



BLANNING & BAKER

Associates, Inc.

**ACSS Legislative Report
8/27/2019**

Support

AB 271

(Cooper D) Civil service: Personnel Classification Plan: salary equalization.

Current Text: Amended: 3/6/2019 [html](#) [pdf](#)

Introduced: 1/24/2019

Last Amend: 3/6/2019

Status: 7/1/2019-In committee: Referred to APPR. suspense file.

Location: 7/1/2019-S. APPR. SUSPENSE FILE

Calendar: 8/30/2019 Upon adjournment of Session - John L. Burton Hearing Room (4203)
SENATE APPROPRIATIONS SUSPENSE FILE, PORTANTINO, Chair

Summary: Existing law, the State Civil Service Act, provides for filling certain state positions through the process of examinations and the establishment of eligible lists and promotional lists. Existing law requires the Department of Human Resources to administer the Personnel Classification Plan for state civil service positions, including the allocation of every position to the appropriate class in the classification plan. This bill would require the Department of Human Resources to, by December 31, 2020, and every 2 years thereafter, evaluate all civil service classifications and prepare a detailed report on gender and ethnicity pay equity in each classification where there is an underrepresentation of women and minorities. The bill would require each state agency to submit specified information to the department about each state civil service classification within the agency. The bill would require the department to prepare a plan for each state agency to attain pay equity if a discrepancy is found and a specified plan to recruit, attract, and retain women and minorities into positions where there is an underrepresentation of those subgroups. The bill would, until January 1, 2030, require the department to submit the report to the Legislature, not later than January 1 of each year, as specified.

Memo:

Support letter sent to Author -- 3/14/19

Support letter sent to Asm. PE&R -- 3/15/19

Support letter sent to Asm. APPR -- 4/5/19

Support letter sent to Sen. LPE&R -- 6/14/19

AB 824

(Wood D) Business: preserving access to affordable drugs.

Current Text: Amended: 7/11/2019 [html](#) [pdf](#)

Introduced: 2/20/2019

Last Amend: 7/11/2019

Status: 8/12/2019-In committee: Referred to APPR. suspense file.

Location: 8/12/2019-S. APPR. SUSPENSE FILE

Calendar: 8/30/2019 Upon adjournment of Session - John L. Burton Hearing Room (4203)
SENATE APPROPRIATIONS SUSPENSE FILE, PORTANTINO, Chair

Summary: The Cartwright Act makes every trust, subject to specified exemptions, unlawful, against public policy, and void and defines "trust" for purposes of the act as a combination of capital, skill, or acts by 2 or more persons, defined as corporations, firms, partnerships, and associations, for certain designated purposes. Under existing law, these purposes include creating or carrying out restrictions in trade or commerce or preventing competition in manufacturing, marketing, transportation, sale, or purchase of merchandise, produce, or any commodity. The Unfair Practices Act makes certain business practices unlawful, including unfair competition. Under existing law, unfair competition is defined to include an unlawful, unfair, or fraudulent business act or practice, unfair, deceptive, untrue, or misleading advertising, and any false representations to the public. This bill would provide that an agreement resolving or settling, on a final or interim basis, a patent infringement claim, in connection with the sale of a pharmaceutical product, is to be presumed to have anticompetitive effects if a nonreference drug filer receives anything of value, as defined, from another company asserting patent infringement and if the nonreference drug filer agrees to limit or forego research, development, manufacturing, marketing, or sales of the nonreference drug filer's product for any period of time, as specified. The bill would provide various exceptions to this prohibition, including, among others, if the agreement has directly generated procompetitive benefits that could not be achieved by less restrictive means and that the procompetitive benefits of the agreement outweigh the anticompetitive effects of the agreement. The bill would make a violation of these provisions punishable by a civil penalty that is recoverable only in a civil action brought by the Attorney General, as specified. The bill would provide

that a violator is liable for any other remedies available under the Cartwright Act, the Unfair Practices Act, or the unfair competition law. The bill would require a cause of action to enforce those provisions be commenced within 4 years after the course of action accrued. The bill would define various terms for these purposes.

Memo:

Support letter sent to Author -- 3/14/19
Support letter sent to Asm. Health -- 3/22/19
Support letter sent to Asm. Judiciary -- 4/5/19
Support letter sent to Asm. Appropriations -- 4/22/19
Support letter sent to Sen. Health -- 6/14/19
Support letter sent to Sen. Judiciary -- 6/14/19
Support letter sent to Sen. APPR -- 8/8/19

AB 866

(Petrie-Norris D) State employment: reduced worktime.

Current Text: Introduced: 2/20/2019 [html](#) [pdf](#)

Introduced: 2/20/2019

Status: 4/26/2019-Failed Deadline pursuant to Rule 61(a)(2). (Last location was P.E. & R. on 3/4/2019) (May be acted upon Jan 2020)

Location: 4/26/2019-A. 2 YEAR

Summary: The California Constitution provides that the civil service includes every officer and employee in the state except as otherwise provided in the Constitution, and existing statutory law, the State Civil Service Act, prescribes a comprehensive civil service personnel system for the state. This bill would require an appointing power for a full-time position to allow for reduced worktime, including, but not limited to, job sharing by two or more employees for a position, in accordance with the Reduced Worktime Act. The bill would require that an applicant, when applying for a position, have the option to indicate the applicant's interest in a reduced worktime arrangement. The bill would require the appointing power to consider an applicant who indicates such an interest in a manner similar to other applicants. This bill contains other existing laws.

AB 1007

(Jones-Sawyer D) State Civil Service Act: adverse action: notice.

Current Text: Amended: 6/25/2019 [html](#) [pdf](#)

Introduced: 2/21/2019

Last Amend: 6/25/2019

Status: 7/8/2019-In committee: Referred to APPR. suspense file.

Location: 7/8/2019-S. APPR. SUSPENSE FILE

Calendar: 8/30/2019 Upon adjournment of Session - John L. Burton Hearing Room (4203) SENATE APPROPRIATIONS SUSPENSE FILE, PORTANTINO, Chair

Summary: The State Civil Service Act requires notice of any adverse action against any state employee for any cause for discipline based on any civil service law to be served within 3 years after the cause for discipline, upon which the notice is based, first arose. That act provides that an adverse action based on fraud, embezzlement, or the falsification of records is valid if notice of the adverse action is served within 3 years after the discovery of the fraud, embezzlement, or falsification. This bill would prohibit adverse action based on fraud, embezzlement, falsification of records, harassment on specified bases, sexual assault, or a cause for discipline that is the subject of a criminal investigation or criminal prosecution for a felony, from being valid unless notice is served within 3 years after the discovery of the cause for discipline. The bill would also prohibit adverse action from being valid unless notice is served within one year after the discovery of the cause for discipline if the cause for discipline is not of those excepted bases specified in the previous sentence and it was discovered on or after January 1, 2020. The bill would also make other clarifying changes to that provision.

Memo:

Support letter sent to Author -- 4/22/19
Support letter sent to Asm. PE&R -- 4/22/19
Support letter sent to Sen. LPE&R-- 6/14/19
Support letter sent to Sen. APPR -- 7/5/19

SB 90

(Committee on Budget and Fiscal Review) Public employees' retirement.

Current Text: Chaptered: 6/27/2019 [html](#) [pdf](#)

Introduced: 1/10/2019

Last Amend: 6/17/2019

Status: 6/27/2019-Chaptered by Secretary of State- Chapter 33, Statutes of 2019

Location: 6/27/2019-S. CHAPTERED

Summary: (1)Existing law, the Teachers' Retirement Law, establishes the State Teachers' Retirement

System, administered by the Teachers' Retirement Board, 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. The Defined Benefit Program is funded by employer and employee contributions, as well as investment returns and state appropriations, which are deposited or credited to the Teachers' Retirement Fund. This bill would appropriate \$2,246,000,000 from the General Fund for the 2018–19 fiscal year to be transferred to the Teachers' Retirement Fund for the Defined Benefit Program, for apportionment of specified amounts for required employer contributions for the 2019–20 and 2020–21 fiscal years, such that it will result in employers having to contribute 1.03 percentage points less than that amount set in those existing prescribed schedules in the 2019–20 fiscal year and 0.70 percentage point less in the 2020–21 fiscal year, as specified. The bill would require the remainder of the payment not committed for those purposes to be allocated to reduce the employers' share of the unfunded actuarial obligation determined by the board upon recommendation from its actuary. This bill contains other related provisions and other existing laws.

SB 179

(Nielsen R) Excluded employees: arbitration.

Current Text: Introduced: 1/28/2019 [html](#) [pdf](#)

Introduced: 1/28/2019

Status: 8/14/2019-August 14 set for first hearing. Placed on APPR. suspense file.

Location: 8/14/2019-A. APPR. SUSPENSE FILE

Calendar: 8/30/2019 Upon adjournment of Session - State Capitol, Room 4202

ASSEMBLY APPROPRIATIONS SUSPENSE, GONZALEZ, Chair

Summary: The Bill of Rights for State Excluded Employees permits, among other things, excluded employee organizations to represent their excluded members in their employment relations, including grievances, with the state. That law defines excluded employees as all managerial employees, confidential employees, supervisory employees, as well as specified employees of the Department of Personnel Administration, the Department of Finance, the Controller's office, the Legislative Counsel Bureau, the Bureau of State Audits, the Public Employment Relations Board, the Department of Industrial Relations, and the State Athletic Commission. This bill would enact the Excluded Employee Arbitration Act to permit an employee organization that represents an excluded employee who has filed certain grievances with the Department of Human Resources to request arbitration of the grievance if specified conditions are met. The bill would require the designation of a standing panel of arbitrators and, under specified circumstances, the provision of arbitrators from the California State Mediation and Conciliation Service within the Public Employment Relations Board. The bill would then require the arbitrator to be chosen in a specified manner and would prescribe the duties of that arbitrator. The bill would provide that a party to the arbitration has the right to have a certified shorthand reporter transcribe the proceeding and that the transcription would be the official record of the proceeding. The bill would require a nonprevailing party, other than an excluded employee, to bear the costs of arbitration and would prohibit the costs of arbitration from being passed on to the excluded employee.

Memo:

Support letter sent to Author -- 3/22/19

Support letter sent to Sen. LPE&R -- 3/22/19

Support letter sent to Sen. Judiciary -- 4/5/19

Support letter sent to Sen. APPR -- 4/19/19

Support letter sent to Asm. PE&R -- 6/14/19

Support letter sent to Asm. Judiciary -- 6/14/19

SB 266

(Leyva D) Public Employees' Retirement System: disallowed compensation: benefit adjustments.

Current Text: Amended: 8/14/2019 [html](#) [pdf](#)

Introduced: 2/12/2019

Last Amend: 8/14/2019

Status: 8/21/2019-August 21 set for first hearing. Placed on APPR. suspense file.

Location: 8/21/2019-A. APPR. SUSPENSE FILE

Calendar: 8/30/2019 Upon adjournment of Session - State Capitol, Room 4202

ASSEMBLY APPROPRIATIONS SUSPENSE, GONZALEZ, Chair

Summary: (1) Existing law, the Public Employees' Retirement Law (PERL), establishes the Public Employees' Retirement System (PERS), which provides a defined benefit to members of the system, based on final compensation, credited service, and age at retirement, subject to certain variations. PERL authorizes a public agency to contract to make its employees members of PERS and prescribes a process for this. PERS is administered by its board of administration, which is responsible for correcting errors and omissions in the administration of the system and the payment of benefits. Existing law requires the board to correct all actions taken as a result of errors or omissions of the state or a contracting agency, in accordance with certain procedures. This bill would establish new procedures under PERL for cases in which PERS determines that the benefits of a member or annuitant are, or would be, based on disallowed compensation that conflicts with PEPR and other specified laws and thus impermissible under PERL. The bill would also apply these procedures retroactively to

determinations made on or after January 1, 2017, if an appeal has been filed and the employee member, survivor, or beneficiary has not exhausted their administrative or legal remedies. At the threshold, after determining that compensation for an employee member reported by the state, school employer, or a contracting agency is disallowed, the bill would require the applicable employer to discontinue the reporting of the disallowed compensation. The bill would require that contributions made on the disallowed compensation, for active members, be credited against future contributions on behalf of the state, school employer, or contracting agency that reported the disallowed compensation and would require that the state, school employer, or contracting agency return to the member any contributions paid by the member or on the member's behalf. This bill contains other related provisions and other existing laws.

Memo:

Support letter sent to Author -- 6/14/19

Support letter sent to Asm. PE&R -- 6/14/19

Support letter sent to Asm. APPR -- 7/5/19

SCR 26

(Jackson D) Equal Pay Day.

Current Text: Chaptered: 4/17/2019 [html](#) [pdf](#)

Introduced: 3/14/2019

Status: 4/11/2019-Chaptered by Secretary of State- Chapter 39, Statutes of 2019

Location: 4/11/2019-S. CHAPTERED

Summary: This measure would proclaim Tuesday, April 2, 2019, as Equal Pay Day in recognition of the need to eliminate the gender gap in earnings by women and to promote policies to ensure equal pay for all.

Oppose

SB 341

(Morrell R) Public employment and retirement.

Current Text: Introduced: 2/19/2019 [html](#) [pdf](#)

Introduced: 2/19/2019

Status: 3/27/2019-March 27 set for first hearing. Failed passage in committee. (Ayes 1. Noes 3.) Reconsideration granted.

Location: 3/27/2019-S. L., P.E. & R.

Summary: (1)Existing law requires the Board of Administration of the Public Employees' Retirement System and the Teachers' Retirement Board to provide annual reports to the Legislature and the Governor with regard to investment returns on assets of the Public Employees' Retirement System and the State Teachers' Retirement System, respectively. As part of these reports, the boards are required to calculate and report on the rate of return on investments based on different assumptions. This bill would require the Board of Administration of the Public Employees' Retirement System to report a calculation of liabilities based on a discount rate equal to the yield on a 10-year United States Treasury note in the year prior to the report. The bill would require the Teachers' Retirement Board to provide a description of the discount rate the board uses for reporting liabilities, a calculation of liabilities based on a discount rate that is 2% below the long-term rate of return assumed by the board, and a calculation of liabilities based on a discount rate equal to the yield on a 10-year United States Treasury note in the year prior to the report. This bill contains other related provisions and other existing laws.

Memo:

Oppose letter sent to Author -- 3/22/19

Oppose letter sent to Sen. LPE&R -- 3/22/19

Watch - Active

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: 4/26/2019-Failed Deadline pursuant to Rule 61(a)(2). (Last location was P.E. & R. on 1/17/2019) (May be acted upon Jan 2020)

Location: 4/26/2019-A. 2 YEAR

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 74

(Ting D) Budget Act of 2019.

Current Text: Chaptered: 6/27/2019 [html](#) [pdf](#)

Introduced: 12/3/2018

Last Amend: 6/10/2019

Status: 6/27/2019-Approved by the Governor with item veto. Chaptered by Secretary of State - Chapter 23, Statutes of 2019.

Location: 6/27/2019-A. CHAPTERED

Calendar: 8/30/2019 #10 ASSEMBLY GOVERNOR'S BUDGET BILL VETOES

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

AB 103

(Committee on Budget) Health.

Current Text: Amended: 6/20/2019 [html](#) [pdf](#)

Introduced: 12/3/2018

Last Amend: 6/20/2019

Status: 6/26/2019-Re-referred to Com. on B. & F.R.

Location: 6/26/2019-S. BUDGET & F.R.

Summary: (1) Until January 1, 2022, existing law establishes the Council on Health Care Delivery Systems to develop a plan that includes options for advancing progress toward achieving a health care delivery system in California that provides coverage and access through a unified financing system for all Californians. Existing law, on or before October 1, 2021, requires the council to submit to the Legislature and Governor a plan with options that include a timeline of the benchmarks and steps necessary to implement health care delivery system changes. Existing law authorizes the California Health and Human Services Agency to provide staff support to implement these requirements. Until January 1, 2022, this bill would instead establish the Healthy California for All Commission for purposes of developing a plan that includes options for advancing progress toward achieving a health care delivery system in California that provides coverage and access through a unified financing system, including, but not limited to, a single-payer financing system, for all Californians. The bill would require the commission, by July 1, 2020, to submit a report to the Legislature and the Governor with, among other things, an analysis of California's existing health care delivery system and options to transition to a unified financing system, including a single-payer financing system. The bill would also require the commission, by February 1, 2021, to submit a report to the Legislature and the Governor that includes options for key design considerations for a unified financing system, including a single-payer financing system. The bill would require those reports to be posted on the California Health and Human Services Agency's internet website. (2) Under existing law, an individual is eligible for Medi-Cal benefits, to the extent required by federal law, as though the individual was pregnant, for all pregnancy-related and postpartum services for a 60-day period beginning on the last day of pregnancy. This bill would, subject to an appropriation in the annual Budget Act, extend Medi-Cal eligibility for a pregnant individual who is receiving health care coverage under the Medi-Cal program, or another specified program, and who has been diagnosed with a maternal mental health condition, for a period of one year following the last day of the individual's pregnancy if the individual complies with certain requirements. The bill would define "maternal mental health condition" for purposes of the bill. The bill would suspend implementation of these provisions on December 31, 2021, unless specified circumstances apply. (3) The federal Medicaid program prohibits payment to a state for medical assistance furnished to an alien who is not lawfully admitted for permanent residence or otherwise permanently residing in the United States under color of law. Existing law requires that individuals under 19 years of age enrolled in restricted-scope Medi-Cal at the time the Director of Health Care Services makes a determination that systems have been programmed for implementation of these provisions be enrolled in the full scope of Medi-Cal benefits, if otherwise eligible. Existing law requires the department to maximize federal financial participation in implementing the provisions. This bill would extend eligibility for full-scope Medi-Cal benefits to individuals 19 to 25 years of age, inclusive, and who are otherwise eligible for those benefits but for their immigration status. This bill would additionally require the department to claim federal financial participation to the extent that the department determines it is available, and to the extent that federal financial participation is not available, would require the department to use state funds. Because counties are required to make eligibility determinations and this bill would expand Medicaid eligibility, the bill would impose a state-mandated local program. (4) Existing law also requires the State Department of Health Care Services to exercise its option under federal law to implement a program for aged and disabled persons, as described. Existing law requires an individual under these provisions to satisfy certain financial eligibility requirements, including, among other things, that the individual's countable income does not exceed an income standard equal to 100% of the applicable federal poverty

level, plus an income disregard of \$230 for an individual, or \$310 in the case of a couple, except that the income standard determined shall not be less than the SSI/SSP payment level for a disabled individual or couple, as applicable. Existing law requires the department to implement this program by means of all-county letters or similar instructions without taking regulatory action and thereafter requires the department to adopt regulations. This bill would instead require, upon receipt of federal approval, all countable income over 100% of the federal poverty level, up to 138% of the federal poverty level, to be disregarded, after taking all other disregards, deductions, and exclusions into account for those persons eligible under the program for aged and disabled persons. The bill would require that provision to be implemented after the Director of Health Care Services determines, and communicates that determination in writing to the Department of Finance, that systems have been programmed for implementation of that provision, but no sooner than January 1, 2020. The bill would require the department to implement, interpret, or make specific the above-described program for aged and disabled persons by means of all-county letters, plan or provider bulletins, or similar instructions until regulations are adopted, and would require the department to adopt regulations by July 1, 2023. The bill would require the department to provide a status report on a semiannual basis to the Legislature until regulations are adopted. The bill would require the implementation of the program only if and to the extent that any necessary federal approvals have been obtained. Because counties are required to make Medi-Cal eligibility determinations, and this bill would expand Medi-Cal eligibility by increasing the income disregard amounts and would increase the responsibility of counties in determining Medi-Cal eligibility, the bill would impose a state-mandated local program. (5) Existing federal law establishes the Program of All-Inclusive Care for the Elderly (PACE), which provides specified services for older individuals, and authorizes states to implement the PACE program as a Medicaid state option. Existing law authorizes the State Department of Health Care Services to enter into contracts with public or private organizations for implementation of the PACE program and to enter into separate contracts with PACE organizations. Existing law requires the State Department of Health Care Services to develop and pay capitation rates to contracted PACE organizations using actuarial methods and in accordance with criteria specific to those organizations, based on, among other things, a standardized rate methodology across managed care plan models for comparable populations. Existing law requires the department to pay a capitation rate within the actuarially sound rate range during the first 2 years in which a new PACE organization enters a previously unserved area. This bill would require the department's rate methodology to be consistent with actuarial rate development principles and to provide for all reasonable, appropriate, and attainable costs for each PACE organization within a region. During the first 2 years in which a new PACE organization enters a previously unserved area, the bill would require the department to pay a capitation rate within the actuarially sound rate range to reflect the lower enrollment and higher operating costs associated with a new PACE organization. (6) Existing law redirects specified 1991 health realignment funds to pay an increased county contribution toward the cost of CalWORKs grants, a county contribution toward the costs of the CalWORKs single allocation, or both. Existing law specifies the formula to be used in determining the amount of funds that are required to be redirected, which varies depending on the method a county uses to provide indigent health care services. Existing law requires, for counties that provide indigent health care services via the County Medical Services Program (CMSP), 60% of 1991 health realignment funds be redirected to the Family Support Subaccount. This bill would instead require, for counties that participate in CMSP, the amount identified on a specified schedule that would have otherwise been payable to the CMSP, and the amount that would have otherwise been allocated to the governing board of the CMSP, be redirected until the Department of Finance determines that the total reserves of the CMSP are projected to fall below an amount totaling 2 fiscal years of total expenditures, and, after the Department of Finance makes that determination, the bill would reinstate the existing formula for determining the amount of 1991 health realignment funds that are redirected to the Family Support Subaccount. By increasing county payments to the Family Support Subaccount of the continuously appropriated Local Revenue Fund, this bill would make an appropriation. (7) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement. This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above. (8) This bill would declare that it is to take effect immediately as a bill providing for appropriations related to the Budget Bill.

AB 132

(Cooper D) Trial costs: Joseph James DeAngelo, Jr.

Current Text: Amended: 2/15/2019 [html](#) [pdf](#)

Introduced: 12/5/2018

Last Amend: 2/15/2019

Status: 3/12/2019-In committee: Hearing postponed by committee.

Location: 2/15/2019-A. PUB. S.

Summary: Existing law authorizes a county that is responsible for the cost of a trial or trials or any hearing of a person for the offense of homicide to apply to the Controller for reimbursement of excessive costs incurred by the county under specified circumstances. Under existing law, if the Controller determines that reimbursement is proper, the Controller is required to request the Director of Finance to include any amounts necessary to fulfill reimbursement in a request for deficiency appropriation. This bill, the Justice Act of 2019 for the Reimbursement of County Costs Arising from the

Matter of the People v. Joseph DeAngelo, would authorize the County of Sacramento and other California counties to be entitled to reimbursement for the reasonable and necessary costs, as specified, incurred in connection with the prosecution and defense of Joseph DeAngelo. The bill would require a county seeking reimbursement to send a statement of costs to the Controller for approval, and would require the Controller, within 60 days, to either pay approved costs or provide a written statement as to the reason for not making reimbursement at that time. The bill would create the Justice Act of 2019 Fund, and continuously appropriate all funds deposited and maintained in the fund to the Controller for the purposes of making these reimbursements. By creating a continuously appropriated fund, the bill would make an appropriation. The bill would make legislative findings and declarations in support of these provisions.

AB 160

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

Current Text: Amended: 4/29/2019 [html](#) [pdf](#)

Introduced: 1/7/2019

Last Amend: 4/29/2019

Status: 7/10/2019-Failed Deadline pursuant to Rule 61(a)(10). (Last location was JUD. on 5/29/2019) (May be acted upon Jan 2020)

Location: 7/10/2019-S. 2 YEAR

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. The bill would make the Voluntary Veterans' Preference Employment Policy Act contingent upon the United States Department of Defense rescinding a specified policy prohibiting transgender individuals from serving in the United States Armed Forces, as provided.

AB 177

(Low D) Election day holiday.

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

Introduced: 1/9/2019

Status: 5/17/2019-Failed Deadline pursuant to Rule 61(a)(5). (Last location was APPR. SUSPENSE FILE on 4/24/2019)(May be acted upon Jan 2020)

Location: 5/17/2019-A. 2 YEAR

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 managers.

Current Text: Amended: 3/25/2019 [html](#) [pdf](#)

Introduced: 1/9/2019

Last Amend: 3/25/2019

Status: 6/6/2019-Referred to Com. on RLS.

Location: 5/29/2019-S. RLS.

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, 2021, and annually thereafter, on the status of achieving appropriate objectives and initiatives, to be defined by the boards, regarding participation of emerging managers responsible for asset management within each system's portfolio of investments. The bill would require that the report be based on contracts that the system enters into on and after January 1, 2020, and be based on information from the prior fiscal year. The bill would require each report to include certain elements and would require the boards to define emerging manager for purposes of these provisions. This bill contains other existing laws.

AB 190

(Ting D) Budget Act of 2019.

Current Text: Amended: 5/29/2019 [html](#) [pdf](#)

Introduced: 1/10/2019

Last Amend: 5/29/2019

Status: 5/31/2019-Re-referred to Com. on BUDGET.

Location: 1/24/2019-A. BUDGET

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

AB 249

(Choi R) Public employers: employee organizations.

Current Text: Introduced: 1/22/2019 [html](#) [pdf](#)

Introduced: 1/22/2019

Status: 6/4/2019-Failed Deadline pursuant to Rule 61(a)(2). (Last location was P.E. & R. on 2/7/2019) (May be acted upon Jan 2020)

Location: 6/4/2019-A. 2 YEAR

Summary: Existing law prohibits the state and specified local public employers from deterring or discouraging public employees and 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. Existing law grants the Public Employment Relations Board jurisdiction over violations of these provisions, except as specified. This bill would prohibit a public employer from deterring or discouraging a public employee or an applicant to be a public employee from opting out of becoming or remaining a member of an employee organization. The bill would prohibit a public employer from taking adverse action against a public employee or applicant to be a public employee who opts out of becoming or remaining a member of an employee organization and would specify that adverse action includes reducing a public employee's current level of pay or benefits.

AB 314

(Bonta D) Public employment: labor relations: release time.

Current Text: Amended: 4/22/2019 [html](#) [pdf](#)

Introduced: 1/30/2019

Last Amend: 4/22/2019

Status: 7/8/2019-In committee: Referred to APPR. suspense file.

Location: 7/8/2019-S. APPR. SUSPENSE FILE

Calendar: 8/30/2019 Upon adjournment of Session - John L. Burton Hearing Room (4203)
SENATE APPROPRIATIONS SUSPENSE FILE, PORTANTINO, Chair

Summary: Existing law, including the Meyers-Milias-Brown Act, the Ralph C. Dills Act, the Trial Court Employment Protection and Governance Act, the Trial Court Interpreter Employment and Labor Relations Act, Judicial Council Employer-Employee Relations Act, and the Los Angeles County Metropolitan Transportation Authority Transit Employer-Employee Relations Act, as well as provisions commonly referred to as the Educational Employment Relations Act and the Higher Education Employer-Employee Relations Act, regulates the labor relations of the state, the courts, and specified local public agencies and their employees. Existing law establishes other requirements relating to labor relations that are applicable to specified transit agencies. These acts grant specified public employees the right to form, join, and participate in the activities of employee organizations of their choosing and require public agency employers, among other things, to meet and confer with representatives of recognized employee organizations and exclusive representatives on terms and conditions of employment. These acts generally require the public entities in this context to grant employee representatives of recognized employee organizations reasonable time off without loss of compensation or benefits for certain purposes in connection with labor relations, commonly referred to as release time. This bill would prescribe requirements relating to release time that would apply to all of the public employers and employees subject to the acts described above and would generally repeal the provisions relating to release time in those acts. The bill would require these public employers to grant a reasonable number of employee representatives of the exclusive representative reasonable time off without loss of compensation or other benefits for specified activities. This requirement would apply to activities to

investigate and process grievances or otherwise enforce a collective bargaining agreement or memorandum of understanding; to meet and confer or meet and negotiate with the public employer on matters within the scope of representation, including preparation for the activities specified in these provisions; to testify or appear as the designated representative of the exclusive representative in conferences, hearings, or other proceedings before the Public Employment Relations Board or similar bodies, as specified; to testify or appear as the designated representative of the exclusive representative before the governing body of the public employer, or a personnel, civil service, or merit commission, among others, and to serve as a representative of the exclusive representative for new employee orientations. The bill would require the exclusive representative to provide reasonable notice requesting an absence in this connection. The bill would specify that its provisions prescribe minimum release time rights and would prescribe requirements regarding the relation of its provisions to other labor agreements that address release time. The bill would prohibit the Public Employment Relations Board from enforcing these provisions with regard to public transit workers that are not otherwise subject to the board's jurisdiction.

AB 355

(Daly D) Public Employee Relations Board: Orange County Transportation Authority.

Current Text: Introduced: 2/4/2019 [html](#) [pdf](#)

Introduced: 2/4/2019

Status: 8/12/2019-In committee: Referred to APPR. suspense file.

Location: 8/12/2019-S. APPR. SUSPENSE FILE

Calendar: 8/30/2019 Upon adjournment of Session - John L. Burton Hearing Room (4203)

SENATE APPROPRIATIONS SUSPENSE FILE, PORTANTINO, Chair

Summary: Existing law establishes the Public Employment Relations Board (PERB) in state government as a means of resolving disputes and enforcing the statutory duties and rights of specified public employers and employees under various acts regulating collective bargaining, including the Meyers-Milias-Brown Act. Existing law includes within PERB's jurisdiction the resolution of disputes alleging violation of rules and regulations adopted by a public agency, as defined, concerning unit determinations, representations, recognition, and elections, as specified. Existing law does not apply the above provisions to employees of specified transit agencies, including the Orange County Transportation Authority, among others. This bill would require employers and employees of the Orange County Transportation Authority to adjudicate complaints of specified labor violations before PERB as an unfair practice and would authorize specified parties aggrieved by PERB's decision or order to petition for relief from that decision or order, as provided. By requiring the authority to adjudicate claims before PERB, this bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws.

AB 365

(Garcia, Cristina D) State civil service: examination and hiring processes.

Current Text: Amended: 6/19/2019 [html](#) [pdf](#)

Introduced: 2/4/2019

Last Amend: 6/19/2019

Status: 7/8/2019-In committee: Referred to APPR. suspense file.

Location: 7/8/2019-S. APPR. SUSPENSE FILE

Calendar: 8/30/2019 Upon adjournment of Session - John L. Burton Hearing Room (4203)

SENATE APPROPRIATIONS SUSPENSE FILE, PORTANTINO, Chair

Summary: (1) Existing law creates the Department of Human Resources, which succeeds to and is vested with all of the powers and duties exercised and performed by the Department of Personnel Administration. Existing law specifically grants the department the powers, duties, and authority necessary to operate the state civil service system in accordance with Article VII of the California Constitution, the Government Code, the merit principle, and applicable rules duly adopted by the State Personnel Board. This bill would extend all of the above described LEAP program provisions indefinitely. The bill would require the department to establish a task force in order to develop a plan for the creation of the internship program, and would require that task force to report to the Legislature by December 31, 2020, setting forth a schedule for implementing the plan by December 31, 2021, and identifying any necessary changes in law. This bill contains other related provisions and other existing laws.

AB 372

(Voepel R) State employees: Infant at Work programs.

Current Text: Amended: 4/22/2019 [html](#) [pdf](#)

Introduced: 2/5/2019

Last Amend: 4/22/2019

Status: 7/1/2019-In committee: Referred to APPR. suspense file.

Location: 7/1/2019-S. APPR. SUSPENSE FILE

Calendar: 8/30/2019 Upon adjournment of Session - John L. Burton Hearing Room (4203)

SENATE APPROPRIATIONS SUSPENSE FILE, PORTANTINO, Chair

Summary: Existing law establishes various employment protections to promote parent-infant bonds and infant health. The Moore-Brown-Roberti Family Rights Act, or California Family Rights Act, makes it an unlawful employment practice for an employer, as defined, to refuse to grant a request by an eligible

employee to take up to 12 workweeks of unpaid protected leave during any 12-month period to care for a child born to, adopted by, or placed for foster care with, the employee. The New Parent Leave Act prohibits an employer, as defined, from refusing to allow eligible employees to take up to 12 weeks of parental leave to bond with a new child within one year of the child's birth, adoption, or foster care placement. Other existing law requires both public and private employers to provide a reasonable amount of break time, and make reasonable efforts to provide a private location, for expressing breast milk, as prescribed. This bill, from January 1, 2020, until January 1, 2022, would establish the Infant at Work Pilot Program. The bill would authorize a state agency, as defined, to participate in the pilot program to allow an employee of the agency who is a new parent or caregiver to an infant to bring the infant to the workplace. The bill would establish certain required elements for the pilot program. The bill would authorize a state agency to adopt regulations that it determines necessary to participate in the pilot program. The bill would prohibit a state agency from participating in the pilot program in circumstances that are inappropriate based on safety, health, or other concerns for the infant or adult, as specified.

AB 462

(Rodriguez D) Asset management: emerging managers.

Current Text: Amended: 5/21/2019 [html](#) [pdf](#)

Introduced: 2/11/2019

Last Amend: 5/21/2019

Status: 5/21/2019-From committee chair, with author's amendments: Amend, and re-refer to committee. Read second time, amended, and re-referred to Com. on RLS.

Location: 4/23/2019-S. RLS.

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. The Public Employees' Retirement Law creates the Public Employees' Retirement Fund for the benefit of the members and retired members of this retirement system and their survivors and beneficiaries. The Board of Administration of the Public Employees' Retirement System (PERS) has the exclusive control of the administration and investment of the retirement fund. The Teachers' Retirement Law establishes the State Teachers' Retirement System (STRS) for the benefit of teachers and other persons employed in connection with the schools of this state. STRS is administered by the Teachers' Retirement Board. 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, 2021, and annually thereafter, on the status of achieving appropriate objectives and initiatives, to be defined by the boards, regarding participation of emerging managers responsible for asset management within each system's portfolio of investments. The bill would require that the report be based on contracts that the system enters into on and after January 1, 2020, and be based on information from the prior fiscal year. The bill would require each report to include certain elements and would require the boards to define emerging manager for purposes of these provisions.

AB 472

(Voepel R) Public employees' retirement.

Current Text: Introduced: 2/11/2019 [html](#) [pdf](#)

Introduced: 2/11/2019

Status: 5/3/2019-Failed Deadline pursuant to Rule 61(a)(3). (Last location was PRINT on 2/11/2019) (May be acted upon Jan 2020)

Location: 5/3/2019-A. 2 YEAR

Summary: Existing law, the California Public Employees' Pension Reform Act of 2013, establishes various limits on retirement benefits generally applicable to a public employee retirement system, as defined. The act prescribes, among other things, limits on service after retirement without reinstatement into the applicable retirement system. This bill would make nonsubstantive changes to that provision.

AB 555

(Gonzalez D) Paid sick leave.

Current Text: Amended: 4/29/2019 [html](#) [pdf](#)

Introduced: 2/13/2019

Last Amend: 4/29/2019

Status: 6/4/2019-Failed Deadline pursuant to Rule 61(a)(8). (Last location was INACTIVE FILE on 5/30/2019)

Location: 6/4/2019-A. 2 YEAR

Summary: (1) Under existing law, except as specified, an employee who works in California for 30 or more days within a year from the commencement of employment is entitled to paid sick days for certain purposes, to be accrued at a rate of no less than one hour for every 30 hours worked, and to be available for use beginning on the 90th day of employment. Existing law authorizes an employer to use a different accrual method as long as an employee has no less than 24 hours of accrued sick leave or paid time off by the 120th calendar day of employment or each calendar year, or in each 12-month period. Existing law also provides that an employer may satisfy the accrual requirements by providing not less than 24 hours or 3 days of paid sick leave that is available to the employee to use by the

completion of the employee's 120th calendar day of employment. Under existing law, an employer has no obligation under these provisions to allow an employee's total accrual of paid sick leave to exceed 48 hours or 6 days, provided that an employee's rights to accrue and use paid sick leave are not otherwise limited, as specified. Under existing law, sick leave carries over to the following year of employment, but an employer may limit the use of the carryover amount, in each year of employment, calendar year, or 12-month period, to 24 hours or 3 days. This bill would modify the employer's alternate sick leave accrual method to require that an employee have no less than 40 hours of accrued sick leave or paid time off by the 200th calendar day of employment or each calendar year, or in each 12-month period. The bill would modify that satisfaction provision to authorize an employer to satisfy accrual requirements by providing not less than 40 hours or 5 days of paid sick leave that is available to the employee to use by the completion of the employee's 200th calendar day of employment. The bill would also provide that an employer is under no obligation to allow an employee's total accrual of paid sick leave to exceed 80 hours or 10 days, as specified. The bill would raise the employer's authorized limitation on the employee's use of carryover sick leave to 40 hours or 5 days. This bill contains other related provisions and other existing laws.

AB 576

(Nazarian D) State Board of Equalization: transfer of duties.

Current Text: Amended: 3/21/2019 [html](#) [pdf](#)

Introduced: 2/14/2019

Last Amend: 3/21/2019

Status: 5/17/2019-Failed Deadline pursuant to Rule 61(a)(5). (Last location was APPR. SUSPENSE FILE on 5/1/2019)(May be acted upon Jan 2020)

Location: 5/17/2019-A. 2 YEAR

Summary: The California Constitution establishes the State Board of (board) 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 bill would implement ACA 2 by transferring the remaining powers, duties, and responsibilities of the board related to the administration of taxes imposed on property, insurance, and alcoholic beverages, and the duty to adjust the rate of motor vehicle fuel, to the department and the office, as provided. The bill would, for these purposes, also provide for the transfer to the department and the office of the board's employees serving in civil service, the rights and property of the board, and the board's funding, as provided. This bill contains other related provisions and other existing laws.

AB 969

(Gonzalez D) Collective bargaining: Legislature.

Current Text: Introduced: 2/21/2019 [html](#) [pdf](#)

Introduced: 2/21/2019

Status: 4/26/2019-Failed Deadline pursuant to Rule 61(a)(2). (Last location was P.E. & R. on 2/21/2019) (May be acted upon Jan 2020)

Location: 4/26/2019-A. 2 YEAR

Summary: Existing law, the Ralph C. Dills Act (Dills Act), governs collective bargaining between the state and recognized state public employee organizations. Existing law excludes certain employees from coverage under the Dills Act, including, among others, managerial employees, supervisory employees, and confidential employees, as defined. Existing law creates the Public Employment Relations Board and authorizes it, among other things, to determine appropriate state employee bargaining units, as specified. This bill would enact the Legislature Employer-Employee Relations Act, to provide employees of the Legislature, including some supervisory and managerial employees, the right to form, join, and participate in the activities of employee organizations of their own choosing for the purpose of representation on all matters of employer-employee relations. The bill would prescribe rights, duties, and prohibitions in this context that parallel those in the Dills Act. The bill would prohibit the Public Employment Relations Board from including employees of the Legislature in a bargaining unit that includes employees other than those of the Legislature. The bill would make it a misdemeanor for any person to willfully resist, prevent, impede, or interfere with any member of the board, or any of its agents, in the performance of duties pursuant to its provisions. By expanding the definition of a crime, this bill would impose a state-mandated local program. The bill would provide that the provisions of the Legislature Employer-Employee Relations Act are severable. This bill contains other related provisions and other existing laws.

AB 1002

(Quirk-Silva D) California Global Warming Solutions Act of 2006: Low-Carbon Fuel Standard regulations: Greenhouse Gas Reduction Fund.

Current Text: Amended: 7/9/2019 [html](#) [pdf](#)

Introduced: 2/21/2019

Last Amend: 7/9/2019

Status: 7/9/2019-From committee chair, with author's amendments: Amend, and re-refer to committee. Read second time, amended, and re-referred to Com. on RLS.

Location: 5/30/2019-S. RLS.

Summary: The California Global Warming Solutions Act of 2006 establishes the State Air Resources Board as the state agency responsible for monitoring and regulating sources emitting greenhouse gases. The act authorizes the state board to include the use of market-based compliance mechanisms. Pursuant to the act, the state board has adopted the Low-Carbon Fuel Standard regulations. Existing law requires all moneys, except for fines and penalties, collected by the state board from a market-based compliance mechanism to be deposited in the Greenhouse Gas Reduction Fund and to be available upon appropriation by the Legislature. Existing law requires the Legislative Analyst's Office to annually submit a report to the Legislature on the economic impacts and benefits of specified greenhouse gas emissions targets. This bill would require the state board to ensure alternative fuels are treated equally with regard to the requirements for generating credits under the Low-Carbon Fuel Standard regulations, a fuel pathway applicant does not generate credits for a fuel production facility unless the facility delivers or sells volumes of fuel, and credits for low-carbon fuel are not generated unless there is a carbon emission reduction achieved by the low-carbon fuel, as specified. The bill would, commencing January 1, 2021, require the Legislative Analyst's Office to also annually prepare an analysis of moneys allocated from the Greenhouse Gas Reduction Fund, as specified.

AB 1033

(Cooper D) State employment: new employees: information.

Current Text: Amended: 5/16/2019 [html](#) [pdf](#)

Introduced: 2/21/2019

Last Amend: 5/16/2019

Status: 7/8/2019-In committee: Referred to APPR. suspense file.

Location: 7/8/2019-S. APPR. SUSPENSE FILE

Calendar: 8/30/2019 Upon adjournment of Session - John L. Burton Hearing Room (4203)
SENATE APPROPRIATIONS SUSPENSE FILE, PORTANTINO, Chair

Summary: Existing law, the State Civil Service Act, regulates employment with the state and vests in the Department of Human Resources all powers, duties, and authority necessary to operate the state civil service system. Existing law requires that appointments to state employment generally be made from lists of eligible candidates established pursuant to competitive examinations, which may be administered by an appointing power designated by the department. Existing law requires the department to establish salary ranges for each class of position in the state civil service, as specified, and to provide for intermediate steps within these ranges. Existing law establishes the Public Employees' Retirement System, which provides a defined benefit to members of the system based on final compensation, credited service, and age at retirement, subject to certain variations. This bill would require an appointing power, prior to offering employment to an applicant, to provide the applicant with an explanation of the benefits of state service, both general and particular to the applicable position, in the form of specified materials. The bill would require that a formal offer of employment contain a written memorialization document acknowledging that the applicant received these materials before accepting employment. The bill would require the Department of Human Resources to create these materials, subject to certain requirements.

AB 1198

(Stone, Mark D) Public employees' retirement: pension reform: excepted employees: transit workers.

Current Text: Amended: 3/21/2019 [html](#) [pdf](#)

Introduced: 2/21/2019

Last Amend: 3/21/2019

Status: 4/26/2019-Failed Deadline pursuant to Rule 61(a)(2). (Last location was P.E. & R. on 3/21/2019) (May be acted upon Jan 2020)

Location: 4/26/2019-A. 2 YEAR

Summary: The California Public Employees' Pension Reform Act of 2013 (PEPRA), among other things, establishes new retirement formulas, which are generally applicable to employees first employed on or after January 1, 2013, and which a public employer offering a defined benefit pension plan is prohibited from exceeding. PEPRA excepts certain public employees from its provisions, including certain transit workers whose interests are protected by specified federal law until a federal district court ruled that a United States Department of Labor determination that the application of PEPRA to these workers violated federal law was in error, or until January 1, 2016, as specified. A district court ruling to this effect occurred on December 31, 2014. This bill would except transit workers hired before January 1, 2016, from PEPRA by removing the federal district court contingency language from the provision excepting certain transit workers from PEPRA, as described above.

AB 1200

(Patterson R) Whistleblower protection.

Current Text: Amended: 4/29/2019 [html](#) [pdf](#)

Introduced: 2/21/2019

Last Amend: 4/29/2019

Status: 5/17/2019-Failed Deadline pursuant to Rule 61(a)(5). (Last location was APPR. SUSPENSE FILE on 5/8/2019)(May be acted upon Jan 2020)

Location: 5/17/2019-A. 2 YEAR

Summary: (1)The California Whistleblower Protection Act prohibits an employee from interfering with a

person's rights to disclose improper activity and authorizes the State Auditor to conduct an investigative audit upon receiving specific information that an employee or state agency has engaged in an improper governmental activity, as defined. The California Whistleblower Protection Act applies to state agencies, as defined, and to the University of California, the California State University, and courts, as specified. Under the California Whistleblower Protection Act, a person who intentionally engages in acts of reprisal, retaliation, threats, coercion, or similar acts against a state employee or an applicant for state employment for having made a protected disclosure is subject to civil liability and criminal penalties. The California Whistleblower Protection Act defines a "protected disclosure" to mean, among other things, a good faith communication that discloses information that may evidence an improper governmental activity. This bill would expand the definition of the term "protected disclosure" to include a complaint made to a Member of the Legislature, the Legislature, or any subdivision thereof. By expanding the definition of a crime, the bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws.

AB 1212

(Levine D) Public employees' retirement: pension fund management: in-state infrastructure.

Current Text: Amended: 8/12/2019 [html](#) [pdf](#)

Introduced: 2/21/2019

Last Amend: 8/12/2019

Status: 8/20/2019-Read second time. Ordered to third reading.

Location: 8/20/2019-S. THIRD READING

Summary: The California Constitution confers upon the retirement boards of public retirement systems plenary authority and fiduciary responsibility for the investment of moneys of those systems. Existing law authorizes the Board of Administration of the Public Employees' Retirement System, the Teachers' Retirement Board of the State Teachers' Retirement System, and the board of retirement or the board of investments of a retirement system established pursuant to the County Employees Retirement Law of 1937, consistent with their fiduciary duties and investment standards, to prioritize investment in an in-state infrastructure project over a comparable out-of-state infrastructure project. This bill would require a state agency that is responsible for infrastructure projects to produce a list of priority infrastructure projects for funding consideration by the retirement boards, as described above, and to provide it to them. The bill would require a state agency also to provide further project information to a board upon request. The bill would define a state agency for these purposes as the Department of Transportation and the Department of Water Resources.

AB 1224

(Gray D) Disability insurance: paid family leave program.

Current Text: Amended: 4/22/2019 [html](#) [pdf](#)

Introduced: 2/21/2019

Last Amend: 4/22/2019

Status: 5/17/2019-Failed Deadline pursuant to Rule 61(a)(5). (Last location was APPR. SUSPENSE FILE on 5/8/2019)(May be acted upon Jan 2020)

Location: 5/17/2019-A. 2 YEAR

Summary: Existing unemployment compensation disability law requires workers to pay contribution rates based on, among other things, wages received in employment and benefit disbursement, for payment into the Unemployment Compensation Disability Fund, a special fund in the State Treasury. That fund is continuously appropriated for the purpose of providing disability benefits and making payment of expenses in administering those provisions. Existing law establishes, within the state disability insurance program, the family temporary disability insurance program, also known as the paid family leave program, for the provision of up to 6 weeks of wage replacement benefits to workers who take time off work to care for a seriously ill family member or to bond with a minor child within one year of the birth or placement of the child in connection with foster care or adoption. Existing law limits the temporary disability benefits paid under these provisions to not more than 6 weeks within any 12-month period. This bill would authorize up to 12 weeks of temporary disability benefits in a 12-month period, but would limit each disability benefit period to 6 weeks of temporary disability benefits. This bill contains other existing laws.

AB 1320

(Nazarian D) Public employee retirement systems: prohibited investments: Turkey.

Current Text: Amended: 6/27/2019 [html](#) [pdf](#)

Introduced: 2/22/2019

Last Amend: 6/27/2019

Status: 8/12/2019-In committee: Referred to APPR. suspense file.

Location: 8/12/2019-S. APPR. SUSPENSE FILE

Calendar: 8/30/2019 Upon adjournment of Session - John L. Burton Hearing Room (4203)
SENATE APPROPRIATIONS SUSPENSE FILE, PORTANTINO, Chair

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. The California Constitution qualifies this grant of powers by reserving to the Legislature the authority to prohibit investments if it is in the public interest and the prohibition satisfies standards of fiduciary care and loyalty required of a retirement board. Existing law prohibits

the boards of administration of the Public Employees' Retirement System and the State Teachers' Retirement System from making investments in certain countries and in thermal coal companies, as specified, subject to the boards' plenary authority and fiduciary responsibility for investment of moneys and administration of the systems. This bill, upon the passage of a federal law that imposes sanctions on the government of Turkey for failure to officially acknowledge its responsibility for the Armenian Genocide, would prohibit the boards of administration of the Public Employees' Retirement System and the State Teachers' Retirement System from making additional or new investments, or renewing existing investments, of public employee retirement funds in an investment vehicle in the government of Turkey that is issued by the government of Turkey or that is owned by the government of Turkey. The bill would require the boards to liquidate existing investments in the government of Turkey within 18 months of the passage of the above-described federal law. The bill would require these boards to make specified reports to the Legislature and the Governor regarding these actions within one year of the passage of a federal law imposing those sanctions on the government of Turkey and on or before January 1, 2024. The bill would specify that its provisions do not require a board to take any action that the board determines in good faith is inconsistent with its constitutional fiduciary responsibilities to the retirement system. The bill would indemnify from the General Fund and hold harmless the present, former, and future board members, officers, and employees of, and investment managers under contract with, the boards, in connection with actions relating to these investments. The bill would repeal the above-described prohibited investment and reporting provisions on January 1, 2025, or if a determination is made by the board, the Department of State, the Congress of the United States, or another appropriate federal agency, that the government of Turkey has officially acknowledged its responsibility for the Armenian Genocide, whichever occurs first.

AB 1332

(Bonta D) Sanctuary State Contracting and Investment Act.

Current Text: Amended: 4/29/2019 [html](#) [pdf](#)

Introduced: 2/22/2019

Last Amend: 4/29/2019

Status: 5/17/2019-Failed Deadline pursuant to Rule 61(a)(5). (Last location was APPR. SUSPENSE FILE on 5/8/2019)(May be acted upon Jan 2020)

Location: 5/17/2019-A. 2 YEAR

Summary: Existing law, subject to certain exceptions, prohibits state and local law enforcement agencies, including school police and security departments, from using money or personnel to investigate, interrogate, detain, detect, or arrest persons for immigration enforcement purposes, as specified, and, subject certain to exceptions, proscribes other activities or conduct in connection with immigration enforcement by law enforcement agencies. Existing law requires, by October 1, 2018, the Attorney General, in consultation with the appropriate stakeholders, to publish model policies limiting assistance with immigration enforcement to the fullest extent possible for use by public schools, public libraries, health facilities operated by the state or a political subdivision of the state, and courthouses, among others. Existing law requires, among others, all public schools, health facilities operated by the state or a political subdivision of the state, and courthouses to implement the model policy, or an equivalent policy. Existing law also requires law enforcement agencies to report to the Department of Justice annually regarding transfers of persons to immigration authorities and requires the Attorney General to publish guidance, audit criteria, and training recommendations regarding state and local law enforcement databases, for purposes of limiting the availability of information for immigration enforcement, as specified. This bill, the Sanctuary State Contracting Act, would, among other things, require the Department of Justice, commencing on January 1, 2020, and quarterly thereafter, to publish a list on its internet website, based on specified criteria, of each person or entity that, in the opinion of the Department of Justice, is providing data broker, extreme vetting, or detention facilities support to any federal immigration agency, as specified. The bill would prohibit a state or local agency from entering into a new, amended, or extended contract or agreement with any person or entity that appears on the list published by the Department of Justice unless the state or local agency has made a finding that no reasonable alternative exists, as specified. The bill would exempt certain contracts or agreements from these provisions related to the administration of retirement benefits and investment of moneys for retirement benefits, as specified. The bill would authorize the Department of Justice to initiate, and require the department to receive and investigate, all complaints regarding violations of these provisions, and would require the department to issue findings regarding any alleged violation and notify any affected state or local agency. By increasing the duties of local officials, this bill would impose a state-mandated local program. Additionally, this bill would make a violation of these provisions subject to civil and criminal penalties, thereby imposing a state-mandated local program. This bill contains other related provisions and other existing laws.

AB 1430

(Garcia, Eduardo D) State government: public investment opportunities: cost-effective definition.

Current Text: Introduced: 2/22/2019 [html](#) [pdf](#)

Introduced: 2/22/2019

Status: 5/17/2019-Failed Deadline pursuant to Rule 61(a)(5). (Last location was APPR. SUSPENSE FILE on 4/24/2019)(May be acted upon Jan 2020)

Location: 5/17/2019-A. 2 YEAR

Summary: Existing law authorizes the Public Utilities Commission, the State Air Resources Board, the

California Transportation Commission, and the Labor and Workforce Development Agency to invest public moneys on various project and programs. Existing law requires some of those investments to be cost effective. This bill would require these agencies, by January 1, 2021, to provide a joint assessment of options for redefining the term "cost-effective" to the Legislature for the purposes of prioritizing public investment opportunities. The bill would require these agencies, in assessing the options for the definition, to consider the impact that investments would have on various specified factors. The bill would require these agencies to conduct a joint public process for completing the assessment and to solicit comments from interested stakeholders.

[ACA 2](#)

([Nazarian D](#)) State tax agency.

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

Introduced: 12/3/2018

Status: 5/24/2019-Referred to Com. on REV. & TAX.

Location: 5/24/2019-A. REV. & TAX

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: Amended: 5/24/2019 [html](#) [pdf](#)

Introduced: 1/10/2019

Last Amend: 5/24/2019

Status: 5/24/2019-From committee with author's amendments. Read second time and amended. Re-referred to Com. on B. & F.R.

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.

[SB 241](#)

([Moorlach R](#)) Personal Income Tax: California Voluntary Contribution Program.

Current Text: Amended: 4/29/2019 [html](#) [pdf](#)

Introduced: 2/11/2019

Last Amend: 4/29/2019

Status: 5/17/2019-Failed Deadline pursuant to Rule 61(a)(5). (Last location was APPR. SUSPENSE FILE on 5/13/2019)(May be acted upon Jan 2020)

Location: 5/17/2019-S. 2 YEAR

Summary: Existing law authorizes taxpayers to designate amounts in excess of their personal income tax liability for the support of specified voluntary contribution funds. Existing law also contains administrative provisions generally applicable to a new or extended voluntary contribution. Existing law provides for various voluntary contribution funds to be listed on the personal income tax return, including the California Firefighters' Memorial Fund and the California Peace Officer Memorial Foundation Fund, which are both repealed on January 1, 2021, except as otherwise provided. This bill would remove the repeal dates for the California Firefighters' Memorial Fund and the California Peace Officer Memorial Foundation Fund, thereby allowing those voluntary contribution funds to be listed on the personal income tax return indefinitely. This bill contains other related provisions and other existing laws.

[SB 430](#)

([Wieckowski D](#)) Public employees' retirement benefits: judges.

Current Text: Amended: 5/17/2019 [html](#) [pdf](#)

Introduced: 2/21/2019

Last Amend: 5/17/2019

Status: 7/10/2019-Failed Deadline pursuant to Rule 61(a)(10). (Last location was P.E. & R. on 5/30/2019)(May be acted upon Jan 2020)

Location: 7/10/2019-A. 2 YEAR

Summary: The California Public Employees' Pension Reform Act of 2013 (PEPRA) generally requires a

public retirement system, as defined, to modify its pension plan or plans to comply with the act, as specified. Among other things, PEPPRA prohibits a public employer offering a defined benefit pension plan from exceeding specified retirement formulas for new members and prohibits an enhancement of a public employee's retirement formula or benefit adopted after January 1, 2013, from applying to service performed prior to the operative date of the enhancement. PEPPRA defines terms for those purposes, including defining "new member" to mean, among other things, an individual who becomes a member of any public retirement system for the first time on or after January 1, 2013, and who was not a member of any other public retirement system prior to that date. Existing law creates the Judges' Retirement System II, which is administered by the Board of Administration of the Public Employees' Retirement System, for the provision of retirement and other benefits to specified judges and their beneficiaries. This bill would grant a judge who was elected to office in 2012, but did not take office until on or after January 1, 2013, the option of making a one-time, irrevocable election to have a pre-January 1, 2013, membership status in the Judges' Retirement System II for service accrued after on and after July 1, 2020. The bill would require the election to be made during a 30-day period beginning March 1, 2020. A judge making this election would no longer be a new member under specified provisions of PEPPRA. The election would apply prospectively only, and membership rights and obligations that accrued based on service subject to PEPPRA prior to July 1, 2020, would remain unchanged. The bill would specify that the Public Employees' Retirement System is not obligated to inform or locate a person who may be eligible to make the election and that its provisions do not affect the Legislature's reserved right to increase contributions or reduce benefits for purposes of the Judges' Retirement System II.

SB 769

(Moorlach R) Public employees' retirement.

Current Text: Introduced: 2/22/2019 [html](#) [pdf](#)

Introduced: 2/22/2019

Status: 3/14/2019-Referred to Com. on RLS.

Location: 2/22/2019-S. RLS.

Summary: The Public Employees' Retirement Law (PERL) establishes the Public Employees' Retirement System (PERS), which provides pension and other benefits to its members. Under PERL, membership in PERS is compulsory for specified public employees. Existing law provides that those compulsory membership provisions do not apply to certain persons who are expressly excluded from PERS. This bill would make a nonsubstantive change to that provision.

Total Measures: 41

Total Tracking Forms: 41