a school district or community college district that has adopted a merit system for its classified employees, an employee shall not attain permanent status in the classified service until the employee has completed a probationary period in a class. Under current law, in a school district that has not adopted a merit system for its employees, a permanent employee who accepts a promotion and fails to complete the probationary period for that promotional position is required to be employed in the classification from which the employee was promoted. This bill, in a school district that has adopted a merit system for its employees, would require a permanent employee who accepts a promotion and fails to complete the probationary period for that promotional position to be employed in the classification from which the employee was promoted.

**SB 1168 (Cortese D) Public employees' retirement: beneficiary payment.**

**Status:** Chaptered, Chapter Number 193, Signed on August 26, 2022

**Key Date(s):** Increase effective July 1, 2023.

**Position:** Watch

**Summary:** Current law, applicable to agencies that contract with the Public Employees' Retirement System (PERS) to provide benefits to their employees, requires a payment of \$500 to be made to a beneficiary upon the death of a member after retirement and while receiving a retirement allowance from PERS, unless otherwise provided. This bill, for a death occurring on or after July 1, 2023, would increase the amount of the above-described benefit to \$2,000.

**SB 1402 (Umberg D) Public employees' retirement: armed forces: service credit.**

**Status:** Chaptered, Chapter Number 196, Signed on August 26, 2022

**Position:** Watch

**Summary:** Current law creates the Teachers' Retirement Fund, which is continuously appropriated for specified purposes, into which certain moneys are deposited, including employee contributions. Current law authorizes a member of STRS to receive creditable

service for certain types of service outside the system, including military service, and distinguishes in this regard between service performed before membership and after becoming a member. Current law authorizes a member who is a state employee, or a retired member who retired immediately following service as a state employee, as specified, to receive credit for specified military or Merchant Marine service occurring prior to membership and prescribes requirements and limits in this connection. Current law requires, in this context, that the member contribute sufficient funds to cover the total cost of military service credit, as specified. Existing law limits the application of this authorization to receive pre-membership service credit to specified service in the Armed Forces of the United States or in the Merchant Marine of the United States prior to January 1, 1950. This bill would delete the limitation that the service have occurred prior to January 1, 1950, from these provisions, unless certain exceptions apply, and would delete the requirement that the electing member is a state employee or a retired member who retired immediately following service as a state employee. By providing for additional contributions to be made to a continuously appropriated fund, this bill would make an appropriation.

### **Pupil Records/Data Systems/Privacy**

**AB 22 (McCarty D) Preschool data: data collection.** *(Cross-referenced under Early Childhood Education)*

**Status:** Chaptered, Chapter Number 901, Signed on September 30, 2022

**Key Date(s):** By July 1, 2024, to collect pupil and educator data for a California state preschool program operated by a local educational agency.

**Position:** Watch

**Summary:** Current law establishes the California Longitudinal Pupil Achievement Data System, which is maintained by the State Department of Education and consists of pupil data from elementary and secondary schools, as specified, relating to demographics, program participation, enrollment, and statewide assessments, among other things. Current law requires the system to be used to accomplish specified goals, including to provide an efficient, flexible, and secure means of maintaining statewide pupil level data, as provided. This bill would require the department, by July 1, 2024, to collect pupil data for each pupil enrolled in a California state preschool program operated by a local educational agency, including all applicable data elements that are collected for pupils in transitional kindergarten, as provided. The bill would also require the department, by July 1, 2024, to collect the same data for educators in a California state preschool program operated by a local educational agency that is collected for educators in the K–12 classroom setting, as provided.

**AB 2355 (Salas D) School cybersecurity.**

**Status:** Chaptered, Chapter Number 498, Signed on September 23, 2022

**Position:** Watch

**Summary:** Existing law prohibits a school district from permitting access to pupil records to a person without written parental consent or under judicial order except as authorized by specified state and federal law. This bill would require a school district, county office of

education, or charter school to report any cyberattack, as defined, impacting more than 500 pupils or personnel to the California Cybersecurity Integration Center. By imposing new duties on local educational agencies, the bill would constitute a state-mandated local program. The bill would require the California Cybersecurity Integration Center to establish a database that tracks reports of cyberattacks submitted by local educational agencies and to annually, by January 1, submit a report to the Governor and the relevant policy committees of the Legislature with specified information related to cyberattacks or data breaches of local educational agencies. This bill contains other related provisions and other existing laws.

**AB 2627 (Bauer-Kahan D) Electronically collected personal information: local agencies: the California Community Colleges: memorandum of understanding.**

**Status:** Chaptered, Chapter Number 333, Signed on September 15, 2022

**Position:** Watch

**Summary:** Would authorize a local agency, at the request of the governing board of a California Community College district, to enter into a memorandum of understanding that would allow the agency and the district to share electronically collected personal information about users, unless the user has not provided informed written consent for that disclosure, for purposes of facilitating outreach to, and enrollment of, individuals in the California Community Colleges system and notifying the user of all available support resources.

**SB 1172 (Pan D) Student Test Taker Privacy Protection Act.**

**Status:** Chaptered, Chapter Number 720, Signed on September 28, 2022

**Position:** Watch

**Summary:** The California Privacy Rights Act of 2020, approved by the voters as Proposition 24 at the November 3, 2020, statewide general election, amended, added to, and reenacted the California Consumer Privacy Act of 2018 (CCPA). The CCPA requires a business to inform consumers of the categories of personal information to be collected and the purposes for which the categories of personal information are collected or used and whether that information is sold or shared. The Student Online Personal Information Protection Act prohibits an operator, as defined, from, among other things, disclosing a K-12 student's personal information, except as specified. This bill would prohibit a business providing proctoring services in an educational setting from collecting, retaining, using, or disclosing personal information except to the extent necessary to provide those proctoring services and in other specified circumstances.

## **School Facilities (including Prop. 39)**

**AB 30 (Katra D) Equitable Outdoor Access Act.**

**Status:** Chaptered, Chapter Number 939, Signed on September 30, 2022

**Position:** Watch

**Summary:** Would establish the Equitable Outdoor Access Act, which sets forth the state's commitment to ensuring all Californians can benefit from, and have meaningful access to,

the state's rich cultural and natural resources. The bill would declare that it is state policy, among other things, to ensure that all Californians have equitable opportunities to safe and affordable access to nature and access to the benefits of nature, and to prevent and minimize the intentional and unwarranted limitation of sustainable public access to public lands, where appropriate, including, but not limited to, local, regional, state, and federal parks, rivers, lakes, beaches, forests, mountain ranges, deserts, and other natural landscapes. The bill would require specified state agencies to consider and incorporate, as appropriate, the state policy when revising, adopting, or establishing policies, regulations, or grant criteria, or making expenditures, as specified. The bill would require all state agencies implementing the above-described state policy to do so in a manner consistent with the mission of their agency and that protects the health and safety of the public and conserves natural and cultural resources. The bill would require the state to encourage the types of access that promote, and are consistent with, specified conservation goals. The bill would require the Natural Resources Agency to prepare and submit a report to the Legislature with information related to the implementation of these provisions on or before January 1, 2024.

**AB 1738 (Boerner Horvath D) Building standards: installation of electric vehicle charging stations: existing buildings.**

**Status:** Chaptered, Chapter Number 687, Signed on September 28, 2022

**Position:** Watch

**Summary:** Current law requires the Department of Housing and Community Development to propose to the California Building Standards Commission for consideration mandatory building standards for the installation of future electric vehicle charging infrastructure for parking spaces in multifamily dwellings, as specified. Current law requires the commission to adopt, approve, codify, and publish mandatory building standards for the installation of electric vehicle charging infrastructure for parking spaces in multifamily dwellings and nonresidential development. This bill would, commencing with the next triennial edition of the California Building Standards Code, require the commission and the Department of Housing and Community Development to research and develop, and authorize the commission and department to propose for adoption, mandatory building standards for the installation of electric vehicle charging stations with low power level 2 or higher electric vehicle chargers in existing multifamily dwellings, hotels, motels, and nonresidential development during certain retrofits, additions, and alterations to existing parking facilities, as specified.

**AB 1857 (Garcia, Cristina D) Solid waste.**

**Status:** Chaptered, Chapter Number 342, Signed on September 16, 2022

**Key Date(s):** A template shall be posted on the labor commissioner's internet website beginning March 1, 2023. Compliance with the template is required starting March 15, 2023.

**Position:** Neutral

**Summary:** The California Integrated Waste Management Act of 1989 requires a city, county, or city and county, or regional agency formed under the act, to develop a source reduction and recycling element of an integrated waste management plan containing specified components. The act requires those jurisdictions to divert 50% of the solid waste



subject to the element, except as specified, through source reduction, recycling, and composting activities. The act allows the 50% diversion requirement to include not more than 10% through transformation, as defined, if specified conditions are met. This bill would repeal the provision authorizing the inclusion of not more than 10% of the diversion through transformation. Because the bill would require local agencies to revise the source reduction and recycling elements of their integrated waste management plans, this bill would impose a state-mandated local program.

**AB 1867 (Lee D) School facilities: modernization projects: bathrooms.**

**Status:** Chaptered, Chapter Number 434, Signed on September 19, 2022

**Position:** Neutral

**Summary:** Would require a school district, county office of education, or charter school that intends to seek state funding pursuant to the Leroy F. Greene School Facilities Act of 1998 (the Greene Act) for a school modernization project for a school facility constructed before January 1, 2012, to include, as part of the modernization project submitted to the Division of the State Architect, faucet aerators and water-conserving plumbing fixtures in all bathrooms. The bill would provide that these provisions apply only to those projects submitted to the Division of the State Architect beginning 3 months after voters approve a statewide general obligation bond that provides funds for certain school facilities at a statewide election occurring after November 1, 2022. The bill also would provide that these provisions apply only to those projects that contain an existing faucet or water plumbing fixture in the space to be modernized or repaired and propose to modernize or repair the interior of a school building and do not apply to projects that only propose to repair or make alterations to the exterior of a school building, the school grounds, or the playing fields of a school.

**AB 1985 (Rivas, Robert D) Organic waste: recovered organic waste product procurement targets.**

**Status:** Chaptered, Chapter Number 344, Signed on September 16, 2022

**Position:** Neutral

**Summary:** Current law requires, no later than January 1, 2018, the State Air Resources Board to approve and begin implementing a comprehensive short-lived climate pollutant strategy to achieve a reduction in statewide emissions of methane by 40%, hydrofluorocarbon gases by 40%, and anthropogenic black carbon by 50% below 2013 levels by 2030. Current law requires the methane emissions reduction goals to include a 50% reduction in the level of the statewide disposal of organic waste from the 2014 level by 2020 and a 75% reduction by 2025. Current law requires the Department of Resources Recycling and Recovery, in consultation with the state board, to adopt regulations to achieve these organic waste reduction goals that include, among other things, requirements intended to meet the goal that not less than 20% of edible food that is currently disposed of be recovered for human consumption by 2025 and that may include penalties to be imposed by the department for noncompliance, as provided. The department's regulations provide for, among other things, the calculation by the department of recovered organic waste product procurement targets for each local jurisdiction. This bill would require any penalties imposed by the department on a local jurisdiction that fails to meet its recovered organic waste procurement target to be



imposed pursuant to a specified schedule based on the percentage of the local jurisdiction's recovered organic waste product procurement target achieved. The bill would exempt jurisdictions in possession of a specified rural exemption from these requirements until December 31, 2026.

**[AB 2173 \(Petrie-Norris D\)](#) Public contracts: payment.**

**Status:** Chaptered, Chapter Number 121, Signed on July 19, 2022

**Position:** Watch

**Summary:** Current law, until January 1, 2023, authorizes the retention proceeds withheld from any payment by an awarding entity, as described, from the original contractor, by the original contractor from any subcontractor, and by a subcontractor from any subcontractor, to exceed 5% on specific projects where the director of the applicable department, as specified, has made, or the governing body of the public entity or designated official of the public entity has approved, a finding prior to the bid that the project is substantially complex and requires a higher retention and the department or public entity includes both this finding and the actual retention amount in the bid documents. This bill would make these provisions operative indefinitely.

**[AB 2232 \(McCarty D\)](#) School facilities: heating, ventilation, and air conditioning systems.**

**Status:** Chaptered, Chapter Number 777, Signed on September 29, 2022

**Position:** Neutral

**Summary:** The Leroy F. Greene School Facilities Act of 1998 provides for the adoption of rules, regulations, and procedures, under the administration of the Director of General Services, for the allocation of state funds by the State Allocation Board for the construction and modernization of public school facilities. This bill would require a covered school, defined as a school district, a county office of education, a charter school, a private school, the California Community Colleges, or the California State University, and would request the University of California, to ensure that facilities have heating, ventilation, and air conditioning (HVAC) systems that meet specified minimum ventilation rate requirements, unless the existing HVAC system is not capable of safely and efficiently providing the minimum ventilation rate, in which case the bill would require a covered school, and request the University of California, to ensure that its HVAC system meets the minimum ventilation rates in effect at the time the building permit for installation of that HVAC system was issued. The bill would also require a covered school, and request the University of California, to install filtration that achieves specified minimum efficiency reporting values (MERV) levels, determined by the school to be feasible with the existing HVAC system, as provided.

**[AB 2463 \(Lee D\)](#) Public works: exemption.**

**Status:** Chaptered, Chapter Number 210, Signed on August 29, 2022

**Position:** Neutral

**Summary:** Current law defines "public works," for purposes of regulating public works contracts, as, among other things, construction, alteration, demolition, installation, or repair work that is performed under contract and paid for in whole or in part out of public funds. Pursuant to current law, all workers employed on public works projects are

required to be paid not less than the general prevailing rate of per diem wages for work, except as specified. Current law exempts, until January 1, 2024, from these requirements work performed by a volunteer, a volunteer coordinator, or a member of the California Conservation Corps or a community conservation corps. This bill would extend that exemption until January 1, 2031.

**AB 2789 (Mullin D) Design-build projects: local agencies.**

**Status:** Chaptered, Chapter Number 214, Signed on August 29, 2022

**Position:** Watch

**Summary:** Current law, until January 1, 2023, authorizes the Midpeninsula Regional Open Space District and the Santa Clara Valley Open-Space Authority to use the design-build process for the construction of facilities or other buildings in those entities, as specified. This bill would repeal the January 1, 2023, sunset date, thereby indefinitely extending the authority of the Midpeninsula Regional Open Space District and the Santa Clara Valley Open-Space Authority to use the design-build process. The bill would modify and expand the purposes for which the process is authorized to include construction, restoration, and improvement of buildings and facilities, the construction, restoration, and improvement of public access and recreation facilities, and prescribed nature-based infrastructure projects within the entity. The bill would similarly authorize the East Bay Regional Park District to use the design-build process.

**AB 2827 (Quirk-Silva D) Child daycare facilities. *(Cross-referenced under Special Education)***

**Status:** Chaptered, Chapter Number 916, Signed on September 30, 2022

**Key Date(s):** Extends CDE deadline to revise its policy until January 1, 2024.

**Position:** Support

**Summary:** Current regulations impose various requirements on outdoor activity space for child daycare facilities, including, among others, that there be at least 75 square feet per child of outdoor activity space based on the total licensed capacity. A willful or repeated violation of these provisions is a misdemeanor. This bill would require the State Department of Social Services to revise its regulations to permit children with exceptional needs, as defined, to use outdoor play spaces simultaneously with nondisabled children without first seeking a specified regulatory waiver and to specify any health and safety requirements that are required to be met when that simultaneous play occurs. The bill would authorize the department to implement those provisions by means of an all-county letter or similar instruction on or before January 1, 2024.

**SB 6 (Caballero D) Local planning: housing: commercial zones.**

**Status:** Chaptered, Chapter Number 659, Signed on September 28, 2022

**Position:** Watch

**Summary:** The Planning and Zoning Law requires each county and city to adopt a comprehensive, long-term general plan for its physical development, and the development of certain lands outside its boundaries, that includes, among other mandatory elements, a housing element. Current law requires that the housing element include, among other things, an inventory of land suitable and available for residential development. If the inventory of sites does not identify adequate sites to accommodate the need for groups of

all households pursuant to specified law, existing law requires the local government to rezone sites within specified time periods and that this rezoning accommodate 100% of the need for housing for very low and low-income households on sites that will be zoned to permit owner-occupied and rental multifamily residential use by right for specified developments. This bill, the Middle Class Housing Act of 2022, would deem a housing development project, as defined, an allowable use on a parcel that is within a zone where office, retail, or parking are a principally permitted use, if specified conditions are met, including requirements relating to density, public notice, comment, hearing, or other procedures, site location and size, consistency with sustainable community strategy or alternative plans, prevailing wage, and a skilled and trained workforce.

**SB 679 (Kamlager D) Los Angeles County: affordable housing.**

**Status:** Chaptered, Chapter Number 661, Signed on September 28, 2022

**Position:** Watch

**Summary:** The San Francisco Bay Area Regional Housing Finance Act establishes the Bay Area Housing Finance Authority to raise, administer, and allocate funding for affordable housing in the San Francisco Bay area, as defined, and provide technical assistance at a regional level for tenant protection, affordable housing preservation, and new affordable housing production. This bill, the Los Angeles County Regional Housing Finance Act, would establish the Los Angeles County Affordable Housing Solutions Agency and would state that the agency's purpose is to increase the supply of affordable housing in Los Angeles County by providing for significantly enhanced funding and technical assistance at a regional level for renter protections, affordable housing preservation, and new affordable housing production, as specified. The bill would require a board composed of 21 voting members and one nonvoting member from Los Angeles County, as specified, to govern the agency.

**SB 991 (Newman D) Public contracts: progressive design-build: local agencies.**

**Status:** Chaptered, Chapter Number 243, Signed on September 2, 2022

**Position:** Watch

**Summary:** Current law authorizes the Director of General Services to use the progressive design-build procurement process for the construction of up to 3 capital outlay projects, as jointly determined by the Department of General Services and the Department of Finance, and prescribes that process. Current law defines "progressive design-build" as a project delivery process in which both the design and construction of a project are procured from a single entity that is selected through a qualifications-based selection at the earliest feasible stage of the project. Current law, pursuant to the process, after selection of a design-build entity, authorizes the Department of General Services to contract for design and preconstruction services sufficient to establish a guaranteed maximum price, as defined. Current law authorizes the department, upon agreement on a guaranteed maximum price, to amend the contract in its sole discretion, as specified. Current law requires specified information to be verified under penalty of perjury. This bill, until January 1, 2029, would authorize local agencies, defined as any city, county, city and county, or special district authorized by law to provide for the production, storage, supply, treatment, or distribution of any water from any source, to use the progressive design-build process for up to 15 public works projects in excess of \$5,000,000 for each project, similar to the progressive design-build process authorized for use by the Director of General Services.

**SB 1137 (Gonzalez D) Oil and gas: operations: location restrictions: notice of intention: health protection zone: sensitive receptors.**

**Status:** Chaptered, Chapter Number 365, Signed on September 16, 2022

**Position:** Watch

**Summary:** Current law requires an operator proposing to perform a well stimulation treatment to apply to the supervisor or district deputy for a permit to perform the well stimulation treatment and imposes other requirements and conditions on the use of well stimulation treatments. Under current law, a person who fails to comply with this and other requirements relating to the regulation of oil or gas operations is guilty of a misdemeanor. This bill would prohibit, commencing January 1, 2023, the Geologic Energy Management Division from approving any notice of intention within a health protection zone, as defined, except for reasons related to preventing or responding to a threat to public health, safety, or the environment, complying with a court order, or to plug and abandon or reabandon a well, as provided. The bill would also explicitly authorize the division to approve notices of intention to public and private entities who own, purchase, or lease land containing idle-deserted or previously plugged and abandoned wells for the purposes of those public and private entities plugging and abandoning, or replugging and abandoning, those oil and gas wells so development of nonfossil fuel production and injection and related uses can proceed, as provided. The bill would require an operator who submits a notice of intention, except for certain notices of intention, to also submit either a sensitive receptor inventory and map of the area within the 3,200 feet radius of the wellhead or proposed wellhead location to the division, or a statement certifying that the operator has confirmed that there are no sensitive receptors, as defined, located within 3,200-foot of the wellhead location, as provided. If a notice of intention is approved pursuant to compliance with a court order, the bill would require the operator of the oil or gas well to provide an individual indemnity bond sufficient to pay the full cost of properly plugging and abandoning the operator's well or wells, and decommissioning any attendant production facilities in the health protection zone, as provided.

**SB 1194 (Allen D) Public restrooms: building standards.**

**Status:** Chaptered, Chapter Number 839, Signed on September 29, 2022

**Position:** Watch

**Summary:** Would authorize a city, county, or city and county to require, by ordinance or resolution, that public restrooms constructed within its jurisdiction be designed to serve all genders, as specified, instead of complying with the plumbing standards set forth in the California Building Standards Code. This authority will become inoperative and be repealed on the date that standards that address all gender multiuser facilities take effect in the California Building Standards Code.

## School Nutrition

### **AB 558 (Nazarian D) School meals: Child Nutrition Act of 2022.**

**Status:** Chaptered, Chapter Number 905, Signed on September 30, 2022

**Key Date(s):** Requires State to post guidance by July 1, 2023; notification not required of the State.

**Position:** Watch

**Summary:** Current law, commencing with the 2022–23 school year, requires a school district or county superintendent of schools maintaining kindergarten or any of grades 1 to 12, inclusive, or charter school to provide 2 nutritiously adequate school meals free of charge during each schoolday to any pupil who requests a meal without consideration of the pupil's eligibility for a federally funded free or reduced-priced meal, with a maximum of one free meal for each meal service period, as provided. This bill would require the State Department of Education, in consultation with the State Department of Social Services, to develop, and to post on its internet website by July 1, 2023, guidance for local educational agencies participating in the federal School Breakfast Program that maintain kindergarten or any of grades 1 to 6, inclusive, on how to serve eligible nonschoolaged children breakfast or a morning snack at a local educational agency schoolsite. The bill would define "eligible nonschoolaged child" to mean a child who is not enrolled in school and who is a sibling, half sibling, or stepsibling of, or a foster child residing with, a pupil who is eligible for a free or reduced-price breakfast. The bill would require a guardian of an eligible nonschoolaged child to be present in order for the nonschoolaged child to receive breakfast or a morning snack.

### **AB 778 (Garcia, Eduardo D) Institutional purchasers: purchase of California-grown agricultural food products.**

**Status:** Chaptered, Chapter 576, Signed on September 27, 2022

**Position:** Watch

**Summary:** Current law requires all California state-owned or state-run institutions, except public universities and colleges and school districts, to purchase an agricultural product grown in California when the bid or price of the California-grown agricultural product does not exceed by more than 5% the lowest bid or price for an agricultural product produced outside the state and the quality of the California-grown agricultural product is comparable. Current law also requires the institutions, when they solicit or intend to accept a bid or price for agricultural products grown outside the state, to accept the bid or price from a vendor that packs or processes these agricultural products in the state before accepting a bid or price from a vendor that packs or processes these agricultural products outside of the state when specified conditions are met, including that the bid or price of the agricultural product grown outside the state and packed or processed in the state does not exceed by more than 5% the lowest bid or price for the agricultural product packed or processed outside the state. Current law requires a school district that solicits bids for the purchase of an agricultural product to accept a bid or price for that agricultural product when it is grown in California before accepting a bid or price for an agricultural product that is grown outside the state when the bid or price of the California-grown agricultural product does not exceed the lowest bid or price for an agricultural product produced



outside the state and the quality of the California-grown agricultural product is comparable. Under existing law, these provisions only apply to a contract to purchase agricultural products for a value that is less than the value of the threshold for supplies and services for which California has obligated itself under the Agreement on Government Procurement of the World Trade Organization. This bill would revise and recast these provisions.

**SB 490 (Caballero D) The Buy American Food Act: public institutions: purchase of nondomestic agricultural food products.**

**Status:** Chaptered, Chapter Number 602, Signed on September 28, 2022

**Key Date(s):** Becomes operative on January 1, 2024; sunsets January 1, 2029.

**Position:** Oppose

**Summary:** (1) Existing law requires all California state-owned or state-run institutions, except public universities and colleges and school districts, to purchase an agricultural product grown in California when the bid or price of the California-grown agricultural product does not exceed by more than 5% the lowest bid or price for an agricultural product produced outside the state and the quality of the California-grown agricultural product is comparable. Existing law also requires the institutions, when they solicit or intend to accept a bid or price for agricultural products grown outside the state, to accept the bid or price from a vendor that packs or processes these agricultural products in the state before accepting a bid or price from a vendor that packs or processes these agricultural products outside of the state when specified conditions are met. Existing law requires a school district that solicits bids for the purchase of an agricultural product to accept a bid or price for that agricultural product when it is grown in California before accepting a bid or price for an agricultural product that is grown outside the state when the bid or price of the California-grown agricultural product does not exceed the lowest bid or price for an agricultural product produced outside the state and the quality of the California-grown agricultural product is comparable. Under existing law, these provisions only apply to a contract to purchase agricultural products for a value that is less than the value of the threshold for supplies and services for which California has obligated itself under the Agreement on Government Procurement of the World Trade Organization. This bill would enact the Buy American Food Act to require public institutions, as defined, that receive federal meal reimbursement funding to provide prepared meals and that solicit bids for the purchase of agricultural food products, as defined, to include in their solicitation for bids and contracts that only the purchase of agricultural food products grown, packed, or processed domestically is authorized, unless the bid or price of the nondomestic agricultural food product is more than 25% lower than the bid or price of the domestic agricultural food product, the quality of the domestic agricultural food product is inferior to the quality of the agricultural food product grown, packed, or produced nondomestically, or the agricultural food product is not produced or manufactured domestically in sufficient and reasonably available quantities of a satisfactory quality to meet the needs of the public institution. The bill would exempt local educational agencies with annual federal meal reimbursement funding of less than \$1,000,000 from these provisions. The bill would require the public institution to retain documentation relating to the purchase of agricultural food products for 3 years and to make that documentation available to the public upon request. The bill would provide that the bill's provisions

neither limit nor expand California's obligations under the Agreement on Government Procurement of the World Trade Organization. The bill would provide that these provisions do not apply to the Child and Adult Care Food Program, the Summer Food Service Program, the Department of Corrections and Rehabilitation, or to agricultural food products purchased by or provided to a public institution through the United States Department of Agriculture. The bill would provide an exception to the above requirement for public institutions when a vendor substitutes an agricultural food product without notice or because a product is not available. To the extent that this bill would impose additional duties for local educational agencies and community colleges, this bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws.

**Governor's Message:** *To the Members of the California State Senate: I am signing Senate Bill 490, which will require schools that receive federal funding for prepared meals to include a requirement in their bids and contracts that the agricultural food products purchased are grown, packed, or processed domestically, beginning in 2024. I was proud to have made universal, nutritious school meals a reality for California students. This Buy American policy will benefit the California agricultural industry and agricultural workers, as well as the students and teachers consuming these meals in our schools. Agricultural products grown and processed in California and the United States meet more rigorous requirements for food safety, environmental standards, and worker protections. California is home to the best produce in the world - more than a third of the country's vegetables and three quarters of the country's fruits and nuts are grown in California. Signing this bill sends a message that California supports using our taxpayer dollars to purchase healthy, high-quality, and safe food products that also support reliable markets for our regional agricultural producers, processors, workers, and economies. This bill may result in additional costs beyond the funding for universal access to subsidized school meals provided in the budget. Any requests for additional resources to implement SB 490 will need to be reviewed and included in the annual budget process.*

## **School Transportation and Vehicles**

### **[SB 674 \(Durazo D\)](#) Public Contracts: workforce development: covered public contracts.**

**Status:** Chaptered, Chapter Number 875, Signed on September 30, 2022

**Position:** Watch

**Summary:** Existing law, the State Contract Act, governs contracting between state agencies and private contractors, and sets forth requirements for the bidding, awarding, and overseeing of contracts for projects. This bill would establish the High Road Jobs in Transportation-Related Public Contracts and Grants Pilot Program to support the creation of equitable high-quality transportation and related manufacturing and infrastructure jobs. The bill would require a covered public contract, defined as a public contract awarded by the Department of General Services or the Department of Transportation for the acquisition of zero-emission transit vehicles or electric vehicle supply equipment valued at \$10,000,000 or more, except as specified, to incorporate high road job standards, as specified. This bill contains other related provisions.

## Special Education

### **AB 2827 (Quirk-Silva D) Child daycare facilities.** *(Cross-referenced under School Facilities (including Prop. 39))*

**Status:** Chaptered, Chapter Number 916, Signed on September 30, 2022

**Key Date(s):** Extends CDE deadline to revise its policy until January 1, 2024.

**Position:** Support

**Summary:** Current regulations impose various requirements on outdoor activity space for child daycare facilities, including, among others, that there be at least 75 square feet per child of outdoor activity space based on the total licensed capacity. A willful or repeated violation of these provisions is a misdemeanor. This bill would require the State Department of Social Services to revise its regulations to permit children with exceptional needs, as defined, to use outdoor play spaces simultaneously with nondisabled children without first seeking a specified regulatory waiver and to specify any health and safety requirements that are required to be met when that simultaneous play occurs. The bill would authorize the department to implement those provisions by means of an all-county letter or similar instruction on or before January 1, 2024.

### **SB 291 (Stern D) Advisory Commission on Special Education.**

**Status:** Chaptered, Chapter Number 917, Signed on September 30, 2022

**Position:** Watch

**Summary:** Current law establishes the Advisory Commission on Special Education as an entity in state government consisting of 17 members to, among other things, study and provide assistance and advice to the State Board of Education, the Superintendent of Public Instruction, the Legislature, and the Governor in new or continuing areas of research, program development, and evaluation in special education. This bill would increase the number of members on the commission to 19 and would require the commission to appoint 2 pupils with exceptional needs, 16 to 22 years of age, inclusive, to the commission for a term of one year, as provided.

### **SB 692 (Cortese D) Special education: pupils with disabilities: least restrictive environment.**

**Status:** Chaptered, Chapter Number 919, Signed on September 30, 2022

**Position:** Watch

**Summary:** Current law requires local educational agencies to identify, locate, and assess individuals with exceptional needs and to provide those individuals with a free appropriate public education in the least restrictive environment, with special education and related services, as reflected in an individualized education program. This bill would require the State Department of Education to, on or before November 30, 2023, publish data related to federal measures of least restrictive environment for pupils with disabilities, as provided. The bill would make findings and declarations relating to pupils with disabilities.

**SB 1016 (Portantino D) Special education: eligibility: fetal alcohol spectrum disorder.**

**Status:** Chaptered, Chapter Number 611, Signed on September 28, 2022

**Position:** Neutral

**Summary:** Current law requires all children with disabilities residing in the state, regardless of the severity of their disabilities, and who are in need of special education and related services, to be identified, located, and assessed. Current regulations adopted by the State Board of Education provide that a child who is assessed as having a specified health impairment or other health impairment is entitled to special education and related services. Those regulations define “other health impairment” as having limited strength, vitality, or alertness, including a heightened alertness to environmental stimuli, that results in limited alertness with respect to the environment that is due to a chronic or acute health problem and adversely affects the child’s educational performance. This bill would require the state board to include “fetal alcohol spectrum disorder” in that definition of “other health impairment.”

**State Budget**

**AB 152 (Committee on Budget) COVID-19 relief: supplemental paid sick leave.**

**Status:** Chaptered, Chapter Number 736, Signed on September 29, 2022, Effective Immediately

**Position:** Watch

**Summary:** Extends COVID-19 supplemental paid sick leave provisions contained in SB 114 (Budget and Fiscal Review Committee), Chapter 4, Statutes of 2022, from September 30, 2022 to December 31, 2022, which entitles covered employees up to 80 hours of paid sick leave under specified circumstances. Makes changes to the testing requirements to determine paid sick leave eligibility. Establishes a grant program within the Governor’s Office of Business and Economic Development to assist qualified small businesses who incurred costs providing supplemental paid sick leave to employees.

**AB 158 (Committee on Budget) Personal Income Tax Law: Corporation Tax Law: exclusions from income: Paycheck Protection Program.**

**Status:** Chaptered, Chapter Number 737, Signed on September 29, 2022, Effective Immediately

**Position:** Watch

**Summary:** Would, for taxable years beginning on or after January 1, 2024, allow a credit in an amount equal to the greater of the dues paid to a labor organization during the taxable year by an individual multiplied by a workers’ tax credit adjustment factor, as described, or an amount of dues paid by an individual not to exceed a specified amount, as provided in the annual Budget Act. The bill would state the intent of the Legislature that the values provided in the annual Budget Act be calculated to limit the annual revenue loss resulting from the credit to no more than \$400,000,000. The bill would provide that the credit amount in excess of the taxpayer’s liability would be paid to the taxpayer from the Tax Relief and Refund Account upon appropriation by the Legislature. The bill would provide

that this credit would be in lieu of any other credit or deduction that the qualified taxpayer may otherwise be allowed with respect to amounts taken into account in calculating the credit.

**AB 160 (Committee on Budget) Public safety trailer bill.**

**Status:** Chaptered, Chapter Number 771, Signed on September 29, 2022, Effective Immediately

**Position:** Watch

**Summary:** Current law prohibits a firearm industry member, as defined, from engaging in advertising or marketing related to firearms that is intended for minors or reasonably appears to be attractive to minors, as specified. This bill would exempt from this prohibition any advertising that is offering or promoting classes or events related to firearm safety, hunting, or sport shooting, as specified, or promoting membership in any organization

**AB 178 (Ting D) Budget Act of 2022.**

**Status:** Chaptered, Chapter Number 45, Signed on June 30, 2022, Effective Immediately

**Position:** Watch

**Summary:** The Budget Act of 2022 made appropriations for the support of state government for the 2022–23 fiscal year. This bill would amend the Budget Act of 2022 by amending, adding, and repealing items of appropriation and making other changes.

**AB 179 (Ting D) Budget Act of 2022.**

**Status:** Chaptered, Chapter Number 249, Signed on September 6, 2022, Effective Immediately

**Position:** Support

**Summary:** The Budget Act of 2022 made appropriations for the support of state government for the 2022-23 fiscal year. This bill would amend the Budget Act of 2022 by amending, adding, and repealing items of appropriation and making other changes. This bill contains other related provisions and other existing laws. This budget trailer bill includes \$117 million in new state investments for urban greening or forestry activities that are intended to increase student access to green space and reduce the impacts of extreme heat. Of the total amount, up to \$70 million is available for grants to Local Education Agencies for projects within schoolsites that reduce the ambient temperature, including by supporting the urban forest; and \$17 million is available to Local Education Agencies for school greening activities in disadvantaged communities, low-income communities, or schoolsites where at least 70 percent of pupils are eligible for free or reduced-priced meals. The legislature intends to add an additional \$33 million in the 2023-24 fiscal year.

**AB 180 (Ting D) Budget Act of 2021.**

**Status:** Chaptered, Chapter Number 44, Signed on June 30, 2022, Effective Immediately

**Position:** Watch

**Summary:** The Budget Act of 2021 made appropriations for the support of state government for the 2021–22 fiscal year. This bill would amend the Budget Act of 2021 by amending, adding, and repealing items of appropriation and making other changes.



**AB 181 (Committee on Budget) Education finance: education omnibus budget trailer bill.**

**Status:** Chaptered, Chapter Number 52, Signed on June 30, 2022, Effective Immediately

**Position:** Watch

**Summary:** Current law requires the State Department of Education to develop, on or before December 31, 2022, 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 the development of that protocol by one year to December 31, 2023.

**AB 182 (Committee on Budget) COVID-19 emergency response: Learning Recovery Emergency Fund: appropriation.**

**Status:** Chaptered, Chapter Number 53, Signed on June 30, 2022, Effective Immediately

**Position:** Watch

**Summary:** Would create the Learning Recovery Emergency Fund in the State Treasury for the purpose of receiving appropriations for school districts, county offices of education, charter schools, and community college districts related to the state of emergency declared by the Governor on March 4, 2020, relating to the COVID-19 pandemic. The bill would appropriate \$7,936,000,000 from the General Fund to the State Department of Education for transfer to the Learning Recovery Emergency Fund. The bill would require the Superintendent to allocate these appropriated funds to school districts, county offices of education, and charter schools, as provided. The bill would authorize allocated funds to be used for learning recovery initiatives through the 2027–28 school year that, at a minimum, support academic learning recovery, and staff and pupil social and emotional well-being. The bill would require local educational agencies receiving these allocations to report interim expenditures to the department by December 1, 2024, and December 1, 2027, as well as a final report no later than December 1, 2029. This bill contains other related provisions and other existing laws.

**AB 183 (Committee on Budget) Higher education trailer bill.**

**Status:** Chaptered, Chapter Number 54, Signed on June 30, 2022, Effective Immediately

**Position:** Watch

**Summary:** Would revise and recast various provisions of the Higher Education Student Housing Grant Program, as provided, including various revisions to application criteria and process. The bill would appropriate \$1,428,133,000 from the General Fund for grants under the program to be allocated, as specified. The bill would appropriate \$17,974,000 from the General Fund for the purpose of providing planning grants for California community colleges that are exploring or determining if it is feasible to offer affordable student rental housing. The bill would appropriate \$3,893,000 from the General Fund for the program, with specific projects to be funded with this appropriation to be identified in subsequent legislation.

**AB 185 (Committee on Budget) Education finance: education omnibus trailer bill.**

**Status:** Chaptered, Chapter Number 571, Signed on September 28, 2022, Effective Immediately

**Position:** Support

**Summary:** Would require the Superintendent of Public Instruction, in consultation with the Director of Social Services and the executive director of the State Board of Education, to convene a statewide interest holder workgroup, as provided, to provide recommendations on best practices for increasing access to high-quality universal preschool programs for 3- and 4-year-old children offered through a mixed-delivery model that provides equitable learning experiences across a variety of settings and recommendations to update preschool standards, as provided. This bill establishes a pilot project authorizing a school district to use an alternative design-build contracting process for any construction project over \$5M. This language was originally part of LAUSD-sponsored AB 902 (O'Donnell) School facilities: alternative design-build contracts and was incorporated into the 2022-23 budget agreement.

**AB 190 (Committee on Budget) Higher education budget trailer bill.**

**Status:** Chaptered, Chapter Number 572, Signed on September 28, 2022, Effective Immediately

**Position:** Watch

**Summary:** Current law requires an administering entity to rank eligible applications for student housing grants using a composite score of certain measures, as provided. Current law appropriates \$1,428,133,000 for grants under the Higher Education Student Housing Grant Program, of which \$21,107,000 is for allocation to the California State University, Humboldt. Existing law additionally appropriates \$3,893,000 for the program, with specific projects to be funded with this appropriation to be identified in subsequent legislation. This bill would (A) revise certain provisions of the program relating to submission of student housing project applications, as provided, (B) add a new measure to be used for ranking eligible applications using a composite score, (C) appropriate an additional \$6,000,000 for the program to be allocated to the California State University, Humboldt, and (D) repeal the \$3,893,000 appropriation for specific projects to be identified in subsequent legislation.

**AB 192 (Committee on Budget) Better for Families Tax Refund.**

**Status:** Chaptered, Chapter Number 51, Signed on June 30, 2022, Effective Immediately

**Position:** Watch

**Summary:** Would authorize the Controller to make a one-time Better for Families Tax Refund payment to each qualified recipient, as defined, of an applicable amount, as specified, in a form and manner determined by the Franchise Tax Board, in order to provide relief to Californians. This bill contains other related provisions and other existing laws.

**AB 1912 (Bonta, Mia D) Emergency apportionments: closure and consolidation requirements.**

**Status:** Chaptered, Chapter Number 253, Signed on September 6, 2022, Effective Immediately

**Position:** Watch

**Summary:** Current law authorizes the governing board of a school district, if it determines during a fiscal year that its revenues are less than the amount necessary to meet its current year expenditure obligations, to request an emergency apportionment through the

Superintendent of Public Instruction, as provided. Current law imposes certain conditions and requirements on a school district that accepts an emergency apportionment, including, among others, that the governing board of the school district prepare a report on the financial condition of the school district. Current law requires the report to include, among other things, specific actions taken to reduce expenditures or increase income, and the cost savings and increased income resulting from those actions. This bill would require a school district under financial distress, as defined, before approving the closure or consolidation of a school, to conduct an equity impact analysis in its consideration of school closures or consolidations, as provided. The bill would require the governing board of the school district to develop a set of metrics, as specified, for the development of the equity impact analysis, and to make those metrics public at a regularly scheduled meeting of the governing board of the school district so that the public can provide input regarding the metrics being used to conduct the analysis, as provided. To the extent the bill imposes additional duties on local educational agencies, the bill would impose a state-mandated local program. The bill would provide that its provisions do not apply to a school district's closure of a school due solely to the unsafe condition of the school's facilities. The bill would make these provisions inoperative as of July 1, 2028.

**[SB 113](#) (Committee on Budget and Fiscal Review) Economic relief: COVID-19 pandemic.**

**Status:** Chaptered, Chapter Number 3, Signed on February 9, 2022, Effective Immediately

**Position:** Watch

**Summary:** Would create the California Emergency Relief Fund as a special fund in the State Treasury to provide emergency resources or relief relating to state of emergency declarations proclaimed by the Governor. The bill would transfer from the General Fund to the California Emergency Relief Fund \$150,000,000 for purposes relating to the COVID-19 emergency proclaimed by the Governor on March 4, 2020. The bill would appropriate \$150,000,000 from that fund to the Office of Small Business Advocate for a closed round to fund small business grant applications waitlisted from previous rounds of the California Small Business COVID-19 Relief Grant Program.

**[SB 115](#) (Skinner D) Budget Act of 2021.**

**Status:** Chaptered, Chapter Number 2, Signed on February 9, 2022, Effective Immediately

**Position:** Watch

**Summary:** The Budget Act of 2021 made appropriations for the support of state government for the 2021–22 fiscal year. This bill would amend the Budget Act of 2021 by amending and adding items of appropriation and making other changes.

**[SB 119](#) (Skinner D) Budget Act of 2021.**

**Status:** Chaptered, Chapter Number 9, Signed on March 14, 2022, Effective Immediately

**Position:** Watch

**Summary:** Would amend the Budget Act of 2021 by amending and adding items of appropriation and making other changes. This bill would declare that it is to take effect immediately as a Budget Bill. This bill contains other related provisions.

**SB 154 (Skinner D) Budget Act of 2022.**

**Status:** Chaptered, Chapter Number 43, Signed on June 27, 2022, Effective Immediately

**Position:** Watch

**Summary:** Would make appropriations for the support of state government for the 2022–23 fiscal year.

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

**AB 32 (Aguilar-Curry D) Telehealth.**

**Status:** Chaptered, Chapter Number 515, Signed on September 25, 2022

**Position:** Support

**Summary:** Under current law, federally qualified health center (FQHC) services and rural health clinic (RHC) services are covered benefits under the Medi-Cal program, to be reimbursed, to the extent that federal financial participation is available, to providers on a per-visit basis. “Visit” is defined as a face-to-face encounter between an FQHC or RHC patient and any of specified health care professionals. Under current law, “visit” also includes an encounter between an FQHC or RHC patient and specified medical professionals when services delivered through that interaction meet the applicable standard of care. Current law prohibits an FQHC or RHC from establishing a new patient relationship using an audio-only synchronous interaction and authorizes the department to provide specific exceptions to that prohibition, developed in consultation with affected stakeholders and published in departmental guidance. This bill would authorize the department to authorize an FQHC or RHC to establish a new patient relationship using an audio-only synchronous interaction when the visit is related to sensitive services, as defined, and authorize an FQHC or RHC to establish a new patient relationship using an audio-only synchronous interaction when the patient requests an audio-only modality or attests they do not have access to video.

**AB 58 (Salas D) Pupil health: suicide prevention policies and training.**

**Status:** Chaptered, Chapter Number 428, Signed on September 19, 2022

**Key Date(s):** Updates required by January 1, 2025.

**Position:** Watch

**Summary:** Current law requires the governing board or body of a county office of education, school district, state special school, or charter school that serves pupils in kindergarten and grades 1 to 12, inclusive, to adopt a policy on pupil suicide prevention that specifically addresses, among other things, procedures relating to suicide prevention, intervention, and postvention, and any training on suicide awareness and prevention to be provided to teachers of pupils in all of the grades served by the local educational agency. Current law requires the State Department of Education to develop and maintain a model policy in accordance with these provisions to serve as a guide for local educational agencies in developing policies for pupil suicide prevention. This bill would require a local educational agency, on or before January 1, 2025, to review and update its policy on pupil suicide prevention, and revise its training materials, to incorporate best practices identified by the department in the department’s model policy.

**AB 738 (Nguyen R) Community mental health services: mental health boards.**

**Status:** Chaptered, Chapter Number 378, Signed on September 17, 2022

**Position:** Neutral

**Summary:** The Bronzan-McCorquodale Act governs the organization and financing of community mental health services for persons with mental disorders in every county through locally administered and locally controlled community mental health programs. Current law requires each community mental health service to have a mental health board consisting of members who are appointed by the governing body, and encourages counties to appoint individuals who have experience with and knowledge of the mental health system. Existing law requires at least 50% of the board membership to be consumers, or the parents, spouses, siblings, or adult children of consumers. Current law specifies the duties of mental health boards, including acting in an advisory role to the governing body. This bill would require at least one member of the board to be a veteran or veteran advocate in counties with a population of 100,000 or more. In counties with a population of fewer than 100,000, the bill would require these counties to give a strong preference to appointing at least one member of the board who is a veteran or veteran advocate.

**AB 748 (Carrillo D) Pupil mental health: mental health assistance posters.**

**Status:** Chaptered, Chapter Number 431, Signed on September 19, 2022

**Key Date(s):** Start of the 2023–24 school year.

**Position:** Neutral

**Summary:** Would require, on or before the start of the 2023–24 school year, each schoolsite in a school district, county office of education, or charter school, serving pupils in any of grades 6 to 12, inclusive, to create a poster that identifies approaches and shares resources regarding pupil mental health. The bill would require the poster to be prominently and conspicuously displayed in appropriate public areas that are accessible to, and commonly frequented by, pupils at each schoolsite, as provided. The bill would provide that no basis for civil liability is created by the above provisions for those local educational agencies. By imposing additional duties on school districts, county offices of education, and charter schools, the bill would impose a state-mandated local program.

**AB 988 (Bauer-Kahan D) Mental health: 988 Suicide and Crisis Lifeline.**

**Status:** Chaptered, Chapter Number 747, Signed on September 29, 2022, Effective Immediately

**Position:** Watch

**Summary:** Would enact the Miles Hall Lifeline and Suicide Prevention Act. The bill would require the Office of Emergency Services to verify, no later than July 16, 2022, that technology that allows for transfers between 988 centers as well as between 988 centers and 911 public safety answering points, is available to 988 centers and 911 public safety answering points throughout the state. The bill would require, no later than 90 days after passage of the act, the office to appoint a 988 system director, among other things. The bill would require, no later than July 1, 2024, the office to verify interoperability between and across 911 and 988. The bill would require the office to consult with specified entities on any technology requirements for 988 centers.

**Governor's Message:** *To the Members of the California State Assembly: I am signing Assembly Bill 988, which enacts the Miles Hall Lifeline and Suicide Prevention Act to establish*



*9-8-8 centers in California for the purpose of connecting individuals experiencing a behavioral health crisis with suicide prevention and mental health services. Importantly, this bill also provides a dedicated revenue source to fund a 9-8-8 system in California. The 9-8-8 Lifeline represents an unprecedented opportunity to design and build a robust behavioral health crisis prevention, response, and care system. Following the federal passage of the National Suicide Prevention Lifeline Network, my Administration wasted no time to begin implementing this system in California. The last two budget cycles dedicated resources for this purpose, and the California Health and Human Services Agency has launched efforts to develop a plan to connect behavioral health efforts like 9-8-8 call centers with other behavioral health initiatives. While the work of my Administration is ongoing, dedicated resources supporting a comprehensive 9-8-8 system are needed, as are clear policies for how this system will interact with the overall behavioral health continuum. While this bill attempts to provide those needed resources and policy direction, as drafted, the use of revenue generated is unduly restricted. This creates considerable confusion about how certain services will be financed, and could severely limit the full potential of the behavioral health crisis response promised by the bill. Without refinements to these provisions and others, our effort to establish a comprehensive suicide and behavioral health crisis response system - one that can help prevent avoidable tragedies and increase access to the right kind of care - will fall short. Therefore, I am directing the California Health and Human Services Agency to propose cleanup language as part of the 2023-24 Governor's Budget to ensure this bill delivers on its promise to build a fully operational and comprehensive 9-8-8 system in California.*

**AB 1051 (Bennett D) Medi-Cal: specialty mental health services: foster children.**

**Status:** Chaptered, Chapter Number 402, Signed on September 19, 2022

**Key Date(s):** Circumstances apply July 1, 2023; requires CDSS to adopt regulations by July 1, 2027; would require CDSS to request federal approval by July 1, 2024.

**Position:** Watch

**Summary:** Current law requires each local mental health plan to establish a procedure to ensure access to outpatient specialty mental health services, as required by the EPSDT program standards, for youth in foster care who have been placed outside their county of adjudication, as described. Current law requires the State Department of Health Care Services to issue policy guidance concerning the conditions for, and exceptions to, presumptive transfer of responsibility for providing or arranging for specialty mental health services to a foster youth from the county of original jurisdiction to the county in which the foster youth resides, as prescribed. Under this bill, commencing July 1, 2023, in the case of placement of foster children in short-term residential therapeutic programs, community treatment facilities, or group homes, or in the case of admission of foster children to children's crisis residential programs, the presumptive transfer provisions would apply only if certain circumstances exist. These circumstances would include (1) that the case plan for the foster child specifies that the child will transition to a less restrictive placement in the same county as the facility in which the child has been placed, or (2) that the placing agency determines, as specified, that the child will be negatively impacted if responsibility for providing or arranging for specialty mental health services is not transferred to the same county as the facility in which the child has been placed.

**AB 1102 (Low D) Telephone medical advice services.**

**Status:** Chaptered, Chapter Number 684, Signed on September 28, 2022

**Position:** Neutral

**Summary:** Current law requires a telephone medical advice service to ensure that all health care professionals who provide telephone medical advice services from an out-of-state location are licensed, registered, or certified in the state within which they are providing the telephone medical advice services and are operating consistent with the laws governing their respective scopes of practice. Current law further requires a telephone medical advice service to comply with all directions and requests for information made by the Department of Consumer Affairs, and to notify the department within 30 days of any change of name, physical location, mailing address, or telephone number of any business, owner, partner, corporate officer, or agent for service of process in California, as specified. This bill would specify that a telephone medical advice service is required to ensure that all health care professionals who provide telephone medical advice services from an out-of-state location are operating consistent with the laws governing their respective licenses. The bill would specify that a telephone medical advice service is required to comply with all directions and requests for information made by the respective healing arts licensing boards. The bill would also eliminate the above-specified notification requirement.

**AB 1797 (Weber, Akilah D) Immunization registry.**

**Status:** Chaptered, Chapter Number 582, Signed on September 28, 2022

**Key Date(s):** Sunsets January 1, 2026.

**Position:** Support

**Summary:** Current law authorizes local health officers and the State Department of Public Health to operate immunization information systems. Current law, except as provided, authorizes health care providers and other agencies, including, among others, schools, childcare facilities, family childcare homes, and county human services agencies, to disclose specified immunization information with local health departments and the State Department of Public Health, and authorizes local health departments and the department to disclose that same information to each other and to health care providers, schools, childcare facilities, family childcare homes, and county human services agencies, among others, as specified. Current law specifies the immunization, patient, or client information that may be disclosed, which includes, among other things, patient or client demographic information, immunization data, adverse reactions to the immunization, or other information needed to identify the patient or client or to comply with other laws. This bill would instead require health care providers and other agencies, including schools, childcare facilities, family childcare homes, and county human services agencies to disclose the specified immunization information, and would add the patient's or client's race and ethnicity to the list of information that shall or may be disclosed.

**AB 1810 (Levine D) Pupil health: seizure disorders.**

**Status:** Chaptered, Chapter Number 906, Signed on September 30, 2022

**Key Date(s):** Requires the Superintendent of Public Instruction to establish standards of training and response by July 1, 2023.

**Position:** Watch

**Summary:** Would, if a pupil diagnosed with seizures, a seizure disorder, or epilepsy has

been prescribed an emergency anti-seizure medication by the pupil's health care provider, authorize the pupil's local educational agency, upon receipt of a request from the pupil's parent or guardian, to designate one or more volunteers at the pupil's school to receive initial and annual refresher training regarding the emergency use of anti-seizure medication. The bill would require the Superintendent of Public Instruction to establish minimum standards of training for the administration of emergency anti-seizure medication, as provided. The bill would authorize a school nurse or, if the school does not have a school nurse or the school nurse is not onsite or available, a volunteer who has been designated and received training regarding the emergency use of anti-seizure medication, to administer emergency anti-seizure medication to a pupil diagnosed with seizures, a seizure disorder, or epilepsy if the pupil is suffering from a seizure. The bill would require any local educational agency or school upon receipt of a parent or guardian's request to distribute a related notice at least once per school year to all staff.

**AB 2072 (Gabriel D) Mental health professionals: natural disasters: county offices of education: personnel sharing agreements.** *(Cross-referenced under Human Resources)*

**Status:** Chaptered, Chapter Number 909, Signed on September 30, 2022

**Key Date(s):** COEs are required to finalize coordination by November 1, 2024.

**Position:** Watch

**Summary:** Would require, on or before November 1, 2024, county offices of education, in consultation with the State Department of Education and other relevant state and local agencies, to coordinate agreements between school districts and charter schools within the county to develop a system for rapidly deploying qualified mental health professionals and other key school personnel employed by individual school districts and charter schools throughout the county to areas of the county that experienced a natural disaster or other traumatic event, as provided. The bill would require county offices of education, in developing these agreements, to consider cost, criteria for a local educational agency to request the use of mental health professionals and other key school personnel, and reimbursements between local educational agencies and for travel expenses, as provided.

**AB 2089 (Bauer-Kahan D) Privacy: mental health digital services: mental health application information.**

**Status:** Chaptered, Chapter Number 690, Signed on September 28, 2022

**Position:** Watch

**Summary:** The Confidentiality of Medical Information Act (CMIA) prohibits a provider of health care, a health care service plan, a contractor, a corporation and its subsidiaries and affiliates, or any business that offers software or hardware to consumers, including a mobile application or other related device, as defined, from intentionally sharing, selling, using for marketing, or otherwise using any medical information, as defined, for any purpose not necessary to provide health care services to a patient, except as provided. Current law makes a violation of these provisions that results in economic loss or personal injury to a patient punishable as a misdemeanor. This bill would revise the definition of medical information to include mental health application information. The bill would define mental health application information to mean information related to a consumer's inferred or diagnosed mental health or substance use disorder, as specified, collected by a

mental health digital service, as defined. The bill would provide that any business that offers a mental health digital service to a consumer for the purpose of allowing the individual to manage the individual's information, or for the diagnosis, treatment, or management of a medical condition of the individual, is deemed to be a provider of health care subject to the requirements of CMIA. The bill would require a business that offers a mental health digital service, when partnering with a provider of health care, to provide to the provider information regarding how to find data breaches reported pursuant to the provisions described above on the internet website of the Attorney General.

**AB 2098 (Low D) Physicians and surgeons: unprofessional conduct.**

**Status:** Chaptered, Chapter Number 938, Signed on September 30, 2022

**Position:** Watch

**Summary:** Current law provides for the licensure and regulation of physicians and surgeons by the Medical Board of California and the Osteopathic Medical Board of California. Current law requires the applicable board to take action against any licensed physician and surgeon who is charged with unprofessional conduct, as provided. This bill would designate the dissemination of misinformation or disinformation related to the SARS-CoV-2 coronavirus, or "COVID-19," as unprofessional conduct. The bill would also make findings and declarations in this regard.

**Governor's Message:** *To the Members of the California State Assembly: Assembly Bill 2098 provides that the dissemination of misinformation or disinformation related to COVID-19 by physicians and surgeons to a patient under their direct care constitutes unprofessional conduct. I am signing this bill because it is narrowly tailored to apply only to those egregious instances in which a licensee is acting with malicious intent or clearly deviating from the required standard of care while interacting directly with a patient under their care. To be clear, this bill does not apply to any speech outside of discussions directly related to COVID-19 treatment within a direct physician patient relationship. I am concerned about the chilling effect other potential laws may have on physicians and surgeons who need to be able to effectively talk to their patients about the risks and benefits of treatments for a disease that appeared in just the last few years. However, I am confident that discussing emerging ideas or treatments including the subsequent risks and benefits does not constitute misinformation or disinformation under this bill's criteria. COVID-19 treatment and care is rapidly evolving and this bill allows physicians to discuss both emerging and current treatments in a manner that is unique to each patient and their distinctive medical history.*

**AB 2317 (Ramos D) Children's psychiatric residential treatment facilities.**

**Status:** Chaptered, Chapter Number 589, Signed on September 28, 2022

**Key Date(s):** DHCS is required to adopt the regulations by December 31, 2027.

**Position:** Watch

**Summary:** Existing law, the California Community Care Facilities Act, provides for the licensing and regulation of community care facilities, including a children's crisis residential program, by the State Department of Social Services, and defines a children's crisis residential program to mean a facility licensed as a short-term residential therapeutic program and approved by the State Department of Health Care Services, or a county mental health plan, to operate a children's crisis residential mental health program to serve children experiencing mental health crises as an alternative to psychiatric hospitalization.

This bill would require the State Department of Health Care Services to license and establish regulations for psychiatric residential treatment facilities, which the bill would define as a licensed residential facility operated by a public agency or private nonprofit organization that provides psychiatric services, as prescribed under the Medicaid regulations, to individuals under 21 years of age, in an inpatient setting. The bill would require the department to establish regulations for the facilities that include, among other things, the implementation of a plan that is designed to achieve the patient's discharge from inpatient status, step-down service, at the earliest possible time. This bill contains other related provisions and other existing laws.

**AB 2640 (Valladares R) Pupil health: food allergies: California Food Allergy Resource internet web page.**

**Status:** Chaptered, Chapter Number 794, Signed on September 29, 2022

**Position:** Watch

**Summary:** Would require the State Department of Education to create the California Food Allergy Resource internet web page to provide voluntary guidance to school districts, county offices of education, and charter schools to help protect pupils with food allergies. The bill would require the department to ensure that the internet web page provides practical information, planning steps, and strategies for reducing allergic reactions to food within schools and early education centers. The bill would require the internet web page to include specified content, including state and federal resources available to pupils with food allergies, methods for pupils, or their parents and guardians, to initiate individualized food allergy management and prevention plans and to obtain food ingredient lists from school food providers, and strategies to minimize the risk of food anaphylaxis in school. The bill would encourage local educational agencies to consult the internet web page and use it as an equitable resource to ensure the inclusiveness of pupils with food allergies at school and to make it available to pupils, parents, and guardians annually.

**AB 2697 (Aguiar-Curry D) Medi-Cal: community health worker services.**

**Status:** Chaptered, Chapter Number 488, Signed on September 23, 2022

**Position:** Support

**Summary:** On July 26, 2022, the federal Centers for Medicare and Medicaid Services approved the department's Medicaid State Plan Amendment to add community health workers as a preventive service. This bill would codify the requirement that community health worker services be a covered Medi-Cal benefit. The bill would require a Medi-Cal managed care plan to engage in outreach and education efforts to enrollees, as determined by the department, but that would include, at a minimum, specified information to enrollees, including, among other things, a description of the community health worker services benefit and a list of providers that are authorized to refer an enrollee to community health worker services. The bill would require the department, through existing and regular stakeholder processes, to inform stakeholders about, and accept input from stakeholders on, implementation of the community health worker services benefit. The bill would be implemented only to the extent that federal financial participation is available and not otherwise jeopardized. The bill would authorize the department to implement, interpret, or make specific this bill by means of policy letters, provider bulletins, or other similar instructions, without taking any further regulatory action.



**[SB 1019 \(Gonzalez D\)](#) Medi-Cal managed care plans: mental health benefits.**

**Status:** Chaptered, Chapter Number 879, Signed on September 30, 2022

**Key Date(s):** MCPs required to conduct outreach no later than January 1, 2025.

**Position:** Support

**Summary:** Current law requires a Medi-Cal managed care plan to provide mental health benefits covered in the state plan, excluding those benefits provided by county mental health plans under the Specialty Mental Health Services Waiver. Under current law, nonspecialty mental health services covered by a Medi-Cal managed care plan include, among other things, individual and group mental health evaluation and treatment, psychological testing, and psychiatric consultation, as specified. This bill would require a Medi-Cal managed care plan, no later than January 1, 2025, to conduct annual outreach and education for its enrollees, based on a plan that the Medi-Cal managed care plan develops and submits to the State Department of Health Care Services, as specified, regarding the mental health benefits that are covered by the Medi-Cal managed care plan. The bill would require a Medi-Cal managed care plan to also conduct annual outreach and education, based on a plan that it develops, to inform primary care providers regarding those mental health benefits.

**[SB 1184 \(Cortese D\)](#) Confidentiality of Medical Information Act: school-linked services coordinators.**

**Status:** Chaptered, Chapter Number 993, Signed on September 30, 2022

**Position:** Watch

**Summary:** The Confidentiality of Medical Information Act prohibits a provider of health care, a health care service plan, or contractor from disclosing medical information, as defined, regarding a patient of the provider of health care or an enrollee or subscriber of the health care service plan without first obtaining an authorization, except as prescribed. The act authorizes a provider of health care or a health care service plan to disclose medical information in certain circumstances, including by authorizing disclosure to providers of health care, health care service plans, contractors, or other health care professionals or facilities for purposes of diagnosis or treatment of the patient. This bill would additionally authorize a provider of health care or a health care service plan to disclose medical information to a school-linked services coordinator, as prescribed.

**[SB 1479 \(Pan D\)](#) COVID-19 testing in schools: COVID-19 testing plans.**

**Status:** Chaptered, Chapter Number 850, Signed on September 29, 2022

**Key Date(s):** Sunsets January 1, 2026.

**Position:** Watch

**Summary:** Would require the State Department of Public Health to coordinate specified school district, county office of education, and charter school COVID-19 testing programs that are currently federally funded or organized under the California COVID-19 Testing Task Force, as provided. The bill would authorize the department to provide supportive services, including technical assistance, vendor support, guidance, monitoring, and testing education, related to testing programs for teachers, staff, and pupils to help schools reopen and keep schools operating safely for in-person learning. The bill would also encourage the department to expand its contagious, infectious, or communicable disease testing guidance

and other public health mitigation efforts to include prekindergarten and childcare centers, as provided.

## **Tax Policy**

### **AB 2880 (Bonta, Mia D) Taxation: credits: College Access Tax Credit.**

**Status:** Chaptered, Chapter Number 976, Signed on September 30, 2022

**Position:** Watch

**Summary:** The law governing the taxation of insurers, the Personal Income Tax Law, and the Corporation Tax Law allow various credits against the taxes imposed by those laws, including a credit, for taxable years beginning on or after January 1, 2017, and before January 1, 2023, equal to 50% of a contribution to the College Access Tax Credit Fund, which is established as a special fund to receive the contributions for which the credit is given. Those laws specify that the moneys in the College Access Tax Credit Fund shall be allocated first to the General Fund, then, upon appropriation, to specified agencies for administrative costs related to this credit, and lastly continuously appropriated to the Student Aid Commission (commission) for awarding Cal Grants, and requires the commission, to the extent feasible, to make annual disbursements from the moneys allocated to the commission, as provided. This bill would extend the operation of the credit to taxable years beginning before January 1, 2028.

### **SB 201 (Committee on Budget and Fiscal Review) Taxation: Earned Income Tax Credit: Young Child Tax Credit: Foster Youth Tax Credit.**

**Status:** Chaptered, Chapter Number 72, Signed on June 30, 2022, Effective Immediately

**Position:** Watch

**Summary:** The Personal Income Tax Law, 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 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. The law provides that the amount of the credit is calculated as a percentage of the eligible individual's earned income and is phased out above a specified amount as income increases, and provides alternative calculation factors under specified circumstances. Current law, for taxable years beginning on or after January 1, 2020, and until and including the taxable year in which the minimum wage is set at \$15 per hour, requires the phaseout percentage for eligible individuals to be recalculated by the Franchise Tax Board so that the calculated amount of credit for a taxpayer with an earned income of \$30,000 is equal to 0. Existing law allows a payment to an eligible individual from the Tax Relief and Refund Account, a continuously appropriated fund, for any amount of the credit in excess of tax liability, as provided. This bill, for taxable years after the taxable year in which the minimum wage is set at \$15 per hour, would require the phaseout percentages for the prior taxable year to apply.

## Technology

### [AB 2750 \(Bonta, Mia D\)](#) Department of Technology: state digital equity plan.

**Status:** Chaptered, Chapter Number 597, Signed on September 28, 2022

**Position:** Neutral

**Summary:** Existing law establishes the Department of Technology within the Government Operations Agency, which is supervised by the Director of Technology. Existing law charges the director and the department with various duties in creating and managing the information technology policy of the state. This bill would require the department, by January 1, 2024, in consultation with the public, the Public Utilities Commission, and the California Broadband Council, to develop a state digital equity plan. The bill would require the plan to include, among other things, the identification of barriers to digital equity faced by specified populations, including, among other barriers, the availability and affordability of access to fixed and wireless broadband technology. The bill would additionally require the plan to include measurable objectives for documenting and promoting digital equity among those populations and an assessment of existing digital navigator programs, as specified. The bill would require the department, to the extent practicable, to obtain all available federal funding for purposes of developing and implementing the plan. This bill contains other related provisions and other existing laws.

### [AB 2752 \(Wood D\)](#) Broadband infrastructure and video service: mapping: subscriber information.

**Status:** Chaptered, Chapter Number 801, Signed on September 29, 2022

**Position:** Neutral

**Summary:** Current law requires the Public Utilities Commission to develop, implement, and administer the California Advanced Services Fund program to encourage deployment of high-quality advanced communications services to all Californians that will promote economic growth, job creation, and the substantial social benefits of advanced information and communications technologies. Current law requires the commission, in collaboration with relevant state agencies and stakeholders, to maintain and update a statewide, publicly accessible, and interactive map showing the accessibility of broadband service in the state, as provided. This bill would authorize the commission to collect information from providers of broadband services at the address level. The bill would prohibit the commission from disclosing residential subscriber information, as provided.

### [AB 2879 \(Low D\)](#) Online content: cyberbullying.

**Status:** Chaptered, Chapter Number 700, Signed on September 28, 2022

**Position:** Watch

**Summary:** This bill would require a social media platform, as defined, and subject to specified exceptions, to disclose all cyberbullying, as defined, reporting procedures in the social media platform's terms of service, and would require a social media platform to establish a mechanism within its internet-based service that allows an individual, whether or not that individual has a profile on the internet-based service, to report cyberbullying or any content that violates the existing terms of service, as specified. This bill contains other existing laws.

**AB 2906 (Patterson R) Telecommunications: automatic dialing-announcing devices: pupil health and safety exemption.**

**Status:** Chaptered, Chapter Number 36, Signed on June 21, 2022

**Position:** Watch

**Summary:** Current law authorizes the Public Utilities Commission to control and regulate the use of automatic dialing-announcing devices to a telephone line and specifies the hours during which the devices may not be operated. Existing law exempts from that control and regulation certain entities that use an automatic dialing-announcing device under various situations, including the contacting of parents or guardians of pupils by schools regarding attendance and the placing of calls by law enforcement agencies, fire protection agencies, and public health agencies for specified purposes relating to public safety and emergencies. This bill would also exempt from that control and regulation the use of an automatic dialing-announcing device for purposes of a school contacting parents or guardians of pupils regarding the health or safety of pupils.

**SB 857 (Hueso D) Telecommunications: universal service programs.**

**Status:** Chaptered, Chapter Number 706, Signed on September 28, 2022, Effective Immediately

**Position:** Neutral

**Summary:** Existing law authorizes the Public Utilities Commission to supervise and regulate every public utility in the state, including telephone corporations, and to fix just and reasonable rates and charges for public utilities. Existing law establishes the state's 6 universal service funds in the State Treasury, including the California High-Cost Fund-A Administrative Committee Fund and the California High-Cost Fund-B Administrative Committee Fund, and provides that moneys in each of the state's universal service funds are the proceeds of rates and are held in trust for the benefit of ratepayers and to compensate telephone corporations for their costs of providing universal service. Moneys in the funds may only be expended to accomplish specified telecommunications universal service programs, upon appropriation in the annual Budget Act or upon supplemental appropriation. Existing law, until January 1, 2023, requires the commission to maintain the California High-Cost Fund-A Administrative Committee Fund (the CHCF-A program) to provide universal service rate support to small independent telephone corporations, as defined, in certain amounts in furtherance of the state's universal service commitment to the continued affordability and widespread availability of safe, reliable, high-quality communications services in rural areas of the state. Existing law, until January 1, 2023, requires the commission to develop, implement, and maintain a suitable, competitively neutral, and broad-based program to establish a fair and equitable local rate support structure aided by universal service rate support to telephone corporations serving areas where the cost of providing services exceeds rates charged by providers, as determined by the commission (the CHCF-B program). This bill would extend the CHCF-A program and CHCF-B program requirements to January 1, 2028. This bill contains other related provisions and other existing laws.

## Vetoed Bills

### **AB 92 (Reyes D) Preschool and child care and development services: family fees.**

**Status:** Vetoed

**Position:** Support

**Summary:** Current law, the Child Care and Development Services Act, administered by the State Department of Social Services, establishes a system of child care and development services for children up to 13 years of age. Current law requires the State Department of Social Services, in consultation with the State Department of Education, to establish a fee schedule for families using preschool and child care and development services and requires families who utilize those services to be assessed a family fee that is based on income, certified family need for full-time or part-time care services, and enrollment. Current law prohibits those family fees from exceeding 10% of the family's monthly income and prohibits family fees from being collected for the 2022–23 fiscal year. This bill would instead, upon appropriation, starting July 1, 2023, (1) prohibit those family fees from exceeding 1% of the family's monthly income and (2) prohibit a family with an adjusted monthly family income below 75% of the state median family income from being assessed a family fee.

**Governor's Message:** *I am returning Assembly Bill 92 without my signature. This bill would make changes to the family fee schedule for the California State Preschool Program and child care and development services. This bill would change the current family fee schedule by prohibiting family fees from exceeding 1 percent of a family's monthly income and exempting families with an adjusted monthly income below 75 percent of the state median family income from paying a family fee. The author's advocacy for California's working families is commendable. Like the author, expanding access to high quality early learning and care programs for babies and toddlers is a priority of my Administration. That's why the 2022 Budget Act included significant investments in preschool and childcare including family fee waivers for the 2022-23 fiscal year, an income threshold increase for the State preschool program from 85 percent to 100 percent of state median income, and funding to allow providers to stay open even if enrollment is down due to COVID-19. While the intent of this bill is consistent with our previous budget actions, it creates costs in the tens of millions of dollars not currently accounted for in the state's fiscal plan. With our state facing lower-than-expected revenues over the first few months of this fiscal year, it is important to remain disciplined when it comes to spending, particularly spending that is ongoing. We must prioritize existing obligations and priorities, including education, health care, public safety and safety-net programs. The Legislature sent measures with potential costs of well over \$20 billion in one-time spending commitments and more than \$10 billion in ongoing commitments not accounted for in the state budget. Bills with significant fiscal impact, such as this measure, should be considered and accounted for as part of the annual budget process. For these reasons, I cannot sign this bill.*



**AB 552 (Quirk-Silva D) Integrated School-Based Behavioral Health Partnership Program.**

**Status:** Vetoed

**Position:** Neutral

**Summary:** Would authorize the Integrated School-Based Behavioral Health Partnership Program, which the bill would establish, to provide prevention and early intervention for, and access to, behavioral health services for pupils. The bill would authorize a county behavioral health agency and the governing board or body of a local educational agency to agree to collaborate on conducting a needs assessment on the need for school-based mental health and substance use disorder services, to implement an integrated school-based behavioral health partnership program, and to develop a memorandum of understanding outlining the requirements for the partnership program. The bill would encourage the county behavioral health agency and the local educational agency, when appropriate, to enter into a contract for mental health or substance use disorder services.

**Governor's Message:** *To the Members of the California State Assembly: I am returning Assembly Bill 552 without my signature. This bill would permit local educational agencies and county behavioral health agencies to enter into partnerships to provide prevention and early intervention, and access to behavioral health and substance use disorder services for pupils at appropriate school-based locations. While I share the author's goal of addressing the mental health needs of children and youth, the partnership programs proposed under this bill would duplicate requirements for school-based behavioral health services being developed pursuant to the Children and Youth's Behavioral Health Initiative (CYBHI), which take effect in 2024. Implementation of the CYBHI's statewide all-payer fee schedule will provide a solution to the issue that this bill attempts to address. Additionally, I am concerned that this bill could create significant one-time and ongoing costs in the millions of dollars for the departments that would play a role in implementing these programs. With our state facing lower-than-expected revenues over the first few months of this fiscal year, it is important to remain disciplined when it comes to spending, particularly spending that is ongoing. We must prioritize existing obligations and priorities, including education, health care, public safety and safety-net programs. The Legislature sent measures with potential costs of well over \$20 billion in one-time spending commitments and more than \$10 billion in ongoing commitments not accounted for in the state budget. Bills with significant fiscal impact, such as this measure, should be considered and accounted for as part of the annual budget process. For these reasons, I am unable to sign this bill. Sincerely, Gavin Newsom*

**AB 857 (Kalra D) Employers: Labor Commissioner: required disclosures.**

**Status:** Vetoed

**Position:** Neutral

**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 H-2A employee for raising questions about the declarations' requirements or recommendations that relate to employment, housing, or working conditions.

**Governor's Message:** *To the Members of the California State Assembly: I am returning Assembly Bill 857 without my signature. AB 857 would require an employer to provide a specified notice summarizing an employee's workplace rights under state law and requires the Labor Commissioner to develop a template that agricultural employers could use to fulfill this requirement. While I support providing workers notice of their rights, this bill departs from existing notice requirements regarding workplace rights and protections like those found in Labor Code section 2810.5. Additionally, the prescribed topic headings deprive the Labor Commissioner the discretion to ensure the notice provides clear and accurate information to workers about their rights. Therefore, I am returning AB 857 without my signature.*

**AB 1348 (McCarty D) Youth athletics: chronic traumatic encephalopathy.**

**Status:** Vetoed

**Position:** Watch

**Summary:** Would, until January 1, 2026, require the Surgeon General to convene a Commission on Chronic Traumatic Encephalopathy and Youth Football to investigate issues related to the risks of brain injury associated with participation in youth football, and to provide recommendations to the Governor and Legislature on strategies to reduce this risk, including the minimum appropriate age for participation in youth tackle football. The bill would require the Surgeon General to publish a report on their internet website on or before July 1, 2025, with the findings of the commission.

**Governor's Message:** *To the Members of the California State Assembly: I am returning Assembly Bill 1348 without my signature. This bill would require the Surgeon General to convene a Commission on Chronic Traumatic Encephalopathy (CTE) and Youth Football to investigate issues related to the risks of brain injury associated with participation in youth tackle football. The bill would also require the commission to recommend strategies to reduce this risk, including the minimum appropriate age for participation and publish a report by July 1, 2025. I am deeply committed to the health and safety of California's children. Youth sports, such as youth tackle football, are an important part of our children's physical and mental health. In 2019, I signed the California Youth Football Act to establish a comprehensive safety framework, including the tracking of youth sports injuries, for youth tackle football, which took effect in January 2021. The effectiveness of these recently implemented safety measures has not been sufficiently assessed. More research is needed to better understand current safety measures and the risks. Furthermore, this bill would require more than \$2 million to implement, which was not accounted for in the budget. With our state facing lower-than-expected revenues over the first few months of this fiscal year, it is important to remain disciplined when it comes to spending, particularly spending that is ongoing. We must prioritize existing obligations and priorities, including education, health care, public safety and safety-net programs. The Legislature sent measures with potential costs of well over \$20 billion in one-time spending commitments and more than \$10 billion in ongoing commitments not accounted for in the state budget. Bills with significant fiscal impact, such as this measure, should be considered and accounted for as part of the annual budget process. For these reasons, I cannot sign this bill.*

**AB 1711 (Seyarto R) Privacy: breach.**

**Status:** Vetoed

**Position:** Watch

**Summary:** Current law requires an agency or a person or business that conducts business in California that owns or licenses computerized data that includes personal information to disclose a breach of security of the system following discovery or notification of the breach in the security data to certain residents of California, as specified. This bill would require an agency to post a notice on the agency's internet website when a person or business operating a system on behalf of the agency is required to issue a security breach notification for that system pursuant to the above-described provisions, as specified.

**Governor's Message:** *To the Members of the California State Assembly: I am returning Assembly Bill 1711 without my signature. This bill requires a public agency to post a notice on its website when a person or business operating a system on behalf of that agency is required to issue a security breach notification for that system. Current law requires both private businesses and public agencies to immediately notify individuals impacted by a data breach of the systems they operate, allowing appropriate action to mitigate or prevent financial losses due to fraudulent activity. The stated intent of this bill is to provide additional transparency with respect to data breach notifications provided in the event a contractor operating a system on behalf of an agency is breached. Requiring public agencies to display every instance of a security breach on its website will highlight vulnerable information technology systems shortly after a breach occurs. This could substantially increase the risk of additional attacks on these systems. The author's objective could be more effectively achieved through other means, such as specifying breach notifications to individuals must come from the agency, or requiring notices from a contractor to conspicuously include the agency on behalf of which they are operating. For these reasons, I cannot sign this bill. Sincerely, Gavin Newsom*

**AB 1859 (Levine D) Mental health and substance use disorder treatment.**

**Status:** Vetoed

**Position:** Watch

**Summary:** Would require a health care service plan or a health insurer, for a health care service plan contract or a health insurance policy issued, amended, or renewed on or after July 1, 2023, that includes coverage for mental health services to, among other things, approve the provision of medically necessary treatment of a mental health or substance use disorder for persons who are screened, evaluated, and detained for treatment and evaluation under the Lanterman-Petris-Short Act. The bill would prohibit a noncontracting provider of covered mental health or substance use disorder treatment from billing the previously described enrollee or insured more than the cost-sharing amount the enrollee or insured would pay to a contracting provider for that treatment. Under the bill, if an enrolled or insured is referred for a followup appointment for mental health services on a voluntary basis pursuant to the Lanterman-Petris-Short Act, the bill would require the health care service plan or health insurer to process the referral as a request for an appointment and offer appointments within specified timeframes, and if an appointment is not available in network that meets the geographic and timely access standards set by law, arrange coverage to ensure the delivery of medically necessary out-of-network services, to the extent possible, to meet those geographic and timely access standards. Because a willful violation of the bill's requirement by a health care service plan would be a crime, the bill

would impose a state-mandated local program.

**Governor's Message:** *To the Members of the California State Assembly: I am returning Assembly Bill 1859 without my signature. This bill would require health plans and health insurers to approve medically necessary treatment of a mental health or substance use disorder for individuals involuntarily detained under the Lanterman-Petris-Short (LPS) Act (a "5150 hold"). It would also require health plans and insurers to offer such individuals a timely follow-up appointment after release from a 5150 hold, whether in or out of the health plan or insurer's provider network, at the in-network cost-sharing amount. While I support the author's efforts to connect individuals experiencing mental health or substance use disorder crises with prompt follow-up care, each of the requirements listed above is already in existing, recently enacted law. This bill also proposes to add provisions concerning provider and facility responsibilities in the Knox-Keene Act, which govern health plans, not providers. As a result, these provisions would be unenforceable and lead to undue confusion. To improve care coordination for patients following an involuntary hold, I am signing AB 2242, which requires the Department of Health Care Services (DHCS) to convene a stakeholder workgroup to develop a model care coordination plan, which facilities would be required to adopt by August 2024. For these reasons, I cannot sign this bill.*

**AB 1893 (Cunningham R) Teacher credentialing: emergency teaching permits.**

**Status:** Vetoed

**Position:** Watch

**Summary:** Current law requires the Commission on Teacher Credentialing to, among other duties, establish standards for the issuance and renewal of credentials, certificates, and permits. Current law authorizes the commission to issue or renew emergency teaching and specialist permits if certain conditions are met, including that the applicant passes the state basic skills proficiency test. This bill would require the commission to waive the basic skills proficiency requirement for the issuance of an emergency 30-day substitute permit until July 1, 2024.

**Governor's Message:** *To the Members of the California State Assembly: I am returning Assembly Bill 1893 without my signature. While I agree with the aim of the proposal, this bill inadvertently overrides an unrelated provision of the final 2022-23 budget agreement contained in Assembly Bill 210, which amended the same code section. This bill seeks, until July 1, 2024, to allow the Commission on Teacher Credentialing to waive the basic skills proficiency requirement for purposes of issuing an Emergency 30-Day Substitute Teaching Permit. I welcome another policy vehicle for this proposal that avoids this technical issue. For these reasons, I am returning this bill without my signature. Sincerely, Gavin Newsom*

**AB 1919 (Holden D) Youth Transit Pass Pilot Program: free youth transit passes.**

**Status:** Vetoed

**Position:** Watch

**Summary:** Current law declares that the fostering, continuance, and development of public transportation systems are a matter of state concern. Current law authorizes the Department of Transportation to administer various programs and allocates moneys for various public transportation purposes. Upon the appropriation of moneys by the Legislature, this bill would create the Youth Transit Pass Pilot Program, administered by the department, for purposes of awarding grants to transit agencies for the costs of

creating, designing, developing, advertising, distributing, and implementing free youth transit passes to persons attending certain educational institutions, providing free transit service to holders of those passes, and administering and participating in the program, as specified. The bill would authorize a transit agency to submit a grant application in partnership with one or more educational institutions and would also authorize grant funds to be used to maintain, subsidize, or expand an existing fare free program, as provided. The bill would authorize a transit agency with an existing fare free program that enables a person 18 years of age or younger to use a transit agency's bus and rail services without paying any additional fare or charge to submit an application without an educational institution partner, as provided.

**Governor's Message:** *To the Members of the California State Assembly: I am returning AB 1919 without my signature. This bill creates a five-year Youth Transit Pass Pilot program to provide grants to transit agencies to create or expand free fare transit programs for college and K-12 students. Many of California's transit agencies provide reduced or free transit for certain populations, including students. While I agree with the intent of this bill to supplement and expand those existing programs, the bill requires the creation of a new grant program that was not funded in the budget. Instead, it requires a future appropriation from an unidentified fund source, which creates a significant cost pressure for either the General Fund or the redirection of existing state transportation resources. These costs will likely exceed \$115 million annually. With our state facing lower-than-expected revenues over the first few months of this fiscal year, it is important to remain disciplined when it comes to spending, particularly spending that is ongoing. We must prioritize existing obligations and priorities, including education, health care, public safety and safety-net programs. The Legislature sent measures with potential costs of well over \$20 billion in one-time spending commitments and more than \$10 billion in ongoing commitments not accounted for in the state budget. Bills with significant fiscal impact, such as this measure, should be considered and accounted for as part of the annual budget process. For these reasons, I cannot sign this bill.*

#### **AB 1940 (Salas D) School-Based Health Center Support Program.**

**Status:** Vetoed

**Position:** Watch

**Summary:** Current law requires the State Department of Public Health, in cooperation with the State Department of Education, to establish a Public School Health Center Support Program to assist school health centers, which are defined as centers or programs, located at or near local educational agencies, that provide age-appropriate health care services at the program site or through referrals, as specified. This bill would rename the program as the School-Based Health Center Support Program and would redefine a school-based health center to mean a student-focused health center or clinic that is located at or near a school or schools, is organized through school, community, and health provider relationships, and provides age-appropriate, clinical health care services onsite by qualified health professionals.

**Governor's Message:** *To the Members of the California State Assembly: I am returning Assembly Bill 1940 without my signature. This bill revises and recasts the Public School Health Center Support Program to be renamed as the School-Based Health Center (SBHC) Support Program, to be administered by the California Department of Public Health (CDPH) in cooperation with the California Department of Education (COE). The bill also defines SBHC*



*to mean a student-focused health center or clinic that meets specified conditions, increases funding levels for SBHC planning, implementation and expansion grants and requires CDPH to collaborate with COE to develop a request for a proposal process with specified preference priorities. I appreciate the author's effort to modernize the existing Public School Health Center Support Program and their intent to increase access to physical and behavioral health services for students. SBHCs are vital tools to address the significant disparities in both health and educational outcomes for our state 's children and youth. However, I have concerns this bill could create significant one-time Proposition 98 General Fund cost pressures in the tens of millions of dollars to fund the SBHC Support Program, and ongoing General Fund costs in the millions of dollars for CDPH to administer the program that were not included in the budget. With our state facing lower-than-expected revenues over the first few months of this fiscal year, it is important to remain disciplined when it comes to spending. We must prioritize existing obligations and priorities, including education, health care, public safety and safety-net programs. The Legislature sent measures with potential costs of well over \$20 billion in onetime spending commitments and more than \$10 billion in ongoing commitments not accounted for in the state budget. Bills with significant fiscal impact, such as this measure, should be considered and accounted for as part of the annual budget process. For these reasons, I cannot sign this bill.*

**AB 1973 (McCarty D) Kindergarten: minimum schoolday.**

**Status:** Vetoes

**Position:** Watch

**Summary:** Would require, from the 2027–28 to the 2029–30 school year, inclusive, a school district or charter school that has an enrolled unduplicated pupil percentage of 50% or more and offers a kindergarten program, to provide, at each schoolsite that offers a kindergarten program, a minimum of one class that offers a minimum schoolday for the kindergarten day that is at least equivalent to the minimum schoolday provided for grades 1 to 3, inclusive. The bill would impose the same requirement on a school district or charter school, commencing with the 2030–31 school year, regardless of the enrolled unduplicated pupil percentage. The bill would provide that these provisions do not apply to transitional kindergarten. By imposing new duties on a school district or charter school the bill would impose a state-mandated local program.

**Governor's Message:** *To the Members of the California State Assembly: I am returning Assembly Bill 1973 without my signature. This bill would expand learning time for young students by requiring all elementary schools to offer at least one full-day kindergarten class by 2030-31, with phased-in implementation beginning in 2027-28. I believe in the importance of expanded time for learning and play for our youngest students, especially given the impacts of the COVID-19 pandemic. That is why I worked with the Legislature to create the Expanded Learning Opportunities Program, which, by 2023-24, will provide nine hours of combined instruction and enrichment during the school year, and 30 non-school days (e.g. summer school, Saturdays or intersession programming, for all elementary students at high-needs schools and all high-needs students at all other elementary schools. The 2022 Budget Act included \$4 billion ongoing Proposition 98 General Fund for the Expanded Learning Opportunities Program, an historic investment in critical support for our kids. I appreciate the author's intent and his advocacy for early education, however, this bill will create ongoing and one-time costs in the hundreds of millions of dollars to support school facilities and*

*operational costs. With our state facing lower-than-expected revenues over the first few months of this fiscal year, it is important to remain disciplined when it comes to spending, particularly spending that is ongoing. We must prioritize existing obligations and priorities, including education, health care, public safety and safety-net programs. The Legislature sent measures with potential costs of well over \$20 billion in one-time spending commitments and more than \$10 billion in ongoing commitments not accounted for in the state budget. Bills with significant fiscal impact, such as this measure, should be considered and accounted for in the annual budget process. For these reasons, I cannot sign this bill.*

**AB 1999 (Arambula D) Medi-Cal: behavioral health: individuals with vision loss.**

**Status:** Vetoed

**Position:** Watch

**Summary:** Would require the State Department of Health Care Services to establish a pilot project to provide funding for targeted outreach by participating counties to Medi-Cal beneficiaries who are blind or have low vision, regarding behavioral health services that are covered by the Medi-Cal program. The bill would require that the pilot project be implemented in at least 6 counties that have agreed to participate, with at least one of those counties being in northern California, one in central California, and one in southern California, as specified. The bill would require the participating counties to conduct outreach, as specified, and report certain information to the department and the Legislature no later than December 31, 2025. The bill would make related legislative findings.

**Governor's Message:** *To the Members of the California State Assembly: I am returning Assembly Bill 1999 without my signature. This bill would require the Department of Health Care Services to establish a pilot project in at least six counties to provide funding for targeted outreach to Medi-Cal beneficiaries who are blind or have low vision regarding Medi-Cal-covered behavioral health services. I agree with the author's goal of helping people who are experiencing vision loss and the desire to have appropriately targeted behavioral health services. Although the bill proposes a pilot program subject to appropriation, the proposed pilot could cost up to \$85 million over a three-year period that was not included in the budget. With our state facing lower-than-expected revenues over the first few months of this fiscal year, it is important to remain disciplined when it comes to spending, particularly spending that is ongoing. We must prioritize existing obligations and priorities, including education, health care, public safety and safety-net programs. The Legislature sent measures with potential costs of well over \$20 billion in one-time spending commitments and more than \$10 billion in ongoing commitments not accounted for in the state budget. Bills that create significant General Fund cost pressure, such as this measure, should be considered and accounted for as part of the annual budget process. For these reasons, I cannot sign this bill.*

**AB 2042 (Villapudua D) Child daycare facilities: anaphylactic policy.**

**Status:** Vetoed

**Position:** Watch

**Summary:** Would require the State Department of Social Services, in consultation with the State Department of Education, on or before July 1, 2024, to establish an anaphylactic policy that sets forth guidelines and procedures recommended for child daycare personnel to prevent a child from suffering from anaphylaxis and to be used during a medical

emergency resulting from anaphylaxis. The bill would require the policy to be developed in consultation with specified individuals, including pediatric physicians and other health care providers with expertise in treating children with anaphylaxis. The bill would require the policy to include specified components, including a procedure and treatment plan for child daycare personnel responding to a child suffering from anaphylaxis and a training course for child daycare personnel for preventing, recognizing the symptoms of, and responding to anaphylaxis. The bill would require an anaphylactic policy for family childcare providers to be developed in consultation and coordination with the Joint Labor Management Committee established by the state and Child Care Providers United - California (CCPU) pursuant to a specified agreement between the state and CCPU. The bill would require training on the anaphylactic policy to be provided by the department's Community Care Licensing Division in consultation with CCPU pursuant to that agreement, and any extension or renewal of that agreement, for all family childcare providers who wish to participate.

**Governor's Message:** *To the Members of the California State Assembly: I am returning Assembly Bill 2042 without my signature. This bill would require the California Department of Social Services (COSS), in consultation with the California Department of Education, the Child Care Providers United- California (CCPU) and others, to create two separate anaphylactic policies for child care center staff and family child care home staff. The policies would be established by July 1, 2024, and then be updated every three years and would include specified components, including training. It is important for all children in a child care setting to be cared for by staff who are trained to assist with their unique needs, including being able to recognize and respond to symptoms of anaphylaxis. While I appreciate the author's attention to this important matter, the bill before me creates a number of implementation concerns, including establishing multiple processes and expanding the memorandum of understanding (MOU) between the State and the CCPU. I encourage the Legislature to work with the Department of Social Services and the Emergency Medical Services Authority, who have the expertise to develop health and safety standards, on a workable alternative that is uniform and addresses these issues.*

#### **AB 2124 (Garcia, Cristina D) Pupil Support Training Program.**

**Status:** Vetoed

**Position:** Watch

**Summary:** Current law requires the governing board of any school district to give diligent care to the health and physical development of pupils and authorizes the governing board of a school district to employ properly certified persons for the work. This bill, subject to an appropriation by the Legislature for its purposes, would establish the Pupil Peer Support Training Program. The bill would require the Superintendent of Public Instruction to develop an application process and administration plan for the selection of grant recipients under the program before January 31, 2024. The bill would require the Superintendent to award Pupil Peer Support Training Program grants on a competitive basis to local educational agencies serving pupils in any of grades 9 to 12, inclusive, to establish a peer support training program at schools, as specified. The bill would require a grant recipient to ensure that a school staff member holding a pupil personnel services credential supervises the training of, and services provided by, pupils serving as peer supports under the program.

**Governor's Message:** *To the Members of the California State Assembly: I am returning Assembly Bill 2124 without my signature. This bill would establish a high school Pupil Peer Support Training Program, developed and administered by the State Superintendent of Public Instruction, before January 1, 2024, contingent on funding in a future state budget. Peer support programs are valuable, which is why the 2022 Budget Act funded a substantially similar program. AB 178 allocated \$10 million for the School-Based Peer Mental Health Demonstration project. This grant program will provide competitive grants to high schools to develop peer-to-peer support programs. With our state facing lower-than-expected revenues over the first few months of this fiscal year, it is important to remain disciplined when it comes to spending, particularly spending that is ongoing. We must prioritize existing obligations and priorities, including education, health care, public safety and safety-net programs. The Legislature sent measures with potential costs of well over \$20 billion in one-time spending commitments and more than \$10 billion in ongoing commitments not accounted for in the state budget. Bills that create significant General Fund cost pressure, such as this measure, should be considered in the annual budget process. For these reasons, I cannot sign this bill.*

**AB 2189 (Friedman D) Foster youth.**

**Status:** Vetoed

**Position:** Watch

**Summary:** Current law establishes the jurisdiction of the juvenile court, which is permitted to adjudge certain children to be a ward or a dependent of the court under certain circumstances, and authorizes the juvenile court to retain jurisdiction over those persons until they attain 21 years of age. Current law authorizes nonminors who have not yet attained 21 years of age and who exited foster care at or after the age of majority to petition the court to resume dependency jurisdiction or to assume transition jurisdiction over the nonminor. Under current law, the county welfare department is required to submit reports at the first regularly scheduled review hearing after a dependent child has attained 16 years of age, at the last regularly scheduled review hearing before a dependent child attains 18 years of age, and at every regularly scheduled review hearing thereafter, verifying that specified information, documents, and services have been provided to the child or nonminor. This bill would require certain additional verifications to be included in those reports, including, among other things, verification that specified information has been included in the child's or nonminor's case plan.

**Governor's Message:** *To the Members of the California State Assembly: I am returning Assembly Bill 2189 without my signature. This bill would establish parameters by which a foster youth could remain in the foster care system beyond the age of 21. It is important that foster youth receive the services to which they are entitled to help them successfully transition to independence. I applaud the author's intent in seeking to ensure those services are appropriately provided prior to the foster youth aging out of the program. However, extending foster care beyond the age of 21 raises policy and implementation considerations. Additionally, millions of dollars will be needed to successfully implement this policy, but were not included in the budget. With our state facing lower-than-expected revenues over the first few months of this fiscal year, it is important to remain disciplined when it comes to spending, particularly spending that is ongoing. We must prioritize existing obligations and priorities, including education, health care, public safety and safety-net programs. The Legislature sent*

*measures with potential costs of well over \$20 billion in one-time spending commitments and more than \$10 billion in ongoing commitments not accounted for in the state budget. Bills with significant fiscal impact, such as this measure, should be considered and accounted for as part of the annual budget process. For these reasons, I cannot sign this bill.*

**AB 2222 (Reyes D) Student financial aid: Golden State Social Opportunities Program.**

**Status:** Vetoed

**Position:** Watch

**Summary:** Would, upon appropriation by the Legislature for its purposes, establish the Golden State Social Opportunities Program, to be administered by the Department of Health Care Access, to provide grants to students who are enrolled in a postgraduate program of a University of California or California State University campus or an independent institution of higher education, if the students commit to working in a California-based nonprofit, as defined, for a period of 2 years upon completion of the postgraduate program. The bill would require a grant recipient to, upon completion of the postgraduate program, satisfy the requirements to become an associate clinical social worker, an associate professional clinical counselor, an associate marriage and family therapist, or a registered psychological associate.

**Governor's Message:** *To the Members of the California State Assembly: I am returning Assembly Bill 2222 without my signature. This bill would, subject to an appropriation, establish the Golden State Social Opportunities Program administered by the Department of Health Care Access and Information. The purpose of the program is to provide grants to students who commit to work in a California-based nonprofit for two years upon completion of a postgraduate program leading to careers in specified mental health professions. I share the author's goal of expanding the number of mental health professionals, and the 2022 Budget Act appropriated \$10 million for an identical program, championed by the author. The budget agreement allocated one-time funds for this purpose, but this bill codifies an ongoing commitment not provided for in the budget. With our state facing lower-than-expected revenues over the first few months of this fiscal year, it is important to remain disciplined when it comes to spending. We must prioritize existing obligations and priorities, including education, health care, public safety and safety-net programs. The Legislature sent measures with potential costs of well over \$20 billion in one-time spending commitments and more than \$10 billion in ongoing commitments not accounted for in the state budget. Bills with cost pressure, such as this measure, should be considered and accounted for in the annual budget process. For these reasons, I cannot sign this bill.*

**AB 2281 (Lackey R) Early Childhood Mental Health Services Act.**

**Status:** Vetoed

**Position:** Watch

**Summary:** Would, contingent upon an appropriation in the Budget Act, establish the Early Childhood Mental Health Services Act, administered in a similar manner by the commission, to award grants to eligible entities or partnerships to improve access to, and quality of care, services, and supports for, children from birth to 5 years of age, inclusive, and their parents, families, and caregivers, with emphasis on prevention and early intervention and disparities, as specified.



**Governor's Message:** *To the Members of the California State Assembly: I am returning Assembly Bill 2281 without my signature. This bill would establish the Early Childhood Mental Health Services Act, a grant program administered by the Mental Health Services Oversight and Accountability Commission for the purpose of improving access to, and quality of, care, services, and supports for children up to five years of age, with an emphasis on prevention and early intervention and addressing disparities. I share the author's concern about supporting youth mental health. Together with the Legislature, California has taken urgent action to address this crisis by investing over \$4.7 billion in the Children and Youth Behavioral Health Initiative to ensure all California kids, parents and communities have increased access to mental health and substance use services. While the goal of this proposed grant program is laudable, it requires tens to hundreds of millions of dollars that were not appropriated in this year's Budget Act. Furthermore, with our state facing lower-than-expected revenues over the first few months of this fiscal year, it is important to remain disciplined when it comes to spending, particularly spending that is ongoing. We must prioritize existing obligations and priorities, including education, health care, public safety and safety-net programs. The Legislature sent measures with potential costs of well over \$20 billion in one-time spending commitments and more than \$10 billion in ongoing commitments not accounted for in the state budget. Bills with significant fiscal impact, such as this measure, should be considered and accounted for as part of the annual budget process. For these reasons, I cannot sign this bill.*

**AB 2517 (Bonta, Mia D) California Coordinated Neighborhood and Community Services Grant Program.**

**Status:** Vetoed

**Position:** Watch

**Summary:** This bill, the It Takes a Village Act of 2022, subject upon an appropriation in the annual Budget Act or another statute for these purposes, would establish the California Coordinated Neighborhood and Community Services Grant Program to be administered by the State Department of Social Services or another department within the California Health and Human Services Agency. The bill would require the department to grant awards on a competitive basis to eligible entities that are Promise Neighborhoods, other community-based networks, or multi-neighborhood regional cradle-to-career networks, as those terms are defined, to either implement a comprehensive, integrated continuum of cradle-to-career solutions at the neighborhood level or support the civic infrastructure and backbone of cradle-to-career networks that support their network partners to accomplish systems change. The bill would define "cradle-to-career" to mean a system of integrated services that begins before birth and leads to appropriate postsecondary success, including academic, occupational, and independent living, that benefits the individual and community as a whole.

**Governor's Message:** *To the Members of the California State Assembly: I am returning Assembly Bill 2517 without my signature. The bill would, subject to an appropriation, establish a new grant program under which grants would be awarded on a competitive basis to Promise Neighborhoods (PNs) served by the federal program or other eligible entities to either implement a comprehensive, integrated continuum of cradle-to-career solutions at the neighborhood level or support the civic infrastructure and the backbones of cradle-to-career networks that support their network partners to accomplish systems change. The author's*

*goal of ensuring coordinated investments in services and supports to achieve better outcomes for children and families throughout their lives is laudable, and I note that the 2022 Budget Act includes \$12 million one-time General Fund to support specified PNs in California. However, there would be substantial costs to administer AB 2517 in addition to tens of millions of dollars in grant funding that would be necessary, neither of which are accounted for in the budget. With our state facing lower-than-expected revenues over the first few months of this fiscal year, it is important to remain disciplined when it comes to spending, particularly spending that is ongoing. We must prioritize existing obligations and priorities, including education, health care, public safety and safety-net programs. The Legislature sent measures with potential costs of well over \$20 billion in one-time spending commitments and more than \$10 billion in ongoing commitments not accounted for in the state budget. Bills with significant fiscal impact, such as this measure, should be considered and accounted for as part of the annual budget process. For these reasons, I cannot sign this bill.*

**AB 2548 (Nazarian D) California Kids Investment and Development Savings Program.**

**Status:** Vetoed

**Position:** Watch

**Summary:** Would, commencing with the 2024–25 fiscal year, and upon appropriation by the Legislature, increase the amount of seed deposits in KIDS Accounts to at least \$100.

**Governor's Message:** *To the Members of the California State Assembly: I am returning Assembly Bill 2548 without my signature. This bill, starting in the 2024-25 fiscal year and upon appropriation by the Legislature, would increase the initial newborn recipient seed deposit for the California Kids Investment and Development Savings (CalKIDS) Program from at least \$25 to at least \$100. CalKIDS is an important tool that gives California's kids a jump start on saving for college or career training. I appreciate the author's leadership and partnership to establish this program and his advocacy to expand it. While I appreciate the intent of the bill, it creates an estimated \$33.8 million in ongoing cost pressures not contemplated in the budget. With our state facing lower-than-expected revenues over the first few months of this fiscal year, it is important to remain disciplined when it comes to spending, particularly spending that is ongoing. We must prioritize existing obligations and priorities, including education, health care, public safety and safety-net programs. The Legislature sent measures with potential costs of well over \$20 billion in one-time spending commitments and more than \$10 billion in ongoing commitments not accounted for in the state budget. Bills with significant cost pressures, such as this measure, should be considered and accounted for as part of the annual budget process. For these reasons, I cannot sign this bill.*  
*Sincerely, Gavin Newsom*

**AB 2566 (Calderon D) Urban forestry: school greening projects.**

**Status:** Vetoed

**Position:** Support

**Summary:** The California Urban Forestry Act of 1978 has a purpose of, among other things, promoting the use of urban forest resources for purposes of increasing integrated projects with multiple benefits in urban communities. The act requires the Department of Forestry and Fire Protection to implement a program in urban forestry to encourage better tree management and planting in urban areas to increase integrated, multiple-benefit projects

by assisting urban areas with innovative solutions to problems, as provided. The act authorizes the Director of Forestry and Fire Protection to make grants to provide assistance of 25% to 90% of costs for projects, as provided. This bill would require funds allocated to the department for the explicit purposes of supporting school greening, as defined, to be administered to provide grants to eligible local educational agencies, as defined, nonprofit organizations, cities, counties, and districts, including special districts, through a competitive grant process, as provided.

**Governor's Message:** *To the Members of the California State Assembly: I am returning Assembly Bill 2566 without my signature. This bill would require, on or before July 1, 2023, the Department of Forestry and Fire Protection (CAL FIRE) to develop a competitive grant process within the existing Urban and Community Forestry Program, including guidelines and selection criteria, for administration of funds allocated to the Department for the explicit purpose of supporting school greening. Upon appropriation in the annual Budget Act, this bill would require funding for these purposes to be transferred to the School Greening and Resiliency Fund, which the bill would establish in the State Treasury. I share the author's commitment to school greening projects and my Administration is proud that the 2022-23 Budget included \$150 million over two years for this purpose (\$117 million in 2022-23 and \$33 million in 2023-24). This funding will be administered through the existing Urban and Community Forestry Program. Additionally, Cal FIRE is able to update program guidelines to support implementation of this program and can incorporate program implementation elements outlined in this bill, as appropriate. Accordingly, neither the program nor the fund that would be established by this bill are necessary to administer the funding authorized in the Budget. Moreover, the budget agreement allocated one-time funds for this purpose, but this bill codifies an ongoing commitment not provided for in the budget. With our state facing lower-than-expected revenues over the first few months of this fiscal year, it is important to remain disciplined when it comes to spending. We must prioritize existing obligations and priorities, including education, health care, public safety and safety-net programs. The Legislature sent measures with potential costs of well over \$20 billion in one-time spending commitments and more than \$10 billion in ongoing commitments not accounted for in the state budget. Bills with cost pressure, such as this measure, should be considered and accounted for in the annual budget process. For these reasons, I cannot sign this bill.*

### **AB 2663 (Ramos D) Youth Acceptance Project.**

**Status:** Vetoed

**Position:** Watch

**Summary:** Would, on or before July 1, 2023, require the State Department of Social Services to establish a 5-year pilot program, the Youth Acceptance Project (YAP), in order to increase permanency outcomes for lesbian, gay, bisexual, transgender, queer, or plus (LGBTQ+) and gender-expansive youth, as defined, in up to 5 counties, to be selected to participate on a voluntary basis in the pilot program, as specified. The bill would set forth qualifying conditions for YAP services, including the youth's receipt of child welfare services or being at risk of entering foster care, or being homeless or at risk of homelessness.

**Governor's Message:** *To the Members of the California State Assembly: I am returning Assembly Bill 2663 without my signature. This bill would require the California Department of Social Services (CDSS), on or before July 1, 2023, to establish a five-year pilot program, known*

*as the Youth Acceptance Project (YAP), for the purpose of increasing permanency outcomes for lesbian, gay, bisexual, transgender, queer, plus (LGBTQ+) and gender-expansive youth in up to five Counties. I support the author's efforts to prevent youth homelessness by increasing acceptance of LGBTQ+ children among parents/caregivers, foster parents, adoptive parents, extended family members, social workers and others involved in a child's care. However, this bill would require millions of dollars to successfully implement the proposed pilot program and these ongoing resources are not accounted for in the budget. With our state facing lower-than-expected revenues over the first few months of this fiscal year, it is important to remain disciplined when it comes to spending, particularly spending that is ongoing. We must prioritize existing obligations and priorities, including education, health care, public safety and safety-net programs. The Legislature sent measures with potential costs of well over \$20 billion in one-time spending commitments and more than \$10 billion in ongoing commitments not accounted for in the state budget. Bills with significant fiscal impact, such as this measure, should be considered and accounted for as part of the annual budget process. For these reasons, I cannot sign this bill. Sincerely, Gavin Newsom*

**AB 2666 (Salas D) Behavioral health internship grant program.**

**Status:** Vetoed

**Position:** Watch

**Summary:** Existing law establishes various health professions education programs within the Department of Health Care Access and Information, through which scholarships, loan repayment grants, recruitment or training services, or other benefits are provided to certain health professionals, including mental health service providers, physicians, registered nurses, and vocational nurses, if they meet specified criteria. Existing law authorizes the department to award competitive grants to expand the supply of certain behavioral health professionals serving children and youth, as specified. This bill would, subject to an appropriation, require the department to establish and administer a grant program to allocate funding in the form of stipends, to be distributed to students in behavioral health fields of study and practice, who are participating in internships or completing licensure hours, through unpaid positions, at federally qualified health centers. The bill would require the department, in making grant determinations, to consider mental health professional shortage areas, as defined, and underrepresented groups in the behavioral health workforce. This bill contains other related provisions.

**Governor's Message:** *To the Members of the California State Assembly: I am returning Assembly Bill 2666 without my signature. This bill would require the Department of Health Care Access and Information (HCAI) to establish and administer a grant program for behavioral health professionals, who are participating in internships or completing licensure hours, through unpaid positions at Federally qualified Health Centers (FQHCs). I share the author's commitment to supporting a strong pipeline of trained behavioral health professionals, but this program is duplicative of California's recent efforts in this area. HCAI has programs that provide stipends to behavioral health professionals including those that choose to work in FQHCs. Today, many of California's students who are studying to become behavioral health providers and who can provide post-graduate services at certain facilities, receive financial support from HCAI's Allied Healthcare Scholarship Program (AHSP). Additionally, the 2022 Budget includes a \$1.4 billion health care workforce initiative, including \$248 million over five years to increase the number of licensed behavioral health*



*professionals through grants to existing university or college behavioral health professional training programs as well as through stipends, scholarships, and loan repayment. This bill creates a new grant program duplicative of existing programs with millions of dollars a year in ongoing cost pressures not included in the budget. With our state facing lower-than-expected revenues over the first few months of this fiscal year, it is important to remain disciplined when it comes to spending, particularly spending that is ongoing. We must prioritize existing obligations and priorities, including education, health care, public safety and safety-net programs. The Legislature sent measures with potential costs of well over \$20 billion in one-time spending commitments and more than \$10 billion in ongoing commitments not accounted for in the state budget. Bills with significant fiscal impact, such as this measure, should be considered and accounted for as part of the annual budget process. For these reasons, I cannot sign this bill.*

**AB 2677 (Gabriel D) Information Practices Act of 1977.**

**Status:** Vetoed

**Position:** Watch

**Summary:** Existing law, the Information Practices Act of 1977, prescribes a set of requirements, prohibitions, and remedies applicable to agencies, as defined, with regard to their collection, storage, and disclosure of personal information, as defined. Existing law exempts from the provisions of the act counties, cities, any city and county, school districts, municipal corporations, districts, political subdivisions, and other local public agencies, as specified. This bill would, beginning January 1, 2025, recast those provisions to include, among other things, genetic information, IP address, online browsing history, and location information, if reasonably capable of identifying or describing an individual, within the definition of “personal information,” and revise the definition of “regulatory agency” to include the Financial Industry Regulatory Authority, for the act’s purposes. The bill would make other technical, nonsubstantive, and conforming changes. This bill contains other related provisions and other existing laws.

**Governor’s Message:** *To the Members of the California State Assembly: I am returning Assembly Bill 2677 without my signature. This bill makes several changes to the Information Practices Act of 1977, including expanding the definition of personal information, limiting certain disclosures, and applying data minimization principles. I commend the author for his commitment to data privacy and am supportive of expanding security protocols to further protect personal information collected by state agencies and businesses. However, I am concerned this bill is overly prescriptive and could conflict with the State’s goal to provide person-centered, data driven, and integrated services. Additionally, this bill would cost tens of millions of dollars to implement across multiple state agencies that were not accounted for in the budget. With our state facing lower-than-expected revenues over the first few months of this fiscal year, it is important to remain disciplined when it comes to spending, particularly spending that is ongoing. We must prioritize existing obligations and priorities, including education, health care, public safety and safety-net programs. The Legislature sent measures with potential costs of well over \$20 billion in one-time spending commitments and more than \$10 billion in ongoing commitments not accounted for in the state budget. Bills with significant fiscal impact, such as this measure, should be considered and accounted for as part of the annual budget process. For these reasons, I cannot sign this bill. Sincerely, Gavin Newsom*



**AB 2749 (Quirk-Silva D) Communications: California Advanced Services Fund.**

**Status:** Vetoed

**Position:** Neutral

**Summary:** Current law requires the Public Utilities Commission to develop, implement, and administer the California Advanced Services Fund (CASF) to encourage deployment of high-quality advanced communications services to all Californians that will promote economic growth, job creation, and the substantial social benefits of advanced information and communications technologies. Current law authorizes the commission to impose a surcharge, until December 31, 2032, to collect up to \$150,000,000 per year for deposit into the CASF. Current law requires the commission to establish specified accounts within the CASF, including the Broadband Infrastructure Grant Account to fund the deployment of broadband infrastructure and the Federal Funding Account to fund last-mile broadband projects, as specified. This bill would expressly authorize otherwise eligible wireless broadband service providers to receive funding from the Broadband Infrastructure Grant Account and the Federal Funding Account. The bill would, for purposes of the Federal Funding Account, require the commission to review completed applications within a review period, to document the basis for denial of an application, to authorize the amendment and resubmission of denied applications for consideration in a future review period, and to periodically establish an application deadline.

**Governor's Message:** *To the Members of the California State Assembly: I am returning Assembly Bill 2749 without my signature. This bill requires the California Public Utilities Commission (CPUC) to adopt various requirements for the eligibility, implementation, and review of last-mile broadband infrastructure grant applications. The COVID-19 pandemic underscored the importance of making broadband service accessible and affordable to ALL Californians. Last year, I signed into law Senate Bill 156, which invests \$6 billion in broadband infrastructure, of which \$2 billion is allocated to a streamlined last-mile grant program to connect households and businesses with time-limited federal funds. The goal of this last-mile grant program, administered by the CPUC, is to expeditiously connect unserved and underserved communities to future-proof broadband service, which is critical to the state's economy, education, and to the health and well-being of every Californian. It is my expectation that the CPUC will move expeditiously to review and process applications and put this funding to work as quickly as possible. Unfortunately, this bill, while intended to bring certainty to timelines within this program, will in effect undermine the last-mile grant program by creating additional delays in its implementation. Most concerning, this bill exacerbates the challenges of issuing grants for lost-mile funding by delaying the solicitation, review, and approval of project applications that meet clear requirements designed to ensure that awarded broadband projects deliver on their promise of providing affordable, quality and reliable service. We simply cannot afford to delay the implementation of this lost-mile grant program, as investing in scalable broadband infrastructure is foundational to connecting every Californian to long-lasting economic opportunity and success. For these reasons, I cannot sign this bill.*

**AB 2814 (Wood D) Local educational agencies: emergency planning grants.**

**Status:** Vetoed

**Position:** Watch

**Summary:** This bill would establish the Emergency Planning Grant Program, under the administration of the State Department of Education, and would require the department, upon an appropriation by the Legislature, to award \$1,000,000 in competitive grants to local educational agencies, as defined, to support emergency planning activities, including coordination with local emergency management systems and assessment of climate threats to the geographic area of the local educational agency. The bill would require the department, among other things, to prioritize grant awards for local educational agencies that face the greatest risk of, or have less capacity to prepare and respond to, climate threats without state assistance and to award grants by January 1, 2024. The bill would make these provisions inoperative on January 1, 2027.

**Governor's Message:** *To the Members of the California State Assembly: I am returning Assembly Bill 2814 without my signature. This bill would establish, subject to appropriation, the Emergency Planning Grant Program to provide one-time grants to a limited number of local educational agencies for emergency planning activities. Preparing for emergencies is an essential function of government at all levels, including schools and local governments. Significant state resources, in the form of guidance, planning supports, and funding have been committed to help build and manage effective local disaster response systems. The Office of Emergency Services provides numerous resources related to school emergency planning safety, including forthcoming guidelines to help schools develop an emergency plan that complies with the California Standardized Emergency Management System referenced in the bill. Additionally, the Department of Education's Emergency Services Team provides technical assistance and guidance to schools related to emergency preparedness, mitigation, response, and recovery associated with natural disasters and other emergency situations. Schools can, and should, utilize these resources already available through CalOES and the Department of Education to support emergency planning activities as necessary. While I commend the author for seeking to be responsive to the increase in natural disasters and emergencies schools are facing, AB 2814 establishes a grant program not currently accounted for in the state's fiscal plan. With our state facing lower-than-expected revenues over the first few months of this fiscal year, it is important to remain disciplined when it comes to spending, particularly spending that is ongoing. We must prioritize existing obligations and priorities, including education, health care, public safety and safety-net programs. The Legislature sent measures with potential costs of well over \$20 billion in one-time spending commitments and more than \$10 billion in ongoing commitments not accounted for in the state budget. Bills with cost pressure, such as this measure, should be considered and accounted for in the annual budget process. For these reasons, I cannot sign this bill.*

**AB 2847 (Garcia, Eduardo D) Unemployment: Excluded Workers Pilot Program.**

**Status:** Vetoed

**Position:** Watch

**Summary:** Would establish, until January 1, 2026, the Excluded Workers Pilot Program, to be administered by the Employment Development Department upon appropriation by the Legislature, for the purpose of providing income assistance to excluded workers who are ineligible for the existing state or federal benefits administered by the department and who

are unemployed. The bill would make individuals eligible to receive \$300 per week for each week of unemployment, if the Director of Employment Development makes certain findings, as defined and specified. The bill would require the department to promulgate regulations to implement the program, including regulations providing for an application process, as specified.

**Governor's Message:** *To the Members of the California State Assembly: I am returning Assembly Bill 2847 without my signature. This bill would create the Excluded Workers Pilot Program to provide unemployment benefits to those ineligible for the regular Unemployment Insurance Program due to their immigration status. The bill is subject to the Legislature appropriating funds for benefits to be administered through the program but does require the Employment Development Department (EDD) to take immediate steps to upgrade information technology (IT) systems to accept applications for the program at the cost of over \$200 million in upfront general fund costs and over \$20 million in ongoing funds without providing funding for the actual benefits. California has taken critical actions to support inclusion and opportunity for undocumented immigrants and mixed status families. Just this year, California made historic investments to ensure more undocumented Californians have access to health care, food assistance, and to provide inflation relief regardless of immigration status. As we continue forward, this bill needs further work to address the operational issues and fiscal concerns, including a dedicated funding source for benefits. With our state facing lower-than-expected revenues over the first few months of this fiscal year, it is also important to remain disciplined when it comes to spending, particularly spending that is ongoing. We must prioritize existing obligations and priorities, including education, health care, public safety and safety-net programs. The Legislature sent measures with potential costs of well over \$20 billion in one-time spending commitments and more than \$10 billion in ongoing commitments not accounted for in the state budget. Bills with significant fiscal impact, such as this measure, should be considered and accounted for as part of the annual budget process.*

#### **SB 70 (Rubio D) Elementary education: kindergarten.**

**Status:** Vetoed

**Position:** Sponsor

**Summary:** Current law, a person between the ages of 6 and 18 years who is not exempted by law is subject to compulsory full-time education. Existing law excludes a child under 6 years of age from the public schools, subject to specified exceptions. This bill, beginning with the 2024–25 school year, would require a child to have completed one year of kindergarten before that child may be admitted to the first grade at a public elementary school, except for a child who has been lawfully admitted to a public school kindergarten or a private school kindergarten in California, but has not yet completed one school year, and is judged to be ready for first-grade work, as specified, thereby imposing a state-mandated local program.

**Governor's Message:** *To the Members of the California State Senate: I am returning Senate Bill 70 without my signature. This bill would expand compulsory education to include kindergarten, beginning in the 2024-25 school year. The learning that happens during the early years of a child's life is critical to their long-term success and happiness. It's why I worked with the Legislature to provide universal access to quality pre-kindergarten education, including transitional kindergarten, the California State Preschool Program, and other state-subsidized early learning programs. Making sure all kids begin their school*

*careers ready to learn on par with their peers is one of the most impactful things we can do to combat societal inequities. While the author's intent is laudable, SB 70 is estimated to have Prop. 98 General Fund cost impacts of up to \$268 million ongoing, which is not currently accounted for in the state's fiscal plan. With our state facing lower-than-expected revenues over the first few months of this fiscal year, it is important to remain disciplined when it comes to spending, particularly spending that is ongoing. We must prioritize existing obligations and priorities, including education, health care, public safety and safety-net programs. The Legislature sent measures with potential costs of well over \$20 billion in one-time spending commitments and more than \$10 billion in ongoing commitments not accounted for in the state budget. Bills with significant fiscal impact, such as this measure, should be considered and accounted for as part of the annual budget process. For these reasons, I cannot sign this bill.*

**SB 562 (Portantino D) Health care coverage: pervasive developmental disorders or autism.**

**Status:** Vetoed

**Position:** Watch

**Summary:** Existing law, the Lanterman Developmental Disabilities Services Act, requires the State Department of Developmental Services to contract with regional centers to provide services and supports to individuals with developmental disabilities and their families. Existing law defines developmental disability for these purposes to include, among other things, autism. This bill would revise the definition of behavioral health treatment to require the services and treatment programs provided to be based on behavioral, developmental, relationship-based, or other evidence-based models. The bill also would revise the definition of a “qualified autism service professional” to include a registered, certified, or licensed associate or assistant regulated by one of a list of specified professional boards, and supervised by a qualified autism service provider practicing in the associate’s or assistant’s field of medicine. The bill would revise the training requirements for a qualified autism service paraprofessional by authorizing training to be provided by a qualified autism service provider practicing the evidence-based treatment modality that the qualified autism service paraprofessional will administer. This bill contains other related provisions and other existing laws.

**Governor's Message:** *To the Members of the California State Senate: I am returning Senate Bill 562 without my signature. This bill would require health plans and insurers to cover relationship-based and developmental behavioral therapies for the treatment of autism spectrum disorder (ASD). The bill would also authorize additional types of providers and professionals that can provide behavioral health therapy to individuals with ASD. Early diagnosis of ASD and subsequent participation in evidence-based intervention and therapies, provided by licensed and certified individuals, make all the difference in an individual's long-term health outcomes. Research finds that Black and Latino children are often misdiagnosed and diagnosed later with ASD than their White peers. It is incumbent upon us to ensure that any intervention is medically-necessary, evidence-based and grounded in research that is conducted to reduce disparities. Under existing law, health plans and insurers must cover evidence-based and medically-necessary behavioral therapies. This bill proposes to change the existing evidence-based standard by requiring coverage of therapies where there is insufficient, or only emerging, evidence to assess the impact of the interventions. Furthermore,*

*the bill proposes changes to professional standards by expanding the types of individuals who can serve as qualified autism service professionals, which could result in long-term ramifications for individuals with ASD who receive the services. I appreciate the author's dedication to supporting children diagnosed with ASD and their families. While the bill's intent is laudable, expanding access to certain therapies and interventions must be grounded in evidence-based practices and be provided by qualified professionals. I encourage the author to continue discussions related to the expansion of provider types and changes to professional standards through a formal licensing scheme that includes clinical expertise and administrative oversight to address qualification standards for practitioners, to ensure equity and quality of care, and provide effective consumer protection, as I expressed when I vetoed a similar bill in 2019.*

**SB 785 (Glazer D) Public postsecondary education: California Promise program: California State University students.**

**Status:** Vetoed

**Position:** Watch

**Summary:** Would require, commencing with the 2023–24 academic year, that at least 5% of each incoming class at each participating campus of the California State University be a participant in the California Promise program, and that at least 70% of those participating students be either low-income students, first-generation students, or students from communities that are underrepresented in postsecondary education.

**Governor's Message:** *To the Members of the California State Senate: I am returning Senate Bill 785 without my signature. This bill requires at least five percent of each incoming class at each participating California State University (CSU) campus to participate in the California Promise program, and that at least 70 percent of those participating undergraduate students be either low-income students, first-generation, or students from communities that are underrepresented in postsecondary education. The author's efforts to increase CSU graduation rates and close equity gaps are laudable. I too share these goals, which is why my Administration, and the CSU entered a five-year Compact aimed at increasing student achievement, advancing equity, increasing affordability and meeting the State's workforce needs. However, I am concerned that this bill is overly prescriptive and could result in diverting resources away from other student programs that may be more effective in realizing the goals of the Compact. For these reasons, I am unable to sign this bill. Sincerely, Gavin Newsom*

**SB 964 (Wiener D) Behavioral health.**

**Status:** Vetoed

**Position:** Watch

**Summary:** Would require the Department of Health Care Access and Information to commission consultants to prepare a report for the Legislature, on or before January 1, 2024, that provides a landscape analysis of the current behavioral health workforce and the state's behavioral health workforce needs, and to make recommendations on how to address the state's behavioral health workforce shortage.

**Governor's Message:** *To the Members of the California State Senate: I am returning Senate Bill 964 without my signature. This bill would require the Department of Health Care Access and Information (HCAI) to commission a report that examines the current landscape of the*



state's behavioral health workforce, and to convene a stakeholder group to participate in developing and drafting the report for submission to the Legislature by January 1, 2024. I commend the author for their work to ensure that all Californians' behavioral health needs are met. One major component to meeting this need is through an adequate and well-trained workforce, which is why I worked with the Legislature to include in the 2022 Budget Act, \$248 million over 5 years to increase the number of licensed behavioral health professionals, including more than \$100 million to increase the number of social workers. This bill duplicates existing efforts in assessing workforce needs and analyzing trends through HCAI's Workforce Education and Training Council and its Workforce Research Data Center. Furthermore, this bill would require approximately \$1.5 million to implement, which was not accounted for in the budget. With our state facing lower-than-expected revenues over the first few months of this fiscal year, it is important to remain disciplined when it comes to spending, particularly spending that is ongoing. We must prioritize existing obligations and priorities, including education, health care, public safety and safety-net programs. The Legislature sent measures with potential costs of well over \$20 billion in one-time spending commitments and more than \$10 billion in ongoing commitments not accounted for in the state budget. Bills with significant fiscal impact, such as this measure, should be considered and accounted for as part of the annual budget process. For these reasons, I cannot sign this bill.

**SB 1113 (Ochoa Bogh R) Special education: inclusive education: universal design for learning.**

**Status:** Vetoed

**Position:** Watch

**Summary:** Would require the Commission on Teacher Credentialing, on or before January 1, 2024, to revise its administrative services credential standards and performance expectations to include and strengthen preparation for inclusion, with a focus on, among other things, universal design for learning (UDL), as defined. The bill would require administrator preparation programs to ensure faculty are prepared in, among other things, UDL.

**Governor's Message:** *To the Members of the California State Senate: I am returning Senate Bill 1113 without my signature. This bill requires the California Department of Education (COE) and the Commission on Teacher Credentialing (CTC) to develop guidance on staffing inclusive classrooms and make recommendations for changes necessary to eliminate barriers to staffing inclusive placements. It also requires the COE to train the members of the Instructional Quality Commission on the principles and strategies of universal design for learning. Finally, it requires the CTC to update the standards and performance expectations for the administrative services credential to include explicit elements related to inclusion. I commend the author's dedication to supporting inclusion for all students. Serving students with disabilities in inclusive settings is an essential strategy for improving the academic achievement of these and all students, and one that my administration is committed to advancing. In fact, working with legislative partners we have provided \$32 million over the past few years to directly support educators in implementing inclusive practices through a number of systemic investments, including recent investments to expand the Supporting Inclusive Practices Project. Portions of this bill are either subject to an appropriation or are duplicative of other efforts, and therefore add unnecessary cost pressures to future budgets. However, the concept related to the administrative services credential has merit. I encourage*

*the author to work with the Commission on Teacher Credentialing to consider incorporating Universal Design for Learning during its next comprehensive update of the administrative services credential.*

**SB 1144 (Wiener D) Water efficiency and quality assessment reports: state buildings and public school buildings.**

**Status:** Vetoed

**Position:** Oppose

**Summary:** The California Safe Drinking Water Act requires the State Water Resources Control Board (state board) to administer provisions relating to the regulation of drinking water to protect public health. In this regard, current law prohibits a person from using any pipe, pipe or plumbing fitting or fixture, solder, or flux that is not lead free in the installation or repair of any public water system or any plumbing in a facility providing water for human consumption, except as provided. This bill would require, no later than January 1, 2027, except as provided, an operating agency, as defined, to complete a water efficiency and quality assessment report, as specified, for each covered building. The bill would define a “covered building” to mean a building owned and occupied, or leased, maintained, and occupied, by a state agency, or a public school building, including a charter school building, as described. If the report identifies noncompliant plumbing fixtures and noncompliant appliances, the bill would require the operating agency to replace those fixtures and appliances that fail to meet water efficiency standards, as specified, at the earliest practical time, subject to dedicated funding for this purpose.

**Governor's Message:** *To the Members of the California State Senate: I am returning Senate Bill 1144 without my signature. This bill requires public schools and state buildings to complete a water efficiency and quality assessment report on their facilities and create a Legionella Management Program for every building over ten stories high with a cooling tower system. Operating agencies would be required to take various remediation and mitigation actions based on the results. Improving the quality of drinking water in our state's buildings and schools is a priority we share. California's Safe Drinking Water Act tasks the State Water Board with ensuring that public water systems provide uncontaminated, quality, potable water to consumers. The Board regulates water systems; however, oversight of internal plumbing at the individual building level is not a function of the Board. Developing new expertise to adequately implement this bill and develop regulations would require significant new staff and resources. The scope of this bill is broad, including not just public schools, charter schools, and state buildings, but also buildings leased, maintained, and occupied by a state agency. Implementing this policy would result in substantial, ongoing General Fund and Prop 98 costs in the hundreds of millions of dollars not accounted for in the budget. With our state facing lower-than-expected revenues over the first few months of this fiscal year, it is important to remain disciplined when it comes to spending, particularly spending that is ongoing. We must prioritize existing obligations and priorities, and this bill could force state agencies and public schools to choose between its implementation and other critical needs. The Legislature sent measures with potential costs of well over \$20 billion in one-time spending commitments and more than \$10 billion in ongoing commitments not accounted for in the state budget. Bills with significant fiscal impact, such as this measure, should be considered and accounted for as part of the annual budget process. For these reasons, I cannot sign this bill.*

**SB 1238 (Eggman D) Behavioral health services: existing and projected needs.**

**Status:** Vetoed

**Position:** Watch

**Summary:** The Children and Youth Behavioral Health Initiative Act requires the State Department of Health Care Services to procure and oversee a vendor to establish and maintain a behavioral health services and supports virtual platform that integrates behavioral health screenings, application-based supports, and direct behavioral health services to children and youth 25 years of age and younger, regardless of payer. Current law authorizes the department to award competitive grants to expand the community continuum of behavioral health treatment resources. This bill would require the department, commencing January 1, 2024, and at least every 5 years thereafter, to conduct a review of, and produce a report regarding, the current and projected behavioral health care infrastructure and service needs in each region of the state.

**Governor's Message:** *To the Members of the California State Assembly: I am returning Senate Bill 1238 without my signature. This bill would require the Department of Health Care Services (DHCS), in consultation with local governments, to conduct a review of and prepare a report regarding current and projected behavioral health care infrastructure and service needs in each region of the state every five years. The bill also requires local governments to provide behavioral health service access and utilization data for their region. I appreciate the author's intent to identify the existing and projected behavioral health care infrastructure and service needs, which is why DHCS recently updated an assessment of California's behavioral health system in the Assessing the Continuum of Core for Behavioral Health Services in California report, published in January 2022, which presents an analysis of data gathered from surveys and focus groups and includes many of the data sets and service categories specified in SB 1238. Additionally, the Statewide Needs Assessment and Planning Report, which is published biennially, and the Mental Health and Substance Use System Needs Assessment and Service Plan, which was developed for California's section 1115 Bridge to Reform waiver approval, also provide assessments of our needs. This bill lacks detail regarding data collection, reporting timeframes, and funding which would result in significant implementation challenges. Furthermore, this bill would create a large mandate, potentially costing the state tens of millions of dollars that are not accounted for in the budget. With our state facing lower-than-expected revenues over the first few months of this fiscal year, it is important to remain disciplined when it comes to spending, particularly spending that is ongoing. We must prioritize existing obligations and priorities, including education, health care, public safety and safety-net programs. The Legislature sent measures with potential costs of well over \$20 billion in one time spending commitments and more than \$10 billion in ongoing commitments not accounted for in the state budget. Bills with significant fiscal impact, such as this measure, should be considered and accounted for as part of the annual budget process. For these reasons, I cannot sign this bill.*

**SB 1255 (Portantino D) Single-use products waste reduction: Dishwasher Grant Program for Waste Reduction in K-12 Schools.**

**Status:** Vetoed

**Position:** Watch

**Summary:** Would establish the Dishwasher Grant Program for Waste Reduction in K-12

Schools, to be administered by the State Department of Education, to provide grants to school districts and charter schools for the purchase and installation of commercial dishwashers in school kitchens, as specified. The bill would require the department to award grants of up to \$40,000 per kitchen of a school of an applicant school district or charter school, as specified. The bill would require the department to develop administrative guidelines for implementation of the program, as specified. The bill would require the department to develop materials and conduct outreach to those local educational agencies about the program, as provided. The bill would authorize, for purposes of the program, the department to enter into interagency agreements with other state agencies. The bill would make the implementation of these provisions contingent on an appropriation being made for its purposes by the Legislature in the annual Budget Act or another statute.

**Governor's Message:** *To the Members of the California State Senate: I am returning Senate Bill 1255 without my signature. This bill, subject to an appropriation, would establish the Dishwasher Grant Program for Waste Reduction in K-12 Schools within the California Department of Education, to provide grants to school districts and charter schools for the purchase and installation of commercial dishwashers at schoolsites. I appreciate the author's intent to be responsive to both the need to improve school water conservation and reduce waste in schools. However, the 2021 and 2022 Budget Acts included \$750 million Proposition 98 General Fund for schools to purchase and upgrade school kitchen equipment and infrastructure to support universal meals. Purchasing commercial dishwashers is an allowable use of these funds, making a new grant fund for this purpose unnecessary. Schools can and should use these funds to purchase and install these dishwashers as they deem appropriate. Additionally, establishing a statutory new grant fund creates additional cost pressure in the tens of millions of dollars for future budgets. With our state facing lower-than-expected revenues over the first few months of this fiscal year, it is important to remain disciplined when it comes to spending. We must prioritize existing obligations and priorities, including education, health care, public safety and safety-net programs. The Legislature sent measures with potential costs of well over \$20 billion in onetime spending commitments and more than \$10 billion in ongoing commitments not accounted for in the state budget. Bills with potential significant cost pressure, such as this measure, should be considered and accounted for as part of the annual budget process. For these reasons, I cannot sign this bill.*

**SB 1302 (Portantino D) Pupil health: school-based health centers: grant program: Mental Health Services Act: Mental Health Services Fund.**

**Status:** Vetoed

**Position:** Watch

**Summary:** Would amend the Mental Health Services Act (MHSA) by appropriating \$250,000,000 from the Mental Health Services Fund, after all existing MHSA programs have been funded, to the State Controller to distribute to the Superintendent of Public Instruction to provide annual grants of up to \$250,000 each to certain local educational agencies serving high school pupils to establish or improve school-based health centers that provide mental health services provided or supervised by an appropriately licensed or credentialed mental health professional, as provided. The bill would also define school-based health centers as centers or programs, located at or near local educational agencies, that provide age-appropriate health care services at the program site or through referrals.

The bill would require grant funds to be used for activities that will help pupils to be healthy in body, mind, and spirit in order to learn successfully, and would authorize grant funds to be used for personnel to support pupil mental health, as provided. The bill would only authorize school-based health centers to use grant funds to develop new, or expand the scope of existing, programs. The bill would require the State Department of Education to identify criteria for the evaluation of applicants and the awarding of grants, require a grant applicant to certify that it has consulted with the local county mental health department in grant program planning and service delivery, and authorize the department to give preference to applicants whose grant application demonstrates greater program collaboration with the county. The bill would state the finding and declaration of the Legislature that these changes are consistent with, and further the intent of, the MHSA.

**Governor's Message:** *To the Members of the California State Senate: I am returning Senate Bill 1302 without my signature. This bill would appropriate \$250 million from the Mental Health Services Fund (MHSF) to provide grants of up to \$250,000 to local educational agencies serving high school pupils to establish or improve school-based health centers that provide mental health services. My Administration remains committed to addressing the comprehensive needs of the whole child, which is why in working with the Legislature, we have dedicated more than \$8 billion to transforming schools across the state into community schools and implementing the Master Plan for Kids Mental Health. Our youth are best served by programs that are intentionally designed to serve children of all ages and support their comprehensive needs, including mental health. While the author's intent is commendable, this grant program is duplicative of more comprehensive initiatives already underway. Furthermore, appropriating \$250 million from the MHSF to fund grants for school-based health centers circumvents the Mental Health Services Act's (MHSA) local planning process and inappropriately establishes MHSA-funded grant programs outside of the budget process. Directing MHSA funding to activities which address a specific set of statutorily defined goals, rather than local needs which have been identified by counties and community stakeholders, would be contrary to the intent of the MHSA. For these reasons, I am unable to sign this bill.*

**SB 1374 (Borgeas R) Personal income taxes: deduction: California qualified tuition program.**

**Status:** Vetoed

**Position:** Watch

**Summary:** Would, for taxable years beginning before January 1, 2027, allow under the Personal Income Tax Law a deduction against gross income in the amount equal to the monetary contribution made by a qualified taxpayer, as defined, to the California qualified tuition program established pursuant to the Golden State Scholarshare Trust Act not to exceed either \$1,000 or \$2,000, per beneficiary, as provided. The bill would require, with exceptions, in the case of any distribution in excess of qualified higher education expenses, as defined, the aggregate amount of the deduction allowed that reduced the qualified taxpayer's gross income in any taxable year to be added to the gross income of the qualified taxpayer in the taxable year of the distribution, as provided. The bill would provide that the deduction is only operative for taxable years for which an appropriation is made for its purposes in the annual Budget Act or other statute.

**Governor's Message:** *To the Members of the California State Senate: I am returning Senate Bill 1374 without my signature. This bill allows a tax deduction for contributions made to the*



*ScholarShare qualified tuition program. While I appreciate the intent to incentivize Californians to save for higher education expenses, ScholarShare already has significant tax advantages. An additional tax deduction would largely benefit higher-income families that have tax liability and enough disposable income to contribute. College affordability has been a priority of my Administration. Working with the Legislature, we have put historic funding towards the construction of affordable student housing and provided funds to develop zero-textbook-cost degrees. Coupled with historic investments in financial aid, including revamping the Middle Class Scholarship program, the State is working diligently to make college affordable for families. Implementing this bill would cost millions of dollars. With our state facing lower-than-expected revenues over the first few months of this fiscal year, it is important to remain disciplined when it comes to spending. The Legislature sent measures with potential costs of well over \$20 billion in one-time spending and more than \$10 billion in ongoing commitments not accounted for in the Budget. Bills with significant fiscal impacts should be evaluated in the budget process. For these reasons I cannot sign this bill.*