



BLANNING & BAKER

Associates, Inc.

**ACSS Legislative Report
1/16/2019**

Watch

AB 33

(Bonta D) State public retirement systems: divestiture from private prison companies.

Current Text: Introduced: 12/3/2018 [html](#) [pdf](#)

Introduced: 12/3/2018

Status: 12/4/2018-From printer. May be heard in committee January 3.

Location: 12/3/2018-A. PRINT

Summary: The California Constitution provides that the Legislature may, by statute, prohibit retirement board investments if it is in the public interest to do so and providing that the prohibition satisfies specified fiduciary standards. This bill would prohibit the boards of the Public Employees' Retirement System and the State Teachers' Retirement System from making new investments or renewing existing investments of public employee retirement funds in a private prison company, as defined. This bill would require the boards to liquidate investments in private prison companies on or before July 1, 2020, and would require the boards, in making a determination to liquidate investments, to constructively engage with private prison companies to establish whether the companies are transitioning their business models to another industry. The bill would provide that it does not require a board to take any action unless the board determines in good faith that the action is consistent with the board's fiduciary responsibilities established in the constitution. The bill would provide that board members and other officers and employees shall be held harmless and be eligible for indemnification in connection with actions taken pursuant to the bill's requirements, as specified. The bill would make related legislative findings and declarations. This bill contains other existing laws.

AB 160

(Voepel R) Employment policy: voluntary veterans' preference.

Current Text: Introduced: 1/7/2019 [html](#) [pdf](#)

Introduced: 1/7/2019

Status: 1/8/2019-From printer. May be heard in committee February 7.

Location: 1/7/2019-A. PRINT

Summary: Under the California Fair Employment and Housing Act (FEHA), it is an unlawful employment practice for an employer, unless based upon a bona fide occupational qualification or applicable security regulations established by the United States or the State of California, to refuse to hire or employ a person or to refuse to select a person for a training program leading to employment, or to bar or discharge a person from employment or a training program leading to employment, or to discriminate against a person in compensation or in terms, conditions, or privileges of employment because of the race, religious creed, color, national origin, ancestry, physical disability, mental disability, medical condition, genetic information, marital status, sex, gender, gender identity, gender expression, age, sexual orientation, or military and veteran status of that person. FEHA provides that nothing in that act relating to discrimination on account of sex affects the right of an employer to use veteran status as a factor in employee selection or to give special consideration to Vietnam-era veterans. This bill would enact the Voluntary Veterans' Preference Employment Policy Act to authorize a private employer to establish and maintain a written veterans' preference employment policy, to be applied uniformly to hiring decisions, to give a voluntary preference for hiring or retaining a veteran over another qualified applicant or employee. The bill would provide that the granting of a veterans' preference pursuant to the bill, in and of itself, shall be deemed not to violate any local or state equal employment opportunity law or regulation, including, but not limited to, the antidiscrimination provisions of FEHA. The bill would revise the existing veteran status provision in FEHA to remove references to discrimination on account of sex and to Vietnam-era veterans, and would, instead, provide that nothing in that act relating to discrimination affects the right of an employer to use veteran status as a factor in hiring decisions if the employer maintains a veterans' preference employment policy established in accordance with the Voluntary Veterans' Preference Employment Policy Act. The bill would prohibit a veterans' preference employment policy from being established or applied for the purpose of discriminating against an employment applicant on the basis of a protected classification, as specified.

AB 177

(Low D) Election day holiday.

Current Text: Introduced: 1/9/2019 [html](#) [pdf](#)

Introduced: 1/9/2019

Status: 1/10/2019-From printer. May be heard in committee February 9.

Location: 1/9/2019-A. PRINT

Summary: Existing law requires that an election for congressional and state elective offices be held on the first Tuesday after the first Monday in November of each even-numbered year. Existing law requires a presidential general election to be held on the first Tuesday after the first Monday in November in any year that is evenly divisible by the number 4. This bill would add the day on which a statewide general election is held, which is the first Tuesday after the first Monday in November of any even-numbered year, to these lists of holidays. The bill would require community colleges and public schools to close on any day on which a statewide general election is held. The bill would require that state employees, with specified exceptions, be given time off with pay for days on which a statewide general election is held. This bill contains other related provisions and other existing laws.

AB 181

(Rodriguez D) Asset management: emerging and transition managers.

Current Text: Introduced: 1/9/2019 [html](#) [pdf](#)

Introduced: 1/9/2019

Status: 1/10/2019-From printer. May be heard in committee February 9.

Location: 1/9/2019-A. PRINT

Summary: The California Constitution grants the retirement board of a public employee retirement system plenary authority and fiduciary responsibility for investment of moneys and administration of the retirement fund and system. This bill would require the Board of Administration of the Public Employees' Retirement System and the Teachers' Retirement Board to each provide a report to the Legislature, commencing March 1, 2020, and annually thereafter, until January 1, 2024, on the status of achieving appropriate objectives and initiatives regarding participation of emerging managers responsible for asset management within each system's portfolio of investments. With respect to the duties of the PERS board, the bill also would require the board's report to the Legislature to address the status of achieving appropriate objectives and initiatives regarding participation of transition managers responsible for asset management within its portfolio of investments. The bill would require each report to include certain elements and would require the boards to define specified terms for purposes of these provisions. This bill contains other existing laws.

AB 190

(Ting D) Budget Act of 2019.

Current Text: Introduced: 1/10/2019 [html](#) [pdf](#)

Introduced: 1/10/2019

Status: 1/11/2019-From printer.

Location: 1/10/2019-A. PRINT

Summary: This bill would make appropriations for the support of state government for the 2019–20 fiscal year. This bill contains other related provisions.

ACA 2

(Nazarian D) State tax agency.

Current Text: Introduced: 12/3/2018 [html](#) [pdf](#)

Introduced: 12/3/2018

Status: 12/4/2018-From printer. May be heard in committee January 3.

Location: 12/3/2018-A. PRINT

Summary: The California Constitution establishes the State Board of Equalization, consisting of the Controller and 4 other members elected from districts, and provides for the election, recall, impeachment, filling of vacancies, and salaries and benefits of those board members elected from districts. The California Constitution vests the board with various powers, duties, and responsibilities related to the administration of taxes imposed on property, insurance, and alcoholic beverages. This measure would abolish the State Board of Equalization and instead require the Legislature to create a state tax agency by statute for purposes of carrying out those powers, duties, and responsibilities previously vested in the State Board of Equalization by the California Constitution and by statute. The bill would authorize the Legislature to vest all powers, duties, and responsibilities in a single state tax agency or separately in multiple state tax agencies. The measure would deem the California Department of Tax and Fee Administration and the office of Tax Appeals to be state tax agencies for purposes of these provisions and vest in those entities specified powers, duties and responsibilities currently vested in the State Board of Equalization. The measure would make conforming changes by deleting various references to the State Board of Equalization throughout the California Constitution, including in those provisions regarding the election, recall, impeachment, filling of vacancies, and salaries and benefits of members of the board, and make other nonsubstantive changes.

SB 73

(Mitchell D) Budget Act of 2019.

Current Text: Introduced: 1/10/2019 [html](#) [pdf](#)

Introduced: 1/10/2019

Status: 1/11/2019-From printer.

Location: 1/10/2019-S. BUDGET & F.R.

Summary: This bill would make appropriations for the support of state government for the 2019–20 fiscal year. This bill contains other related provisions.