



BLANNING & BAKER

Associates, Inc.

**ACSS Legislative Report
5/11/2020**

Support

[AB 271](#)

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

Current Text: Enrollment: 9/11/2019 [html](#) [pdf](#)

Introduced: 1/24/2019

Last Amend: 3/6/2019

Status: 9/15/2019-9/15/2019-Failed Deadline pursuant to Rule 61(a)(15). (Last location was DESK on 9/11/2019) (May be acted upon Jan 2020)

Location: 9/15/2019-S. 2 YEAR

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 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: 9/15/2019-Failed Deadline pursuant to Rule 61(a)(15). (Last location was INACTIVE FILE on 9/4/2019)(May be acted upon Jan 2020)

Location: 9/15/2019-S. 2 YEAR

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

[AB 2365](#)

(Rodriguez D) Public Employees' Retirement System: employment without reinstatement.

Current Text: Amended: 5/4/2020 [html](#) [pdf](#)

Introduced: 2/18/2020

Last Amend: 5/4/2020

Status: 5/5/2020-Re-referred to Com. on P.E. & R. From committee: Do pass and re-refer to Com. on APPR. (Ayes 7. Noes 0.) (May 5). Re-referred to Com. on APPR.

Location: 5/5/2020-A. APPR.

Summary: Existing law, the Public Employees' Retirement Law (PERL), creates the Public Employees' Retirement

System (PERS), which provides pension and disability benefits to its members and prescribes their rights and duties. Existing law, the Public Employees' Pension Reform Act of 2013 (PEPRA), prescribed various limitations on public employees, employers, and retirement systems concerning, among other things, work after retirement. PERL generally prohibits retired PERS members from working for an agency participating in the system without reinstatement in the system, unless that employment is otherwise specifically authorized. PEPRA also prohibits retirees from serving or being employed directly, or through a contract, with a public employer, as defined, in the same retirement system from which they receive their benefits, except as expressly permitted. Both PERL and PEPRA generally prescribe limits on the manner and duration that retired members may be employed without reinstatement. PERL requires a person who is employed in violation of its reinstatement requirements to be reinstated in the member category previously held and on the date on which the unlawful employment occurred. In these circumstances, PERL requires that a retired member reimburse the system for the person's allowance received during the periods of the unlawful employment, to pay to the system employee contributions that otherwise should have been paid, and to contribute for associated administrative expenses, as specified. PERL requires employers in these circumstances to pay to the system the employer contributions that otherwise should have been paid and to contribute for associated administrative expenses, as specified. This bill would eliminate the above-described requirement that a person employed without reinstatement in a manner other than authorized by PERL be reinstated, instead providing that reinstatement permissive. The bill would make conforming changes and make specific reference to the duties of employees and employers regarding reinstatement after retirement in violation of PEPRA.

Memo:

Support letter sent to Author -- 5/4/2020

Support letter sent to Asm. PE&R -- 5/4/2020

AB 2378

(Cooper D) Public Employees' Retirement System: postretirement death benefit.

Current Text: Introduced: 2/18/2020 [html](#) [pdf](#)

Introduced: 2/18/2020

Status: 2/24/2020-Referred to Com. on P.E. & R.

Location: 2/24/2020-A. P.E. & R.

Summary: The Public Employees' Retirement Law requires that, upon the death of certain members after retirement and while receiving a retirement allowance, a specified sum of money be paid to the member's designated beneficiary. Existing law provides that the additional employer contributions required to fund these benefits be computed as a level percentage of member compensation, and requires the contributions to be deposited in the Public Employees' Retirement Fund, a continuously appropriated fund. This bill would authorize the Board of Administration of the Public Employees' Retirement System, beginning on or after January 1, 2021, to adjust the death benefit amounts following each actuarial valuation to reflect changes in the All Urban California Consumer Price Index, as specified. By authorizing the board to increase contributions deposited in the Public Employees' Retirement Fund, this bill would make an appropriation.

AB 2394

(Cooper D) Public Employees' Retirement System: allowances: cost of living adjustment.

Current Text: Introduced: 2/18/2020 [html](#) [pdf](#)

Introduced: 2/18/2020

Status: 2/24/2020-Referred to Com. on P.E. & R.

Location: 2/24/2020-A. P.E. & R.

Summary: Existing law, the Public Employees' Retirement 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. Existing law generally provides that retirement allowances are adjusted annually to reflect increases in the cost of living in relation to the consumer price index, as defined. Existing law defines "consumer price index" for these purposes to mean the United States city average "Consumer Price Index for All Urban Consumers," effective January 1, 1978. Existing law establishes the Department of Industrial Relations as an instrumentality of California government. This bill would change the definition of "consumer price index," effective January 1, 2021, to instead refer to the California Consumer Price Index for All Urban Consumers for all items, as determined by the Department of Industrial Relations.

SB 179

(Nielsen R) Excluded employees: arbitration.

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

Introduced: 1/28/2019

Status: 9/15/2019-Failed Deadline pursuant to Rule 61(a)(15). (Last location was INACTIVE FILE on 9/5/2019)(May be acted upon Jan 2020)

Location: 9/15/2019-A. 2 YEAR

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: 9/3/2019 [html](#) [pdf](#)

Introduced: 2/12/2019

Last Amend: 9/3/2019

Status: 9/15/2019-9/15/2019-Failed Deadline pursuant to Rule 61(a)(15). (Last location was DESK on 9/11/2019) (May be acted upon Jan 2020)

Location: 9/15/2019-S. 2 YEAR

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

Oppose

AB 2998

(Kiley R) Teachers: defined contribution plans: salaries.

Current Text: Amended: 5/4/2020 [html](#) [pdf](#)

Introduced: 2/21/2020

Last Amend: 5/4/2020

Status: 5/5/2020-Re-referred to Com. on P.E. & R.

Location: 4/24/2020-A. P.E. & R.

Summary: Existing 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. 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 contains other existing laws.

SB 1067

(Moorlach R) Local agencies: refunding bonds: pension obligations.

Current Text: Amended: 5/6/2020 [html](#) [pdf](#)

Introduced: 2/18/2020

Last Amend: 5/6/2020

Status: 5/6/2020-From committee with author's amendments. Read second time and amended. Re-referred to Com. on GOV. & F.

Location: 2/27/2020-S. GOV. & F.

Summary: Existing law generally authorizes local agencies to issue bonds and distinguishes between different types of bonds for this purpose. Existing law regulates the issuance of refunding bonds by a local agency, which are issued for the purpose of refunding other indebtedness, as specified. The California Constitution prohibits a county, city, town, township, board of education, or school district from incurring a debt or liability in any manner or for any purpose exceeding in any year the income and revenue provided for the year, without approval by 2/3 of the voters of the public entity voting at an election to be held for that purpose, except for certain debts issued for public schools, as specified. Existing case law has qualified this prohibition by creating certain exceptions that have

been judicially deemed not to implicate it, including for revenue bonds and for obligations imposed by law. The California Constitution generally authorizes the Legislature to provide maximum property tax rates and bonding limits for local governments. Existing law authorizes a local agency that intends to issue refunding bonds to do so without submitting the question of the issuance to a vote of the qualified electors of the local agency. This bill would require that refunding bonds to be used to refund pension obligation bonds with specified characteristics be approved by 55 percent of the voters of the local agency voting on the proposition that authorizes the indebtedness. The bill would apply this requirement to bonds issued on or after January 1, 2021, for the purpose of refunding pension obligations, and the bonds to be refunded have a maturity date of more than 36 months after the date the bonds are issued. This bill contains other related provisions and other existing laws.

SB 1297

(Moorlach R) Public employees' retirement.

Current Text: Introduced: 2/21/2020 [html](#) [pdf](#)

Introduced: 2/21/2020

Status: 3/5/2020-Referred to Com. on L., P.E. & R.

Location: 3/5/2020-S. L., P.E. & R.

Summary: (1) Existing law creates various public employee retirement systems in the state, including the Public Employees' Retirement System, the State Teachers' Retirement System, the Judges' Retirement System, the Judges' Retirement System II, county and district retirement systems created pursuant to the County Employees Retirement Law of 1937, the University of California Retirement Plan, various transit district retirement systems, and other independent public retirement systems. These systems, which are supported by member and employer contributions and investment earnings, may provide defined benefits to their members based on final compensation, credited service, and age at retirement, subject to certain variations. This bill would revise the provision of pension and other benefits to members of all state or local public retirement systems. The bill would apply its provisions prospectively to any member of a state or local public retirement system who is employed upon the date of its enactment and to any person who may be employed and become a member thereafter. The bill would void any limit on a pension that prohibits the pension from exceeding a percentage of final compensation, as specified. The bill would prohibit a local entity from establishing a deferred retirement option program, as described, and if a local entity has established a deferred retirement option program, whether or not the program is closed to new participants, it would be required to disenroll any participating employees and close the program. With regard to any member of a state or local public retirement system, the bill would require that final annual compensation used for purposes of ascertaining any pension or benefit be calculated as an average of the member's 3 highest earning years. The bill would prohibit, for any method of calculating a pension that is based on fractional percentage of final compensation multiplied by years of service with respect to a particular age at retirement, that fractional percentage from exceeding 2.7%. This bill contains other related provisions and other existing laws.

Watch

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 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 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 1002

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

Current Text: Amended: 1/27/2020 [html](#) [pdf](#)

Introduced: 2/21/2019

Last Amend: 1/27/2020

Status: 1/27/2020-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. 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 1961

(Patterson R) Whistleblower protection.

Current Text: Introduced: 1/21/2020 [html](#) [pdf](#)

Introduced: 1/21/2020

Status: 1/22/2020-From printer. May be heard in committee February 21.

Location: 1/21/2020-A. PRINT

Summary: Existing law, the California Whistleblower Protection Act, prohibits an employee from interfering with a person's rights to disclose improper activity and be free from reprisal under the act. The act authorizes the California State Auditor to conduct an investigation upon receiving specific information that an employee or state agency has engaged in an improper governmental activity, as defined. The act applies to state agencies, as defined, and to the University of California, the California State University, and courts, as specified. The act requires the auditor to establish a means of submitting allegations of improper governmental activity, and generally requires the California State Auditor to keep confidential every investigation, including all investigative files and work product. Under the 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 act defines a "protected disclosure" to mean, among other things, a good faith communication that discloses information that may evidence an improper governmental activity. The act specifically includes in "protected disclosure" a good faith communication to the California State Auditor's Office alleging an improper governmental activity and any evidence delivered to the

California State Auditor's Office in support of the allegation. Under the act, "protected disclosure" also includes, but is not limited to, a complaint made to the Commission on Judicial Performance. 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. This bill contains other related provisions and other existing laws.

AB 1973

(Kamlager D) Health care coverage: abortion services: cost sharing.

Current Text: Amended: 2/27/2020 [html](#) [pdf](#)

Introduced: 1/22/2020

Last Amend: 2/27/2020

Status: 3/2/2020-Re-referred to Com. on HEALTH.

Location: 2/27/2020-A. HEALTH

Summary: Existing law, the Reproductive Privacy Act, provides that the state may not deny or interfere with a person's right to choose or obtain an abortion prior to viability of the fetus, or when the abortion is necessary to protect the life or health of the person. The act defines "abortion" as a medical treatment intended to induce the termination of a pregnancy except for the purpose of producing a live birth. Existing law also provides for the Medi-Cal program, which is administered by the State Department of Health Care Services, under which qualified low-income individuals receive health care services through, among other things, managed care plans licensed under the act that contract with the State Department of Health Care Services. Existing law, the Knox-Keene Health Care Service Plan Act of 1975, provides for the licensure and regulation of health care service plans by the Department of Managed Health Care and makes a willful violation of the act a crime. Existing law also provides for the regulation of health insurers by the Department of Insurance. Existing law requires group and individual health care service plan contracts and disability insurance policies to cover contraceptives, without cost sharing, as specified. This bill would prohibit a health care service plan or an individual or group policy of disability insurance that is issued, amended, renewed, or delivered on or after January 1, 2021, from imposing a deductible, coinsurance, copayment, or any other cost-sharing requirement on coverage for all abortion services, as specified, and additionally would prohibit cost sharing from being imposed on a Medi-Cal beneficiary for those services. The bill would apply the same benefits with respect to an enrollee's or insured's covered spouse and covered nonspouse dependents. The bill would not require an individual or group health care service plan contract or disability insurance policy to cover an experimental or investigational treatment. Because a violation of the bill by a health care service plan would be a crime, the bill would impose a state-mandated local program. 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 no reimbursement is required by this act for a specified reason.

AB 2101

(Committee on Public Employment and Retirement) Public employees' retirement: required distributions: age.

Current Text: Amended: 5/4/2020 [html](#) [pdf](#)

Introduced: 2/6/2020

Last Amend: 5/4/2020

Status: 5/5/2020-Re-referred to Com. on P.E. & R. From committee: Do pass and re-refer to Com. on APPR. with recommendation: To Consent Calendar. (Ayes 7. Noes 0.) (May 5). Re-referred to Com. on APPR.

Location: 5/5/2020-A. APPR.

Summary: (1) The Public Employees' Retirement Law (PERL) establishes the Public Employees' Retirement System (PERS) for the purpose of providing pension benefits to state employees and employees of contracting agencies. Existing law requires administration of PERS by the Board of Administration of PERS. Existing law creates the Public Employees' Retirement Fund as a trust fund to be expended only for purposes related to the system and its administration, as specified, and provides that the fund is continuously appropriated for these purposes. Existing law, the California Public Employees' Pension Reform Act of 2013 (PEPRA), on and after January 1, 2013, generally requires a public retirement system, as defined, to modify its plan or plans to comply with the act, as specified. This bill would make various technical and clarifying changes to these provisions, including specifying that data filed on behalf of any member, retired member, beneficiary, or annuitant is also confidential and that data may be divulged to other retirement systems that provide reciprocal benefits to members of PERS. This bill contains other related provisions and other existing laws.

AB 2144

(Arambula D) Health care coverage: step therapy.

Current Text: Amended: 3/12/2020 [html](#) [pdf](#)

Introduced: 2/10/2020

Last Amend: 3/12/2020

Status: 3/16/2020-Re-referred to Com. on HEALTH.

Location: 2/20/2020-A. HEALTH

Summary: Existing law, the Knox-Keene Health Care Service Plan Act of 1975 (Knox-Keene), provides for the licensure and regulation of health care service plans by the Department of Managed Health Care and makes a willful violation of the act a crime. Existing law provides for the regulation of health insurers by the Department of Insurance. Existing law authorizes a health insurer to require step therapy if there is more than one drug that is appropriate for the treatment of a medical condition, and authorizes a health care service plan to utilize step therapy consistent with Knox-Keene. Under existing law, if a health care service plan, health insurer, or contracted physician group fails to respond to a completed prior authorization request from a prescribing provider within a specified timeframe, the prior authorization request is deemed to have been granted. This bill would clarify that a health care service plan may require step therapy if there is more than one drug that is appropriate for the treatment of a medical condition. The bill would require a health care service plan or health insurer to expeditiously grant a step therapy exception if specified criteria are met. The bill would authorize an enrollee or insured or their designee, guardian, primary care physician, or health care provider to file an appeal of a prior authorization or the denial of a step therapy exception request, and would require a health care service plan or health insurer to designate a clinical peer to review those appeals. The bill would require a health care service plan, health insurer, or utilization review organization to annually report specified information about their step therapy exception

requests and prior authorization requests to the Department of Managed Health Care or the Department of Insurance, as appropriate. The bill would require a prior authorization request or step therapy exception request to be deemed to have been granted if a health care service plan, health insurer, or contracted physician group fails to send an approval or denial within a specified timeframe. Because a willful violation of the bill's requirements relative to health care service plans would be a crime, the bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws.

[AB 2159](#)

(Wood D) Health care coverage.

Current Text: Introduced: 2/10/2020 [html](#) [pdf](#)

Introduced: 2/10/2020

Status: 3/17/2020-In committee: Hearing postponed by committee.

Location: 2/20/2020-A. HEALTH

Summary: The federal Patient Protection and Affordable Care Act (PPACA) enacts various health care market reforms. Existing law provides for the regulation of health insurers by the Department of Insurance. Existing law requires a health insurer that issues, sells, renews, or offers plan contracts for health care coverage in the state to comply with the requirements of the PPACA, and any rules or regulations issued under the PPACA, that generally prohibit a health insurer offering group or individual coverage from imposing lifetime or annual limits on the dollar value of benefits for an insured. Existing law requires an insurer to comply with those provisions to the extent required by federal law. This bill would delete the requirement that a health insurer comply with the prohibition on lifetime or annual limits to the extent required by federal law, and would instead prohibit an individual or group health insurance policy from establishing lifetime or annual limits on the dollar value of benefits for an insured, thereby indefinitely extending the prohibitions on lifetime or annual limits.

[AB 2212](#)

(Committee on Accountability and Administrative Review) State employees: pay system: warrants upon death.

Current Text: Introduced: 2/12/2020 [html](#) [pdf](#)

Introduced: 2/12/2020

Status: 3/2/2020-Referred to Coms. on A. & A.R. and P.E. & R.

Location: 3/2/2020-A. A. & A.R.

Summary: Existing law authorizes an employee of the state to file with their appointing power a designation of a person who may, upon the employee's death, receive the employee's warrants. Existing law requires the appointing power, upon sufficient proof of identity, to deliver the warrants to the person making claim to the warrants. Existing law entitles a designated person who receives warrants to negotiate the warrants as if they were the payee. This bill would revise that provision to instead require the appointing power, upon sufficient proof of the person's identity, to endorse and deposit the warrants in a specified manner and issue a revolving fund check in the original amount payable to the designated person.

[AB 2242](#)

(Levine D) Mental health services.

Current Text: Introduced: 2/13/2020 [html](#) [pdf](#)

Introduced: 2/13/2020

Status: 2/20/2020-Referred to Com. on HEALTH.

Location: 2/20/2020-A. HEALTH

Summary: Existing law, the Knox-Keene Health Care Service Plan Act of 1975, provides for the licensure and regulation of health care service plans by the Department of Managed Health Care and makes a willful violation of the act a crime. Existing law also provides for the regulation of health insurers by the Department of Insurance. Existing law requires an individual or small group health care service plan contract or health insurance policy issued, amended, or renewed on or after January 1, 2017, to include coverage for essential health benefits, which include mental health services. This bill would require a health care service plan or a health insurance policy issued, amended, or renewed on or after January 1, 2021, that includes coverage for mental health services to, among other things, approve the provision of mental health services for persons who are detained for 72-hour treatment and evaluation under the Lanterman-Petris-Short Act and to schedule an initial outpatient appointment for that person with a licensed mental health professional on a date that is within 48 hours of the person's release from detention. The bill would prohibit a noncontracting provider of covered mental health services 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 those services. 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. This bill contains other related provisions and other existing laws.

[AB 2328](#)

(Garcia, Cristina D) Civil service: Limited Examination and Appointment Program.

Current Text: Introduced: 2/14/2020 [html](#) [pdf](#)

Introduced: 2/14/2020

Status: 3/16/2020-In committee: Hearing postponed by committee.

Location: 2/24/2020-A. P.E. & R.

Summary: 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. Existing law creates the Limited Examination and Appointment Program (LEAP), which the Department of Human Resources administers, to provide an alternative to the traditional civil service examination and appointment process to facilitate the hiring of persons with disabilities. Existing law will repeal certain provisions of LEAP on January 1, 2021. Existing law requires the Department of Human Resources, when an appointing power seeks to fill a vacant position by using an employment list, to provide the appointing power with a certified list of the names and addresses of all eligible candidates, as specified. Existing law requires the department to provide a single certified list of eligible candidates if more than

one employment list or LEAP referral list exists, the department is required to combine the names and addresses of all eligible candidates. This bill would require, notwithstanding those provisions, that the department, upon request of the appointing power, provide the appointing power a LEAP referral list without combining that list with a parallel list. The bill would require the department to establish guidelines for provision of reasonable accommodation to applicants and employees with disabilities and to promulgate a model reasonable accommodation policy, as specified.

[AB 2473](#)

(Cooper D) Public investment funds.

Current Text: Introduced: 2/19/2020 [html](#) [pdf](#)

Introduced: 2/19/2020

Status: 5/5/2020-From committee: Do pass and re-refer to Com. on APPR. (Ayes 7. Noes 0.) (May 5). Re-referred to Com. on APPR.

Location: 5/5/2020-A. APPR.

Summary: Existing law, the California Public Records Act, requires state and local agencies to make their records available for public inspection, unless an exemption from disclosure applies. Existing law excludes from the disclosure requirement certain records regarding alternative investments in which public investment funds invest. This bill would exempt from disclosure under the act specified records regarding an internally managed private loan made directly by a public investment fund, including quarterly and annual financial statements of the borrower or its constituent owners, unless the information has already been publicly released by the keeper of the information. This bill contains other related provisions and other existing laws.

[AB 2758](#)

(Cooper D) Alternative workweek schedule: agricultural employees.

Current Text: Amended: 5/4/2020 [html](#) [pdf](#)

Introduced: 2/20/2020

Last Amend: 5/4/2020

Status: 5/5/2020-Re-referred to Com. on L. & E.

Location: 4/24/2020-A. L. & E.

Summary: Existing law authorizes an employer to propose a regularly scheduled alternative workweek that authorizes work by the affected employees for no longer than 10 hours per day within a 40-hour workweek without the payment to the affected employees of an overtime rate of compensation and that will be adopted if it receives approval in a secret ballot election by at least 2/3 of affected employees in a work unit. Existing law establishes a time and 1/2 overtime rate for affected employees for any work in excess of the regularly scheduled hours established by the alternative workweek agreement and for any work in excess of 40 hours per week. Existing law establishes a minimum double-time rate for work in excess of 12 hours per day and for any work in excess of 8 hours on those days worked beyond the regularly scheduled workdays established by the alternative workweek agreement. Other existing law relating only to agricultural employees phases in overtime requirements according to a prescribed schedule over the course of 4 years, from 2019 to 2022, inclusive. Beginning January 1, 2022, existing law prohibits any person employed in an agricultural occupation from being employed more than 8 hours in any one workday or working in excess of 40 hours in any one workweek, unless the employee receives one and 1/2 times that employee's regular rate of pay for all hours worked over 8 hours in any workday or over 40 hours in any workweek. Beginning January 1, 2022, existing law requires any work performed by a person employed in an agricultural occupation in excess of 12 hours in one day to be compensated at a minimum double-time rate. Under existing law, employers who employ 25 or fewer employees have an additional 3 years to comply with the phasing in of these overtime requirements. This bill would require, for purposes of those alternative workweek provisions, that an affected employee employed in an agricultural occupation working longer than 8 hours, but not more than 12 hours in a day, pursuant to an alternative workweek schedule, be paid an overtime rate of compensation according to the agricultural employee overtime phase-in provisions, as specified.

[AB 2830](#)

(Wood D) Health care cost transparency database.

Current Text: Introduced: 2/20/2020 [html](#) [pdf](#)

Introduced: 2/20/2020

Status: 3/2/2020-Referred to Com. on HEALTH.

Location: 3/2/2020-A. HEALTH

Calendar: 5/18/2020 10 a.m. - Assembly Chambers ASSEMBLY HEALTH, WOOD, Chair

Summary: Existing law states the intent of the Legislature to establish a Health Care Cost Transparency Database to collect information on the cost of health care, and requires the Office of Statewide Health Planning and Development to convene a review committee to advise the office on the establishment and implementation of the database. Existing law requires, subject to appropriation, the office to establish, implement, and administer the database by January 1, 2023. Existing law exempts contracts entered into by the office from provisions of the Public Contract Code. Existing law requires certain health care entities, including a health care service plan, to provide specified information to the office for collection in the database. Existing law provides that a violation of these provisions is not a crime. This bill would state the intent of the Legislature to establish a system to collect health information related to health care cost, quality, and efficiency by January 1, 2022. The bill would direct the office to take a number of actions with respect to developing and implementing the Health Care Cost Transparency Database, including, among other things, ensuring the database can map to other databases, contracting with a data collection vendor, as necessary, collecting and incorporating data from other state and federal agencies, developing and maintaining a master person index, a master provider index, and a master payer index, developing data quality and improvement processes, and developing an information security program to ensure the privacy of individuals and the security of the data collected. The bill would authorize the office to impose a user fee on eligible users of the database in an amount that does not exceed the office's administrative costs in providing eligible users access to the database. This bill contains other related provisions and other existing laws.

[AB 2874](#)

(Gabriel D) Individual retirement accounts.

Current Text: Introduced: 2/21/2020 [html](#) [pdf](#)

Introduced: 2/21/2020

Status: 2/24/2020-Read first time.

Location: 2/21/2020-A. PRINT

Summary: Existing federal law provides for tax-qualified retirement plans and individual retirement accounts or individual retirement annuities by which private citizens may save money for retirement. Existing law modifies, for state income tax purposes, provisions of the Internal Revenue Code relating to individual retirement accounts. This bill would make a nonsubstantive change to that state provision.

AB 2967

(O'Donnell D) Public Employees' Medical and Hospital Care Act: firefighters and public safety officers.

Current Text: Amended: 5/4/2020 [html](#) [pdf](#)

Introduced: 2/21/2020

Last Amend: 5/4/2020

Status: 5/5/2020-Re-referred to Com. on P.E. & R. From committee: Do pass and re-refer to Com. on APPR. with recommendation: To Consent Calendar. (Ayes 7. Noes 0.) (May 5). Re-referred to Com. on APPR.

Location: 5/5/2020-A. APPR.

Summary: Existing law, the Public Employees' Medical and Hospital Care Act, which is administered by the Board of Administration of the Public Employees' Retirement System, governs the funding and provision of postemployment health care benefits for eligible retired public employees and their beneficiaries. The act deems a surviving spouse or other eligible family member of certain firefighters or peace officers, whose deaths occur as a result of injury or disease arising out of their official duties, to be an annuitant, as specified, for purposes of enrollment in a health benefit plan, if the spouse or family member is uninsured. Existing law requires the employer of the deceased firefighter or peace officer to notify the board within 10 business days of the death of the employee, among other things, if that spouse or family member may be eligible for enrollment. This bill would reduce the period within which an employer is to provide notice to the board, as described above, to within 7 calendar days.

AB 3069

(Lackey R) State employment: homeless and foster youth: pilot program.

Current Text: Introduced: 2/21/2020 [html](#) [pdf](#)

Introduced: 2/21/2020

Status: 5/5/2020-From committee: Do pass and re-refer to Com. on APPR. (Ayes 7. Noes 0.) (May 5). Re-referred to Com. on APPR.

Location: 5/5/2020-A. APPR.

Summary: 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. Existing law creates the Limited Examination and Appointment Program (LEAP), which the Department of Human Resources administers, to provide an alternative to the traditional civil service examination and appointment process to facilitate the hiring of persons with disabilities, including a LEAP internship program. Existing law will repeal the LEAP internship on January 1, 2021. This bill, until January 1, 2026, would require the Department of Human Resources to establish and administer a LEAP internship pilot program for homeless youth and former foster youth. The bill would require the department to work with the Department of Social Services in implementing the program. The bill would define former foster youth and homeless youth for these purposes. The bill would require the department to conduct competitive examinations to determine the qualifications and readiness of a homeless youth or former and former foster youth for state employment, which would be permitted to include on-the-job-performance evaluation and any other selection techniques deemed appropriate. The bill would also require the department to permit an applicant youth to complete a written examination or readiness evaluation, or to complete an internship, as specified, in order to qualify for service in a position under the program. The use of an internship as a competitive examination would be subject to specified requirements. This bill contains other related provisions.

AB 3249

(Fong R) Public retirement: Controller: annual report.

Current Text: Introduced: 2/21/2020 [html](#) [pdf](#)

Introduced: 2/21/2020

Status: 3/9/2020-Referred to Com. on P.E. & R.

Location: 3/9/2020-A. P.E. & R.

Summary: Existing law requires state and local public retirement systems to submit audited financial statements to the Controller at the earliest practicable opportunity within 6 months of the close of each fiscal year, and requires the Controller, within 12 months of receipt of the information, to compile and publish a report on the financial condition of all state and local public retirement systems. This bill would additionally require the Controller to post the report on the financial condition of all state and local public retirement systems on the Controller's internet website.

AB 3265

(McCarty D) Whistleblowers: California State Auditor: State Personnel Board.

Current Text: Amended: 5/4/2020 [html](#) [pdf](#)

Introduced: 2/21/2020

Last Amend: 5/4/2020

Status: 5/5/2020-Re-referred to Com. on JUD.

Location: 4/24/2020-A. JUD.

Summary: Existing law creates the California State Auditor's Office, which is independent of the executive branch and legislative control, to examine and report annually upon the financial statements prepared by the executive branch. Other existing law, the California Whistleblower Protection Act, authorizes the California 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 act requires the auditor to administer its provisions and to investigate and report on improper governmental activities. The act requires the auditor, if, after investigating, the

auditor finds that an employee may have engaged or participated in improper governmental activities, to prepare an investigative report and send a copy of the investigative report to the employee's appointing power. The act prohibits an employee from directly or indirectly using or attempting to use the official authority or influence of the employee for the purpose of intimidating, threatening, coercing, commanding, or attempting to intimidate, threaten, coerce, or command any person for the purpose of interfering with the rights conferred pursuant to the act. This bill would specify that the improper activities to be investigated and reported on include actual or attempted acts of reprisal, retaliation, threats, coercion, or similar improper acts as prohibited by the act. The act requires the auditor to create the means for the submission of allegations of improper governmental activity, as prescribed, and authorizes the auditor, upon receiving specific information that any employee or state agency has engaged in an improper governmental activity, to conduct an investigation of the matter. This bill would require the auditor to provide a dated notice of receipt of submission to the person submitting an allegation of improper governmental activity. The act requires the auditor, if, after investigating an allegation, the auditor finds that a state agency or employee may have engaged or participated in an improper governmental activity, to prepare an investigative report and send a copy of that report to the head of the agency involved and to the head of any other agency that has direct oversight over that involved agency. Under the act, the auditor does not have any enforcement power with regard to such a violation. This bill would require the auditor, upon request, to also notify the employee providing the information that initiated the investigation that an investigative report has been issued. The bill would require the auditor, if the auditor finds that a state agency or employee may have engaged in actual or attempted acts of reprisal, retaliation, threats, coercion, or similar improper acts as prohibited by the act, to send a copy of those findings to the State Personnel Board. The bill would require, in any civil action or administrative proceeding for such a violation, that the investigative report and findings be made available to the complainant, as specified. The act authorizes a state employee or applicant for state employment who files a written complaint with the employee or applicant's supervisor, manager, or the appointing power alleging actual or attempted acts of reprisal, retaliation, threats, coercion, or similar prohibited improper acts, to also file a copy of the written complaint in a prescribed manner with the board, together with a sworn statement that the contents of the written complaint are true, or are believed by the affiant to be true, under penalty of perjury. Under the act, a person who intentionally engages in acts of reprisal, retaliation, threats, coercion, or similar acts against a state employee or applicant for state employment for having made a protected disclosure, is subject to a fine not to exceed \$10,000 and imprisonment in the county jail as prescribed. The act provides for additional relief, including an action for damages by the injured party, and provides for punitive damages and reasonable attorney's fees. Under these provisions, any action for damages is not available to the injured party unless the injured party has first filed a complaint with the board and the board has issued, or failed to issue, specified findings. This bill would also authorize the filing of such a complaint with the auditor. By expanding the crime of perjury, this bill would impose a state-mandated local program. The bill would subject a person who violates that protected disclosure provision to a penalty of \$25,000 and imprisonment. The bill would also entitle an injured party, where liability has been established, to specified costs. The bill, with respect to an action by the injured party, would authorize a court to order specified appropriate relief. Under the bill, it would not be a prerequisite for an action for damages for the injured party to first file a complaint with the board. The bill would authorize an employee, in any civil action or administrative proceeding brought pursuant to these provisions, to petition the board or the superior court in any county wherein the violation in question is alleged to have occurred, or wherein the person resides or transacts business, for appropriate temporary or preliminary injunctive relief. The bill would grant the board or court jurisdiction to grant temporary injunctive relief, as prescribed. The act contains complaint provisions specific to the University of California (UC) and the California State University (CSU). Those university provisions make certain persons who intentionally engage in acts of reprisal, retaliation, threats, coercion, or similar acts against a UC or CSU employee for having made a protected disclosure, subject to a fine not to exceed \$10,000 and imprisonment in the county jail, as prescribed. Under those provisions, where liability has been established, the injured party is entitled to reasonable attorney's fees. Additionally, under those provisions, an action for damages is not available until a complaint has been filed with the university and the university has failed to reach a decision within specified time limits. This bill would instead impose a penalty of \$25,000 and imprisonment. The bill would specify that an injured party's reasonable attorney's fees include fees and costs for any actions or proceedings before the State Personnel Board. The bill would authorize a court, if liability is established, to order any appropriate relief, including, but not limited to, reinstatement, backpay, restoration of lost service credit, if appropriate, compensatory damages, and the expungement of any adverse records of the employee or applicant for employment who was the subject of the alleged acts of misconduct prohibited by the act. Under the bill, it would not be a prerequisite for an action for damages for the injured party to first file a complaint with the university. The act contains complaint provisions specific to certain courts. Those provisions, except as specified, make a person who intentionally engages in acts of reprisal, retaliation, threats, coercion, or similar acts against an employee or applicant for employment for having made a protected disclosure, subject to a fine not to exceed \$10,000 and imprisonment in the county jail, as prescribed. Under the court provisions, where liability has been established, the injured party is entitled to reasonable attorney's fees. This bill would instead impose a penalty of \$25,000 and imprisonment. The bill would authorize a court, if liability is established, to order any appropriate relief, including, but not limited to, reinstatement, backpay, restoration of lost service credit, if appropriate, compensatory damages, and the expungement of any adverse records of the employee or applicant for employment who was the subject of the alleged acts of misconduct prohibited by the act. Existing law authorizes the board to initiate a hearing or investigation of a written complaint of prohibited conduct within 10 working days of its submission. If the executive officer finds that the supervisor, manager, employee, or appointing power retaliated against the complainant for engaging in protected whistleblower activities, the supervisor, manager, employee, or appointing power may request a hearing before the board regarding the findings of the executive officer. If, after the hearing, the board determines that a violation occurred, or if no hearing is requested and the findings of the executive officer conclude that improper activity has occurred, the board is authorized to order any appropriate relief. Existing law requires, if a state employee is successful in an action brought pursuant to these provisions, that the complaining employee be reimbursed for specified costs. This bill would specify that appropriate relief may include reasonable attorney's fees and costs for successful prosecution of a retaliation complaint before the board. The bill would also require the reimbursement of reasonable attorney's fees for a successful action by a complaining employee. Existing law relating to state civil service disciplinary proceedings provides an employee 30 calendar days after the effective date of an adverse action to file with the board a written answer to the notice of adverse action, as prescribed. This bill would additionally authorize an employee to file a complaint pursuant to the act within that period. 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 no reimbursement is required by this act for a specified reason.

[AB 3302](#)

(Salas D) State public employment: memorandum of understanding: State Bargaining Unit 6.

Current Text: Amended: 5/4/2020 [html](#) [pdf](#)

Introduced: 2/21/2020

Last Amend: 5/4/2020

Status: 5/5/2020-Re-referred to Com. on P.E. & R. From committee: Do pass and re-refer to Com. on APPR. (Ayes 6. Noes 1.) (May 5). Re-referred to Com. on APPR.

Location: 5/5/2020-A. APPR.

Summary: Existing law provides that a provision of a memorandum of understanding reached between the state employer and a recognized employee organization representing state civil service employees that requires the expenditure of funds does not become effective unless approved by the Legislature in the annual Budget Act. This bill would, notwithstanding those provisions, require that the provisions of the memorandum of understanding requiring the expenditure of funds to also become effective if they are approved by the Legislature in legislation other than the annual Budget Act. This bill would approve provisions requiring the expenditure of funds in the memorandum of understanding, to be identified by date, entered into between the state employer and State Bargaining Unit 6, but would specify that the provisions will not take effect unless funds for those provisions are specifically appropriated by the Legislature. The bill would require the state employer and State Bargaining Unit 6 to meet and confer to renegotiate the affected provisions if funds for those provisions are not specifically appropriated by the Legislature.

[AB 3359](#)

(Cooper D) State employment.

Current Text: Introduced: 2/21/2020 [html](#) [pdf](#)

Introduced: 2/21/2020

Status: 2/24/2020-Read first time.

Location: 2/21/2020-A. PRINT

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. Existing law, the Ralph C. Dills Act, regulates the labor relations of the state. This bill would state the intent of the Legislature to subsequently amend this measure to include provisions that would require the state to make available to specified exclusive labor representatives information regarding how many people have applied, been interviewed, and have been hired or rejected for any state job.

[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.

[ACA 24](#)

(Low D) Legislature: benefits and retirement.

Current Text: Introduced: 2/21/2020 [html](#) [pdf](#)

Introduced: 2/21/2020

Status: 2/24/2020-Read first time.

Location: 2/21/2020-A. PRINT

Summary: (1) The California Constitution directs the California Citizens Compensation Commission to establish and adjust the salary and benefits for state officers, including Members of the Legislature. This measure would remove the commission's authority to establish and adjust the benefits of Members of the Legislature first elected to the Legislature for terms commencing on or after December 7, 2020, and would instead require that the total monetary value of the medical, dental, insurance, and other similar benefits for a Member of the Legislature who is first elected to the Legislature for a term commencing on or after December 7, 2020, be equal to the total monetary value of those benefits provided to a full-time employee of the house in which the Member serves. This bill contains other related provisions and other existing laws.

[SB 175](#)

(Pan D) Health care coverage.

Current Text: Amended: 1/6/2020 [html](#) [pdf](#)

Introduced: 1/28/2019

Last Amend: 1/6/2020

Status: 1/27/2020-Read third time. Passed. (Ayes 39. Noes 0.) Ordered to the Assembly. In Assembly. Read first time. Held at Desk.

Location: 1/27/2020-A. DESK

Summary: Existing federal law, the Patient Protection and Affordable Care Act (PPACA), enacts various health care market reforms. Existing law, the Knox-Keene Health Care Service Plan Act of 1975, provides for the licensure and regulation of health care service plans by the Department of Managed Health Care and makes a willful violation of the act a crime. Existing law requires a health care service plan that issues, sells, renews, or offers plan contracts for health care coverage in the state to comply with the requirements of the PPACA, and any rules or regulations issued under the PPACA, that generally prohibit a health plan offering group or individual coverage from imposing lifetime or annual limits on the dollar value of benefits for a participant or beneficiary. Existing law requires a plan to comply with those provisions to the extent required by federal law. This bill would delete the requirement that a plan comply with the prohibition on lifetime or annual limits to the extent required by federal law, and would instead prohibit an individual or group health care service plan contract from establishing lifetime or annual limits on the dollar value of benefits for an enrollee, thereby indefinitely extending the prohibitions on lifetime or annual limits, except as specified. Because a willful violation of these provisions by a health care service plan would be a crime, the bill would impose a state-mandated local program. 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 no reimbursement is required by this act for a specified reason.

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, PEPRA 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. PEPRA 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 PEPRA. The election would apply prospectively only, and membership rights and obligations that accrued based on service subject to PEPRA 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 1042

(Pan D) Retirement savings.

Current Text: Introduced: 2/18/2020 [html](#) [pdf](#)

Introduced: 2/18/2020

Status: 3/18/2020-March 25 hearing postponed by committee.

Location: 2/27/2020-S. L., P.E. & R.

Summary: Existing law, the California Secure Choice Retirement Savings Trust Act, establishes the CalSavers Retirement Savings Program to be administered by the California Secure Choice Retirement Savings Investment Board. Existing law requires the Treasurer, on behalf of the board, to appoint an executive director, who is not a member of the board and who serves at its pleasure. Existing law requires eligible employers to offer a payroll deposit retirement savings arrangement so that eligible employees may contribute a portion of their salary or wages to a retirement savings program account in the program, as specified. Existing law requires the board to take various actions upon implementation of the program and, for to up 3 years following its initial implementation of the program, requires the board to establish managed accounts invested in United States Treasuries, myRAs, or similar investments. Existing law states that the program is implemented as of January 1, 2017. This bill would rename the California Secure Choice Retirement Savings Trust Act as the CalSavers Retirement Savings Trust Act, the body that administers the act as the CalSavers Retirement Savings Board, and make conforming changes in this regard. The bill would make various changes in the act to reflect that it has been implemented, including eliminating the requirement to establish managed accounts invested in United States Treasuries, myRAs, or similar investments described above. The bill would authorize the board to delegate rulemaking authority to its executive director. The bill would authorize an employee to opt out of participation in the program by telephone and would eliminate a condition relating to contribution amounts that depends on the length of time that an employee has contributed to the program. This bill contains other related provisions and other existing laws.

SB 1173

(Durazo D) Public employment: labor relations: employee information.

Current Text: Amended: 3/26/2020 [html](#) [pdf](#)

Introduced: 2/20/2020

Last Amend: 3/26/2020

Status: 5/8/2020-Set for hearing May 14.

Location: 3/5/2020-S. L., P.E. & R.

Calendar: 5/14/2020 1:30 p.m. - John L. Burton Hearing Room (4203) SENATE LABOR, PUBLIC EMPLOYMENT AND RETIREMENT, HILL, 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, and the Los Angeles County Metropolitan Transportation Authority Transit Employer-Employee Relations Act, provisions commonly referred to as the Educational Employment Relations Act, and the Higher Education Employer-Employee Relations Act, among others, regulates the labor relations of the state, the courts, and specified local public agencies and their employees. Existing law requires these public employers to provide certain labor representatives with the names and home addresses of newly hired employees, as well as their job titles, departments, work locations, telephone numbers, and personal email addresses, within 30 days of hire or by the first pay period of the month following hire. Existing law also requires the public employers to provide this information for all employees in a bargaining unit at least every 120 days, except as specified. This bill would generally authorize an exclusive representative to file a charge of an unfair labor practice with the Public Employment Relations Board, as specified, alleging a violation of the above-described requirements. The bill would condition this authorization on the exclusive representative giving written notice, as specified, to the public employer of the alleged violation and would provide a public employer a limited opportunity to cure certain violations. The bill would require the Public Employment Relations Board to impose a penalty, not to exceed an unspecified amount, to be determined by the board with reference to specified criteria. The bill would require that an exclusive representative who prevails in these circumstances be awarded of reasonable attorney's fees and costs.

SB 1408

(Dodd D) State Route 37 Toll Bridge Act.

Current Text: Introduced: 2/21/2020 [html](#) [pdf](#)

Introduced: 2/21/2020

Status: 3/12/2020-Referred to Coms. on TRANS. and GOV. & F.

Location: 3/12/2020-S. TRANS.

Summary: The California Toll Bridge Authority Act makes the California Transportation Commission, together with the Department of Transportation, responsible for building and acquiring toll facilities and related transportation facilities. This bill would require an unspecified authority, on behalf of the state, to operate and maintain tolling infrastructure, including by installing toll facilities, and charge and collect tolls for the use of the Sonoma Creek Bridge, and to be responsible for the design and construction of improvements on the bridge and a segment of State Route 37 between its intersections with Route 121 in the County of Sonoma and Walnut Avenue in the County of Solano in accordance with programming and scheduling requirements adopted by the authority. The bill would authorize the authority to issue bonds payable from the revenues derived from those tolls. The bill would authorize those toll and bond revenues to be used for specified purposes, including near-term and long-term improvements to the segment of State Route 37 and the bridge to improve the roadway's mobility, safety, and long-term resiliency to sea level rise and flooding. The bill would require the authority to update and approve an expenditure plan for those toll and bond revenues on an annual basis beginning on July 1 following implementation of a toll. The bill would require the authority to develop and implement an equity program for the toll bridge to reduce the impact of the toll on low-income drivers. This bill contains other related provisions and other existing laws.

Total Measures: 39

Total Tracking Forms: 39

