



BLANNING & BAKER

Associates, Inc.

**ACSS Legislative Report
10/15/2020**

Support

AB 499

(Maves I) Personal information: social security numbers: state agencies.

Current Text: Chaptered: 9/25/2020 [html](#) [pdf](#)

Introduced: 2/13/2019

Last Amend: 8/20/2020

Status: 9/25/2020-Approved by the Governor. Chaptered by Secretary of State - Chapter 155, Statutes of 2020.

Location: 9/25/2020-A. CHAPTERED

Summary: Existing law prohibits a state agency from sending any outgoing United States mail to an individual that contains personal information about that individual, including, but not limited to, the individual's social security number, telephone number, driver's license number, or credit card account number, unless that personal information is contained within sealed correspondence and cannot be viewed from the outside of that sealed correspondence. This bill would prohibit a state agency from sending any outgoing United States mail that contains an individual's social security number unless the number is truncated to its last 4 digits or in specified circumstances, including when federal law requires inclusion of the social security number or when documents are mailed to a current or prospective state employee. The bill would require each state agency that mails an individual's full or truncated part of a social security number to that individual to report to the Legislature, on or before September 1, 2021, regarding when and why it does so. The bill would require a state agency that, in its own estimation, is unable to comply with the restrictions on mailing social security numbers that have not been truncated to submit an annual corrective action plan to the Legislature until it is in compliance. The bill would make the reports, action plans, and related correspondence confidential and would prohibit their public disclosure. This bill contains other related provisions and other existing laws.

AB 824

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

Current Text: Chaptered: 10/7/2019 [html](#) [pdf](#)

Introduced: 2/20/2019

Last Amend: 9/4/2019

Status: 10/7/2019-Approved by the Governor. Chaptered by Secretary of State - Chapter 531, Statutes of 2019.

Location: 10/7/2019-A. CHAPTERED

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 and 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.

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: Vetoed: 9/25/2020 [html](#) [pdf](#)

Introduced: 1/28/2019

Status: 9/25/2020-Vetoed by the Governor. In Senate. Consideration of Governor's veto pending.

Location: 9/25/2020-S. VETOED

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 contains other related provisions.

SB 852

(Pan D) Health care: prescription drugs.

Current Text: Chaptered: 9/28/2020 [html](#) [pdf](#)

Introduced: 1/13/2020

Last Amend: 8/24/2020

Status: 9/28/2020-Approved by the Governor. Chaptered by Secretary of State. Chapter 207, Statutes of 2020.

Location: 9/28/2020-S. CHAPTERED

Summary: Existing law authorizes the Department of General Services to enter into exclusive or nonexclusive contracts on a bid or negotiated basis with manufacturers and suppliers of single-source or multisource drugs. Existing law authorizes the department to obtain from those manufacturers and suppliers discounts, rebates, or refunds based on quantities purchased, as permissible under federal law. Existing law authorizes those contracts to include price discounts, rebates, refunds, or other strategies aimed at managing escalating prescription drug prices. Existing law requires certain state agencies to participate in that prescription drug bulk purchasing program, including the State Department of State Hospitals and the State Department of Developmental Services. Existing law establishes the California Health and Human Services Agency, which includes departments charged with the administration of health, social, and other human services. This bill would require the California Health and Human Services Agency (CHHSA) to enter into partnerships, in consultation with other state departments as necessary to, among other things, increase patient access to affordable drugs. The bill would require CHHSA to enter into partnerships to produce or distribute generic prescription drugs and at least one form of insulin, provided that a viable pathway for manufacturing a more affordable form of insulin exists at a price that results in savings. The bill would, subject to appropriation by the Legislature, require CHHSA to submit a report to the Legislature on or before July 1, 2023, that, among other things, assesses the feasibility and advantages of directly manufacturing generic prescription drugs and selling generic prescription drugs at a fair price. The bill would require CHHSA to report to the Legislature on or before July 1, 2022, a description of the status of the drugs targeted for manufacture and an analysis of how CHHSA's activities have impacted competition, access, and costs for those drugs. The bill would exempt all nonpublic information and documents relating to this program from disclosure under the California Public Records Act in order to protect proprietary, confidential information regarding manufacturer or distribution costs and drug pricing, utilization, and rebates. The bill would

state that its provisions are severable. This bill contains other related provisions and other existing laws.

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.

Total Measures: 6

Total Tracking Forms: 6