



# LEGISLATIVE INTENT SERVICE, INC.

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## COMPENDIUM OF 2014 NOTABLE CALIFORNIA LEGISLATION ©

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**September 30, 2014** was the last day for Governor Jerry Brown to sign or veto bills passed by the Legislature on or before **Sept. 1<sup>st</sup>** and in the Governor's possession after Sept. 1<sup>st</sup>. (Art. IV, Sec. 10(b)(1)). On **December 1, 2014**, the 2015-16 Regular Session will reconvene for an Organizational Session at Noon. (Art. IV, Sec. 3(a)). On **January 1, 2015**, non-urgency bills signed into law will take effect (Art. IV, Sec. 8(c)).

This *Compendium* is not intended to be exhaustive. It sets out enacted bills in 2014 that drew the attention of such stakeholders as the State Bar of California, the League of California Cities, the California Chamber of Commerce, the California Manufacturers & Technology Association, the Consumer Attorneys of California, and the California Teachers Association, just to name a few.

Chaptered laws are identified with a “c.” and indicates the bill was enacted into law.

If you are interested in legislation not noted that was enacted in this Legislative Session, please contact us.

This document is text-searchable.

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## BANKING AND FINANCE

**AB 1700, c. 854 (Medina): Reverse mortgages; notifications.** Prohibits a reverse mortgage lender from accepting a reverse mortgage application until seven days have passed from the date of mandatory loan counseling. Specifically, deletes the current requirement that the lender provides the borrower with a specific checklist prior to counseling, and instead provides a reverse mortgage worksheet guide in at least 14-point font. (*Source:* Fair Housing Council of Riverside County)

**AB 1730, c. 457 (Wagner): Mortgage loan modification; civil penalties.** Authorizes a public prosecutor to assess a \$20,000 civil penalty against any person who negotiates a loan modification charging the borrower an upfront fee, as well as a \$2,500 civil penalty if the victim is a disabled person or a senior citizen. Authorizes a court to order an offender to pay restitution to a victim, and enacts a four-year statute of limitation for bringing an action.

**SB 896, c. 190 (Correa): Nonprofit organizations; zero-interest, low-cost loans; exemptions.** Authorizes a nonprofit organization that meets certain criteria to apply to the Department of Business Oversight (DBO) for an exemption from the California Finance Lenders Law (CFLL) and requires a nonprofit organization granted an exemption by DBO to comply with specified requirements related to the loans it facilitates. It further provides that nonprofit organizations which partner with exempt nonprofits are not subject to the CFLL, if they meet specified criteria and comply with specified requirements. (*Source:* Mission Asset Fund)

## BUSINESS AND PROFESSIONS

**AB 520, c. 777 (Chesbro): Alcoholic beverages; tastings; instruction.** This bill would expand the types of licensees that may provide instructional tasting events regarding wine or distilled spirits at on-sale retail licensed premises and would place additional restrictions

on the instructional tasting events, including restrictions on the types of advertising that may be conducted prior to the instructional tasting event.

**AB 1147, c. 406 (Bonilla): Massage therapy, healing arts.** Substantially revises existing law regulating certified massage therapy professionals, including the deletion of the preemption of local massage-related ordinances as they relate to land use, a two-year extension of the sunset date of the California Massage Therapy Council (CAMTC) which regulates certified massage therapists, reconstitution of CAMTC's board of directors, the increase of educational standards for certified massage professionals, and the creation of new protections for consumers of massage services.

**AB 1439, c. 592 (Salas): Unfair business practices; contests; sweepstakes.** Prohibits any person, when conducting a contest or sweepstakes, from using an electronic video monitor to simulate gambling or play gambling-themed games that offers the opportunity to win sweepstakes cash, cash equivalent prizes, or other prizes of value. (*Source:* CA Police Chiefs Ass'n)

**AB 1852, c. 159 (Campos): Background checks; services to minors.** This bill requires a business providing services to minors, including but not limited to academic tutors and instructors of extracurricular activities, to disclose to parents or guardians the business's policies relating to background checks of employees and the type of background check conducted, and exempts certain child care and medical facilities from this requirement.

**AB 1928, c. 145 (Bocanegra): Beer coupons.** Prohibits a beer manufacturer or a beer wholesaler from offering, promoting, or redeeming coupons, as defined, and also prohibits an alcoholic beverage retail licensee from accepting or redeeming any type of coupon that is funded, produced or promoted by a beer manufacturer or beer wholesaler, as defined.

**SB 962, c. 275 (Leno): Smartphones.** Requires smartphones manufactured after July 1, 2015, and sold in California to contain a

technological solution at the time of sale that will render the essential features of the smartphone inoperable when not in the possession of the authorized user, and also provides a civil penalty for violations and limits retail liability if the solution is circumvented. (Source: SF DA Geo. Gascón)

**SB 1019, c. 862 (Leno): Upholstered furniture; flame retardant chemicals.**

Requires upholstered furniture to include a label indicating whether the product has added flame retardant chemicals. Also directs the Bureau of Electronic and Appliance Repair, Home Furnishings and Thermal Insulation to ensure compliance with labeling and documentation and to assess fines for violations. (Source: CAL FIRE Local 2881, CA Professional Firefighters, Center for Environmental Health, & Natural Resources Defense Council)

**CIVIL**

**AB 1256, c. 852 (Bloom): Privacy; entry and exit of facilities.** Makes it unlawful for a person to physically obstruct, intimidate, or otherwise interfere with any person who is attempting to enter or exit a "facility," as defined, and revises existing law provisions relating to the constructive invasion of privacy. Also enacts a new civil liability statute based upon the unlawful acts of any person, except a parent or guardian acting toward his/her minor child. (Source: Paparazzi Reform Initiative)

**AB 1356, c. 853 (Bloom): Stalking; remedies.** Includes a pattern of conduct intended to place the plaintiff under surveillance within those elements defining the tort of stalking. Permits the plaintiff to show, as an alternative to the plaintiff reasonably fearing for his/her safety or that of a family member, that the pattern of conduct resulted in the plaintiff suffering substantial emotional distress, and that the pattern of conduct causes a reasonable person to suffer substantial emotional distress. Also requires the plaintiff to show that the person has either made a credible threat with the intent to place the plaintiff in reasonable fear for his/her safety, or that of an

immediate family member, or, reckless disregard for the safety of the plaintiff or that of an immediate family member. (Source: Paparazzi Reform Initiative)

**AB 1710, c. 855 (Dickinson): Personal information; privacy** Requires, with respect to the information required to be included in the notification of a data security breach, if the person or business providing the notification was the source of the breach, that the person or business offer to provide appropriate identity theft prevention and mitigation services, if any, to the affected person at no cost for not less than 12 months if the breach exposed or may have exposed specified personal information; expands existing security practice and procedure provisions to businesses that own, license, or maintain personal information about a California resident, as specified; and expands on security procedures and practice provisions that apply to businesses that own, license, or maintain personal information about California residents and prohibit the sale, advertisement for sale, or offer to sell of an individual's social security number, with exceptions.

**AB 2306, c. 858 (Chau): Constructive invasion of privacy; liability.** Expands a person's potential liability for constructive invasion of privacy, by removing the limitation that the person uses a visual or auditory enhancing device, and instead makes the person liable when using any device to engage in the specified unlawful activity.

**AB 2617, c. 910 (Weber): Civil rights; waiver.** This bill imposes specified restrictions on the future contractual waivers of rights under the Ralph Civil Rights Act and the Tom Bane Civil Rights Act, such as the right to be free from any violence, or intimidation by threat of violence, committed against their persons or property because of political affiliation, or on account of position in a labor dispute, or sex, race, color, religion, ancestry, national origin, disability, or medical condition, or because another person perceives them to have one or more of those characteristics.

**AB 2634, c. 296 (Bradford): Civil rights; pattern or practice of interference.** Provides that any individual whose exercise or enjoyment of rights secured by the Constitution or laws of the United States, or of rights secured by the Constitution or laws of this state, has been interfered with, or attempted to be interfered with, may institute and prosecute in his or her own name and on his or her own behalf a civil action for damages, injunctive relief, and other appropriate equitable relief to protect the peaceable exercise or enjoyment of the right or rights secured, including appropriate equitable and declaratory relief to eliminate a pattern or practice of conduct in violation of specified law. (*Source: CA Attorneys for Criminal Justice*)

**AB 2643, c. 859 (Wieckowski): Invasion of privacy; distribution of sexually explicit materials.** Creates a private right of action against a person who intentionally distributes a photograph or recorded image of another that exposes the intimate body parts, as defined, of that person or him/her engaged in specified sexual acts, without his/her consent, and knowing that the other person had a reasonable expectation that the material remains private, if specified conditions are met. Establishes affirmative defenses to that cause of action, including waiver or consent of the person appearing in the material.

**AB 2646, c. 912 (Ting): Civil rights; political structure equal protection.** This bill prohibits a statute, ordinance, or other state or local rule, regulation, or enactment from denying a minority group political structure equal protection of the law by altering, restructuring, or reordering the policy decision-making process in a manner that burdens the ability of members of the minority group to effect the enactment of future legislation, solely with respect to a matter that inures primarily to the benefit of, or is primarily of interest to, one or more minority groups. This bill provides that a statute, ordinance, or other state or local rule, regulation, or enactment shall be determined valid in an action brought pursuant to this bill, only upon a showing by the government that the burden imposed by the statute, ordinance, or other state or local rule, regulation or enactment satisfies both of the following criteria: (1) the

burden is necessary to serve a compelling government interest; and (2) the burden is no greater than necessary to serve the compelling government interest. (*Source: CA Civil Rights Coalition & Mexican American Legal Defense and Educational Fund*)

**SB 245, c. 117 (Correa): Contracts; consumer affairs.** Revises information contained in existing findings and declarations of the Legislature relating to the languages most widely spoken in households with limited English proficiency and the percentage of Californians who speak a language other than English in their homes, based upon more recent data.

**SB 415, c. 48 (Knight): Space flight liability.** Provides that a legislatively prescribed warning and acknowledgement that must be signed by a voluntary participant in a space flight activity shall not be construed to be contrary to the public policy of this state.

**SB 556, c. 832 (Padilla): Consumers Legal Remedies Act, providers of health and safety labor or services; identification.** This bill would prohibit a person, firm, corporation, or association that is a nongovernmental entity and contracts to perform, on or after January 1, 2015, public health and safety labor or services for a public agency from displaying on a vehicle or uniform a logo, as defined, that reasonably could be interpreted as implying that the labor or services are being provided by employees of the public agency, unless the vehicle or uniform conspicuously displays specific disclosures. The bill would prohibit a public agency from requiring a person or employee of a nongovernmental entity providing public health and safety labor or services under contract with the public agency to wear a badge containing the logo of the public agency. The bill would also prohibit a nongovernmental entity providing public health and safety labor or services under contract with a public agency from requiring a person or its employee to wear a badge containing the logo of the public agency. This bill would define the term “public health and safety labor or services” to mean fire protection services, rescue services, emergency medical services, hazardous material

emergency response services, and ambulance services. (Source: CA Labor Federation & CA Professional Firefighters)

**SB 1050, c. 197 (Monning): Notaries public, verification of identity, notice.** Adds a statutory notice to specified forms completed by a notary public indicating that the notarial certification verifies only the identity of the person who signed the document, and not the truthfulness, accuracy, or validity of that document. That legible notice should be included, as specified, in a certificate of acknowledgment, proof of execution, and jurat. (Source: CA Secretary of State)

**SB 1177, c. 839 (Steinberg): Privacy; Student Online Personal Information Protection Act; students.** This bill would prohibit an operator of an Internet Web site, online service, online application, or mobile application from knowingly engaging in targeted advertising to students or their parents or legal guardians, using covered information to amass a profile about a K-12 student, selling a student's information, or disclosing covered information, as provided. The bill would require an operator to implement and maintain reasonable security procedures and practices appropriate to the nature of the covered information, to protect the information from unauthorized access, destruction, use, modification, or disclosure, and to delete a student's covered information if the school or district requests deletion of data under the control of the school or district. The bill would authorize the disclosure of covered information of a student under specified circumstances. The bill's provisions would become operative January 1, 2016.

## CIVIL PROCEDURE

**AB 1657, c. 721 (Gomez): Courts; interpreters.** This bill would expressly authorize the court to provide a court interpreter in any civil action or proceeding at no cost to the parties, regardless of the income of the parties. The bill would require interpreters to be provided in accordance with a specified order of priority, until sufficient funds are appropriated to provide

an interpreter to every party who needs one. (Source: Judicial Council)

**AB 1659, c. 93 (Chau): Post-verdict motions; civil actions.** Increases uniformity between the timelines for three different post-verdict motions: a motion for judgment notwithstanding the verdict; a motion for a new trial; and a motion to set aside and vacate a judgment. (Source: CA Defense Council & Consumer Attorneys of CA)

**AB 1945, c. 415 (Wieckowski): Enforcement of money judgments; exemptions.** Provides that, in the case of community property, the domestic partner of the judgment debtor may claim exemptions from enforcement of judgment whether or not he or she is also a judgment debtor under the judgment.

**AB 2494, c. 425 (Cooley): Courts; frivolous actions or proceedings.** Authorizes a trial court to, until January 1, 2018, award reasonable expenses incurred as a result of bad-faith actions or tactics that are "frivolous" or solely intended to cause unnecessary delay by deleting language that currently limits that authorization to actions or tactics arising from a complaint filed or proceeding initiated on or before December 31, 1994. Requires parties who file motions for an award of costs for bad-faith actions or tactics to transmit to the California Research Bureau (CRB) a copy of various documents associated with the motions. Also requires the CRB to maintain a public record of all information transmitted related to each motion for at least three years, and, on or before January 1, 2017, requires the CRB to submit a report to the Legislature examining the impact and effect of the changes made by this bill's provisions. (Source: Civil Justice Ass'n of CA)

## COMMERCIAL LAW

**AB 1858, c. 284 (Perea): Secured transactions.** Specifies that for the purposes of filing a Uniform Commercial Code (UCC) Article 9 financing statement where the debtor is an individual, the financing statement sufficiently provides the name of the debtor only if it reflects

the name that is on the individual's most current driver's license, or, if the person does not have a driver's license, only if the financing statement provides the individual name of the debtor or the surname and first personal name of the debtor. (Source: CA Bankers Association)

## CORPORATIONS

### **AB 129, c. 74 (Dickinson): Lawful money.**

Repeals Corporations Code § 107, which prohibits the issuance or placement into circulation, as money, anything other than the lawful money of the United States, to avoid restricting the development and use of "alternate currencies." Alternative currencies include virtual currencies (such as Bitcoin, Ripple, Peercoin, Primecoin, and others) and community currencies (i.e., Davis Dollars, Sonoma County Community Cash, Bay Bucks, and others).

### **AB 2755, c. 914 (Bocanegra): Nonprofit corporations; directors.**

Modifies the current definition of directors for the purposes of the Nonprofit Corporation Law to clarify that: (1) if the articles or bylaws designate that a natural person is a director or a member of the governing body of the corporation by reason of occupying a specified position within the corporation or outside the corporation (i.e. "ex officio directors"), without limiting that person's right to vote as a member of the governing body, that person shall be a director for all purposes and shall have the same rights and obligations, including voting rights, as the other directors; and (2) that the term "director" does not include a person who does not have authority to vote as a member of the governing body of the corporation, regardless of title. (Source: Nonprofit Organizations Committee of the Business Law Section of the CA State Bar)

### **SB 1011, c. 556 (Monning): Nonprofit corporations; self-insurance; property loss or damage.**

Authorizes certain 501(c)(3) nonprofit organizations to insure themselves against damage to property and the losses related to the loss of use of property through a risk pool arrangement, organizes as a nonprofit benefit

corporation, be in existence for purposes of covering tort liability for no less than five years, and have accumulated net assets of not less than \$5,000,000. The bill also requires the pooling arrangement to include in every application, on or after January 1, 2016, a notice that states, among other things, that the risk pooling contract is not subject to all of the California insurance laws and is not subject to regulation by the Insurance Commissioner. (Source: Nonprofits Insurance Alliance of CA)

## EDUCATION

### **AB 215, c. 55 (Buchanan): School employees, dismissal or suspension; hearings.**

Modifies the dismissal procedures for certificated employees who have attained permanent status and establishes a separate set of dismissal processes for employees charged only with egregious misconduct, as specified.

### **AB 420, c. 660 (Dickinson): Pupil discipline; suspensions and expulsions; willful defiance.**

Would eliminate the authority to suspend a pupil enrolled in kindergarten or any of grades 1 to 3, inclusive, and the authority to recommend for expulsion a pupil enrolled in kindergarten or any of grades 1 to 12, inclusive, for disrupting school activities or otherwise willfully defying the valid authority of those school personnel engaged in the performance of their duties. The bill would sunset on July 1, 2018. (Source: ACLU, Children Now, Fight Crime: Invest in Kids, & Public Counsel)

### **AB 1432, c. 797 (Gatto): Mandated child abuse reporting; school employees; training.**

Requires annual mandated reporter training of all school district, county office of education, charter school, state special school and diagnostic center personnel within the first six weeks of each school year or within six weeks of employment; and, requires the California Department of Education in consultation with the Department of Social Services to develop and disseminate information on child abuse; develop guidance on mandated reporter responsibilities and

reporting requirements; and, develop a means of instructing school personnel.

**AB 2209, c. 499 (Dickinson): Money Transmission Act.** Updates the Money Transmission Act to ensure that electronic commerce (e-commerce) transactions are not inadvertently regulated as money transmission and makes other changes intended to reflect the increasing use of the Internet as a platform for the exchange of goods and services.

**SB 967, c. 748 (De León): “Yes means yes,” Student safety; sexual assault.** Requires the governing board of each community college district, the Trustees of the California State University, the Regents of the University of California, and the governing boards of independent postsecondary institutions, as specified, to adopt a policy concerning campus sexual violence, domestic violence, dating violence, and stalking that includes specified components and standards.

**SB 1174, c. 753 (Lara): English language education.** Amends and repeals various provisions of Proposition 227 of 1998, including repealing the requirement that all children be taught English by being taught in English and instead allows school districts and county offices of education, in consultation with language experts in the field and parents, to determine the best language instruction methods and language acquisition programs to implement.

## ELECTIONS

**AB 1446, c. 593 (Mullin): Voter registration; personal information.** Requires an individual or organization that distributes voter registration cards, a person entrusted with an affidavit of registration from an elector, or an individual or organization that assists with the submission of an affidavit of registration electronically on the SOS's Internet Web site, to comply with both of the following: a) Prohibits the use of affidavit of registration information for any personal, private, or commercial purpose; and b) Requires an individual or organization described

above to employ reasonable security measures, including employing administrative and physical safeguards, and, for affidavit of registration information available in an electronic form, technical safeguards, to protect the voter registration information from unlawful disclosure and misuse. Also eliminates the requirement that every high school, CCC, and CSU campus provide voter registration forms that are consistent with the number of students enrolled at each school who are of voting age or will be of voting age by the end of the year. (*Source: Secretary of State*)

**SB 29, c. 618 (Correa): Vote by mail ballots; election result statements.** Allows vote by mail ballots to be counted if they are cast by Election Day and received by the elections official by mail no later than three days after the election.

**SB 1253, c. 697 (Steinberg): Initiative measures.** Makes several changes to the initiative process including providing a 30-day public review process, extending the timeframe allowed for circulating a petition, and allowing the withdrawal of a petition at any time before the measure qualifies for the ballot; and makes several other changes to the procedures and requirements for placing an initiative petition measure on the ballot. (*Source: CA Common Cause & League of Women Voters of CA*)

## ENERGY

**AB 2188, c. 521 (Muratsuchi): Solar, permits, residential rooftop systems.** Requires every city or county to adopt an ordinance that creates an expedited permitting process for small, residential rooftop solar energy systems, alters the definition of what is a reasonable restriction on a solar energy system, and makes additional changes to the Solar Rights Act of 1978.

## ENVIRONMENTAL LAW

**AB 52, c. 532 (Gatto): CEQA; Native Americans.** Provides a process for a California Native American tribe (CNA Tribe) to engage in the California Environmental Quality Act review process to avoid significant effects on tribal cultural resources, such as tribal sacred places.

**AB 380, c. 533 (Dickinson): Spill response for railroads.** Requires rail carriers to submit specific information regarding the transport of hazardous materials and Bakken oil to the Office of Emergency Services for the purposes of emergency response planning.

**SB 605, c. 523 (Lara): Short-lived climate pollutants; CA Global Warming Solutions Act of 2006.** Notwithstanding the 2020 statewide greenhouse gas (GHG) emissions limit required by the California Global Warming Solutions Act of 2006, this bill requires the Air Resources Board to complete a comprehensive strategy to reduce emissions of short-lived climate pollutants

**SB 674, c. 549 (Corbett): CEQA; exemption; residential infill projects.** Revises the residential infill exemption by increasing the amount of allowable neighborhood-serving goods, services, or retail uses from 15% of the total project floor area to 25% of the total building square footage.

## FAMILY LAW

**AB 1525, c. 450 (Lowenthal): Marriage; solemnization.** This bill would add a "city clerk" to the list of authorized persons who may solemnize a marriage: persons of any religious denomination, by specified legislators, constitutional officers, and California Members of Congress, while those persons are currently holding that office, by specified justices, judges, and magistrates, both current and retired, by the county clerk, and by a county supervisor or an elected city mayor. (Source: City of Long Beach)

**AB 1628, c. 328 (Fox): Grandparent rights; visitation.** This bill allows the court to grant reasonable visitation to a grandparent when: (1) there is a preexisting relationship between the grandchild and grandparent; (2) the interests of the child in having visitation with the grandparent are balanced against right of the parent to exercise parental authority; and (3) one of the parents is incarcerated or institutionalized.

**SB 1306, c. 82 (Leno): Marriage.** Repeals the provision of the Family Code which provides that only marriage between a man and a woman is valid or recognized by the State, removes language from the Family Code which provides that marriage is only between a man and a woman, and replaces other gendered language in the Family Code with gender-neutral terms. Also provides that marriage is a personal relation arising out of a civil contract between two persons, and removes limitations on the validity of same-sex marriages performed outside of California. (Source: Equality California & National Center for Lesbian Rights)

## FOOD AND AGRICULTURE

**AB 1990, c. 580 (Gordon): Food production; community food producer.** Permits a community food producer, defined as a producer of agricultural products on land that is not zoned for agricultural use, to sell whole uncut fruits or vegetables, or unrefrigerated shell eggs, directly to the public, including restaurants, if the community food producer follows certain requirements. (Source: CA Conference of Directors of Environmental Health)

**AB 2470, c. 294 (Salas): California Seed Law.** Adds "corporation" to the definition of a "person"; defines "neighbor", for the purposes of this section, to mean a person living in close proximity, not to exceed three miles, to another; prohibits specified authorities, after Jan. 1, 2015, from adopting or enforcing ordinances over plants, crops, or seeds, as specified; and, makes technical wording changes to the California Seed Law.



## GOVERNMENT

**AB 229, c. 775 (Pérez): Local government; infrastructure and revitalization financing districts.** Creates infrastructure and revitalization financing districts (modeled after infrastructure financing districts in existing law), authorizes a military base reuse authority to form a district, and allows these districts to finance a broader range of projects and facilities to clean-up and develop former military bases.

**AB 471, c. 1 (Atkins): Local government; redevelopment; successor agencies to redeveloping agencies.** Allows infrastructure financing districts to include portions of former redevelopment project areas and amends several statutes governing the dissolution of redevelopment agencies.

**AB 1666, c. 881 (Garcia): Political Reform Act of 1974; campaign funds; bribery fines.** This bill doubles the restitution fines for a member of the Legislature or any member of a local government legislative body who asks for or receives a bribe in exchange for influence over his/her official action, as specified.

**AB 1690, c. 883 (Gordon): Local planning; housing elements.** Authorizes a city or county, when it fails to identify adequate sites in its housing element and must adopt a rezoning program, to accommodate all of its very low- and low-income housing need on sites designated for mixed uses only if those sites allow 100% residential use and require at least 50% residential floor area of a mixed-use project.

**AB 1692, c. 884 (Garcia): Political Reform Act of 1974; attorney's fees.** This bill limits the use of campaign funds and legal defense funds to pay fines and penalties that are imposed for an improper personal use of campaign funds.

**AB 1973, c. 537 (Hernández): New state holiday; Native American Day.** This bill establishes the Fourth Friday in September as a state holiday to be known as Native American Day.

**AB 2545, c. 506 (Lowenthal): Military sexual assault; crime victims; restitution.**

This bill prohibits the denial of an application for the California Victim Compensation Program compensation related to a sexual assault claim, committed by military personnel against military personnel, solely because the sexual assault was not reported to a superior officer or law enforcement at the time of the crime; and provides factors that the Victims Compensation and Government Claims Board shall consider for purposes of determining if a military-on-military sexual assault claim qualifies for compensation, as specified. (*Source: CA Coalition Against Sexual Assault*)

**SB 396, c. 318 (De León): Proposition 187; public services unconstitutional provisions.**

Repeals the unenforceable provisions of Proposition 187 relating to public social services, public health care services, public education and other activities of state and local agencies. Deletes the following statutes: Sections 48215 and 66010.8 of the Education Code, Section 53069.65 of the Government Code, Chapter 1.3 of Part 1 of Division 1 of the Health and Safety Code, Section 834b of the Penal Code, and Section 10001.5 of the Welfare and Institutions Code which in combination purport to make undocumented immigrants ineligible for specified public social services, public health care services, and public school education at the elementary, secondary, and post-secondary levels and, among other things, require various state and local agencies to report suspected illegal aliens, as specified, and requires the Attorney General to perform certain tasks in connection with transmitting and retaining those reports.

**SB 628, c. 785 (Beall): Local government; enhanced infrastructure financing districts.**

Allows city or county officials to create an Enhanced Infrastructure Financing District, which is governed by a public finance authority, to finance public capital facilities or other specified projects of communitywide significance that provide significant benefits to the district or the surrounding community.

## HEALTH & SAFETY

### **AB 1340, c. 718 (Achadjian): Mental health; enhanced treatment programs.**

Permits the Department of State Hospitals to establish and administer a pilot enhanced treatment program (ETP) at each state hospital, for the duration of five calendar years, for testing the effectiveness of treatment for patients who are at high risk of the most dangerous behavior.

Authorizes ETPs to be licensed under the same requirements as acute psychiatric hospital licensing requirements, and makes significant changes to current requirements and procedures related to the admission of patients and the administration of care. (Source: SEIU Local 1000)

### **AB 1577, c. 631 (Atkins): Gender identity; death certificates.**

Requires, beginning July 1, 2015, a person completing a death certificate to record the decedent's sex reflecting the decedent's gender identity as reported by the person or source best qualified to supply this information, unless presented with specified legal documents identifying the decedent's gender. (Source: Equality California & Transgender Law Center)

### **AB 1965, c. 234 (Yamada): Outdoor dining facilities; pet dogs.**

Allows food facilities to permit a person to bring a pet dog to outdoor dining areas, provided that certain conditions are met, and allows local governing bodies to prohibit pet dogs in food facilities' outdoor dining areas. (Source: Social Compassion in Legislation)

### **AB 2171, c. 702 (Wieckowski): Residential care facilities for the elderly.**

Establishes approximately 29 statutory rights for residential care facilities for the elderly residents, and requires facilities to post them in a prominent location. (Source: CA Advocates for Nursing Home Reform & Consumer Attorneys of CA)

### **AB 2374, c. 815 (Mansoor): Substance abuse treatment; recovery and treatment services.**

Requires the Department of Health Care Services (DHCS) to design its death investigation policy to ensure that the death of a

resident at a licensed adult residential treatment facility (RTF) is addressed and investigated in a timely manner and specifies the content of telephonic and written reports of RTF resident deaths that are required to be reported. This bill requires that a telephonic report be submitted to DHCS within one working day, and a written report within seven calendar days, of the event or incident. Prohibits DHCS from approving a certifying organization (CO) for purposes of providing counseling services if the CO does not, prior to registering or certifying an individual, contact other DHCS-approved COs to determine whether the individual has ever had his/her registration or certification revoked. This bill requires a CO to deny a counselor's request for registration if the counselor's registration or certification has been previously revoked, and to send the counselor a written notice of denial.

### **SB 18, c. 551 (Leno): Medi-Cal renewal.**

Requires the Department of Health Care Services (DHCS) to accept contributions by private foundations in the amount of at least \$6 million for the purposes of providing Medi-Cal renewal assistance payments, starting January 1, 2015. Also requires DHCS, in collaboration with the County Welfare Directors Association and legal services organizations to develop renewal assistance training for community-based organizations. (Source: Health Access CA & Western Center on Law and Poverty)

### **SB 964, c. 573 (Hernandez): Health care coverage.**

Increases oversight of health care service plans (health plans) with respect to compliance with timely access and provider network adequacy standards. (Source: Health Access CA)

### **SB 1034, c. 195 (Monning): Health care coverage; waiting periods**

Prohibits health plans and health insurance policies in the group market from imposing a waiting or affiliation period. States legislative intent to: a) prohibit a group health plan or insurer from imposing a separate waiting or affiliation period in addition to any employer-imposed waiting period; and b) permit a group health plan or insurer to administer

a waiting period imposed by a plan sponsor, as specified.

**SB 1052, c. 575 (Torres): Health care coverage; prescription drugs.** Requires health plans and insurers to use a standard drug formulary template to display their drug formularies and to post their formularies on their Web sites. Requires the California Health Benefit Exchange (known as Covered California) to provide links to the formularies. (*Source:* American Cancer Society Cancer Action Network)

**SB 1053, c. 576 (Mitchell): Health care coverage; contraceptives.** Requires, effective January 1, 2016, most health plans and insurers to cover a variety of Food and Drug Administration (FDA)-approved contraceptive drugs, devices, and products for women, as well as related counseling and follow-up services and voluntary sterilization procedures. Prohibits cost-sharing, restrictions, or delays in the provision of covered services, but allows cost-sharing and utilization management procedures if a therapeutic equivalent drug or device is offered by the plan with no cost-sharing. (*Source:* CA Family Health Council & National Health Law Program)

**SB 1446, c. 84 (DeSaulnier): Small employer market; health care coverage.** Allows a small employer health plan contract or a small employer health insurance policy in effect on December 31, 2013, that does not qualify as a grandfathered health plan under Affordable Care Act (ACA), to be renewed until January 1, 2015, and to continue to be in force until December 31, 2015. Exempts those health plan contracts and health insurance policies from various provisions of state law that implement the ACA and requires the contracts and policies to comply with those provisions by January 1, 2016, in order to remain in force on and after that date. Requires these provisions be implemented only to the extent permitted by the ACA. (*Source:* Dept. of Insurance)

## IMMIGRATION

**AB 1660, c. 452 (Alejo): Driver's licenses; nondiscrimination.** Makes it a violation of the California Fair Housing and Employment Act (FEHA) for an employer or other covered entity to discriminate against an individual because he or she holds or presents a specified driver's license or requires a person to present a driver's license, except as specified, and makes conforming changes to FEHA. Prohibits a governmental authority or its agent, from discriminating against an individual because he or she holds or presents a specified license. Makes the prohibition against using a driver's license issued under provisions of this bill as a basis for an investigation, arrest, or detention apply to citations and also applies regardless of whether the investigation, arrest, citation, or detention is criminal. Prohibits the DMV from disclosing to the public the information it obtains regarding the ineligibility of an applicant for a social security number as it is not a public record. Makes driver's license information obtained by an employer exempt from disclosure under the California Public Records Act.

## LABOR

**AB 1443, c. 302 (Skinner): Harassment; unpaid interns.** This bill expands discrimination and harassment protections under the Fair Employment and Housing Act to include an unpaid internship or another limited duration program that provides unpaid experience for that person. (*Source:* Equal Rights Advocates)

**AB 1522, c. 317 (Gonzalez): Employment, paid sick days, "Healthy Families Act of 2014".** Would enact the Healthy Workplaces, Healthy Families Act of 2014 to provide that an employee who, on or after July 1, 2015, works in California for 30 or more days within a year from the commencement of employment is entitled to paid sick days for prescribed purposes, to be accrued at a rate of no less than one hour for every 30 hours worked. An employee would be entitled to use accrued sick days beginning on the 90th day of employment. Would authorize an employer to limit an employee's use of paid sick days to 24

hours or 3 days in each year of employment. Would prohibit an employer from discriminating or retaliating against an employee who requests paid sick days. Would require employers to satisfy specified posting and notice and recordkeeping requirements. Would define terms for those purposes. Would require the Labor Commissioner to enforce these requirements, including the investigation, mitigation, and relief of violations of these requirements. Would authorize the Labor Commissioner to impose specified administrative fines for violations and would authorize the commissioner or the Attorney General to recover specified civil penalties against an offender who violated these provisions on behalf of the aggrieved, as well as attorney's fees, costs, and interest. Would not apply to certain categories of employees that meet specified requirements. (Source: CA Labor Federation AFL-CIO, CA State Council of the Service Employees International Union)

**AB 1792, c. 889 (Gomez): Employers; reports; public benefits.** Requires the Department of Health Care Services (DHCS) to annually inform the Employment Development Department (EDD) of the names and social security numbers of all recipients of the Medi-Cal program; requires DHCS to determine the average per-individual cost of state and federally funded benefits provided by the Medi-Cal program and inform EDD of these costs; defines an employer as an individual or organization that employs 100 or more beneficiaries of the Medi-Cal program; requires the Department of Finance (DOF) to, after obtaining specified information from EDD, annually transmit to the Legislature and post on the DOF Internet Web site a report no that, among other things, identifies the 500 employers in the state with the most number of employees enrolled in a public assistance program ranked by the number of those employees, as specified; and establishes a January 1, 2020, sunset date. (Source: CA Labor Federation, AFL-CIO, SEIU, Local 1000, & United Food and Commercial Workers, Western States Council)

**AB 1897, c. 728 (R. Hernández): Labor contracting; subcontractors; client liability.** Establishes specified liability for client employers

that obtain workers from third-party labor contractors, as specified; and prohibits the bill's provisions from being interpreted to impose liability in specified circumstances. (Source: CA Labor Federation, CA Teamsters Public Affairs Council, & United Food & Commercial Workers Western States Council)

**AB 2074, c. 211 (R. Hernández): Recovery of wages; liquidated damages.** This bill clarifies that the statute of limitations for a suit filed to pursue liquidated damages for the failure to pay the minimum wage will run until the expiration of the statute of limitations for the wages in which the penalties are being sought.

**AB 2288, c. 96 (R. Hernández): Child Labor Protection Act of 2014.** Tolls the statute of limitations for unlawful labor practices until a child worker attains the age of majority. Also authorizes an award of treble damages to an individual, who is discharged, threatened with discharge, demoted, suspended, retaliated against, subjected to adverse action, or in any other manner discriminated against in the terms of conditions of his or her employment because he or she filed a claim or civil action alleging a violation of the Labor Code that arose while he or she was a minor, and increases civil penalties.

**AB 2751, c. 79 (R. Hernández): Employment; retaliation.** Clarifies that the civil penalty of up to \$10,000 against an employer who discriminates, retaliates, or takes any adverse action against an employee or applicant for employment, who exercises a right protected under local and state labor and employment laws, is to be awarded to the employee or employees who suffered the violation.

**SB 7, c. 794 (Steinberg): Public works; charter cities; prevailing wages.** Prohibits the reception or use of state funding or financial assistance for construction projects by charter cities that allow contractors to not comply with the state's prevailing wage law on any public works contract. (Source: CA Labor Federation, AFL-CIO, State Building and Construction Trades Council of CA)

**SB 1087, c. 750 (Monning): Farm labor contractors; sexual harassment; increases in cost of license.** This bill strengthens the farm labor contractor (FLC) standards by, among other things, increasing bonding requirements and raising licensure fees for FLC licensure enforcement, as specified; and prohibits the FLC who engage in sexual harassment from being issued a FLC's license or renewing the license, as specified. (*Source: CA Rural Legal Assistance Foundation*)

## PENAL

**AB 1014, c. 872 (Skinner): Gun violence restraining orders.** Creates a Gun Violence Restraining Order, which is defined as "an order, in writing, signed by the court, prohibiting and enjoining a named person from having under his or her custody and control, owning, purchasing, possessing, or receiving any firearms or ammunition."

**AB 1517, c. 874 (Skinner): DNA evidence.** Would, with respect to specific sex offenses, encourage a law enforcement agency in whose jurisdiction the sexual assault offense occurred to submit sexual assault forensic evidence received by the agency on or after January 1, 2016, to the crime lab within 20 days after it is booked into evidence, and ensure that a rapid turnaround DNA program, as defined, is in place to submit forensic evidence collected from the victim of a sexual assault to the crime lab within 5 days after the evidence is obtained from the victim. Would also encourage the crime lab, with respect to sexual assault forensic evidence received by the lab on or after January 1, 2016, to process that evidence, create DNA profiles when able, and upload qualifying DNA profiles into the Combined DNA Index System as soon as practically possible, but no later than 120 days after initially receiving the evidence, or to transmit the sexual assault forensic evidence to another crime lab as soon as practically possible, but no later than 30 days after initially receiving the evidence, as specified. Would also revise the provisions requiring a law enforcement agency to inform victims of certain sexual assault offenses, to make the requirement

applicable without regard to whether the identity of the perpetrator is in issue, if the law enforcement agency does not analyze DNA evidence, and to require those entities to notify the victims within 6 months of the time limits established under existing law. (*Source: Alameda County DA, CA Coalition Against Sexual Assault, Natasha's Justice Project*)

**AB 1585, c. 708 (Alejo): Human trafficking.** This bill provides that a defendant who has been convicted of solicitation or prostitution, as specified, may petition the court for, and the court may set aside the conviction if the defendant can show that the conviction was the result of his/her status as a victim of human trafficking. (*Source: CA Attorney General*)

**AB 1591, c. 141 (Achadjian): Firearms; prohibited persons; notification.** This bill reduces the time the court has to notify the Department of Justice of court actions that will result in the prohibition of a person from possessing a firearm or any other deadly weapon or result in the person no longer being subject to that prohibition, from two court days to one court day.

**AB 1649, c. 379 (Waldron): Computer crimes.** Specifies the penalties for any person who disrupts or causes the disruption of, adds, alters, damages, destroys, provides or assists in providing a means of accessing, or introduces any computer contaminant into a "government computer system" or a "public safety infrastructure computer system," as specified, and changes and adds the definition of specified terms. (*Source: San Diego County DA's Office*)

**AB 1697, c. 454 (Donnelly): DNA forensic identification database; behavior or health.** This bill would prohibit the Department of Justice's (DOJ) DNA and forensic identification database and databank and the DOJ DNA Laboratory from being used as a source of genetic material for testing, research, or experiments, by any person, agency, or entity seeking to find a causal link between genetics and behavior or health.

**AB 1698, c. 455 (Wagner): Falsified public records.** Allows the court, upon motion of the prosecutor and after a holding a hearing on the matter, to issue an order voiding a false or forged instrument at its inception when a defendant is convicted of filing, registering, or recording such an instrument. (*Source:* CA District Attorneys Assn.)

**AB 1775, c. 264 (Melendez): Child Abuse and Neglect Reporting Act; sexual abuse.** Provides that knowingly downloading, streaming, or accessing material, including a video recording, in which a child is engaged in an act of obscene sexual conduct, except as specified, is sexual exploitation for the purpose of mandated reporting by specified individuals under the CANRA. (*Source:* CA Ass'n of Marriage and Family Therapists)

**AB 2075, c. 464 (Alejo): Importation or sale of endangered animals; effective date delayed.** Extends the sunset date by five years - from January 1, 2015 to January 1, 2020 - of the law permitting trade and possession, as specified, in alligator and crocodile species, product or parts thereof. (*Source:* California Retailers Assoc.)

**AB 2089, c. 635 (Quirk): Domestic violence; protective orders.** This bill authorizes the issuance of a protective order after notice and a hearing for the purpose of preventing acts of domestic violence, abuse, and sexual abuse and ensuring a period of separation of the persons involved and provides that, in determining whether to grant or deny a protective order, the length of time since the most recent act of abuse is not, by itself, determinative. This bill requires the trial court to provide a brief statement of the reasons for its decision to deny a protective order either in writing or on the record. This bill also provides that, for the purposes of its provisions, a court should consider provisions relating to dominant aggressors in determining if both parties acted primarily as aggressors. (*Source:* CA Partnership to End Domestic Violence)

**AB 2186, c. 733 (Lowenthal): Criminal procedure; defendants; competency.** Allows the representative of any facility where a

defendant found incompetent to stand trial is committed, and specified others, to petition for an order to involuntarily medicate the defendant, and, upon issuance of that order; authorizes the involuntary administration of antipsychotic medication to the defendant when and as prescribed by the defendant's treating psychiatrist at any facility housing him/her for purposes of recovering mental competency; and makes other related changes, as specified. (*Source:* Dept. of State Hospitals)

**AB 2625, c. 742 (Achadjian): Criminal procedure; defendants; competency.** Specifies procedures relative to returning to court a defendant committed to a state hospital or other facility for treatment as incompetent to stand trial who has not recovered competency, as specified. (*Source:* Dept. of State Hospitals)

**SB 199, c. 915 (De León): BB device.** Beginning January 1, 2016, requires airsoft guns that expel a projectile, such as a BB or a pellet, that is six millimeters (mm) or 8mm, in addition to the blaze orange ring on the barrel as required by federal law, to have fluorescent coloration over the entire trigger guard and a fluorescent adhesive band on the airsoft gun prior to sale to a customer, as specified.

**SB 926, c. 921 (Beall): Felony sex crimes, statute of limitations.** Extends the statute of limitation for crimes of childhood sexual abuse from a victim's 28th birthday until the victim's 40th birthday by 1) providing that the prosecution for any of the following offenses that is alleged to have been committed when the victim was under 18 years of age may be commenced at any time before the victim's 40th birthday: rape, sodomy, lewd or lascivious acts, oral copulation, continuous sexual abuse of a child, and sexual penetration; and 2) specifying that the extended tolling provisions shall only apply to crimes that were committed on or after January 1, 2015, or for which the statute of limitations that was in effect before January 1, 2015, has not run out as of that date.

**SB 1010, c. 749 (Mitchell): Drug sentencing; cocaine base; penalties.** Provides

that the penalty for possession for sale of cocaine base shall be the same as that for possession for sale of cocaine hydrochloride powder cocaine.

(*Sources:* A New Way of Life, ACLU, CA Attorneys for Criminal Justice, CA Public Defenders Ass'n, CA State Conference of the NAACP, Californians for Safety & Justice, Drug Policy Alliance, Ella Baker Center, Friends Committee on Legislation, National Council for La Raza, & William C. Velázquez Inst.)

**SB 1058, c. 623 (Leno): Writ of habeas corpus.** Includes within the definition of "false evidence," for purposes of prosecuting a writ of habeas corpus, opinions of experts that have either been repudiated by the expert who originally provided the opinion at a hearing or trial or that have been undermined by later scientific research or technological advances. This bill also clarifies that these provisions shall not be construed to create additional liabilities, beyond those already recognized, for experts who repudiate his or her own original opinion or whose basis has been repudiated by later scientific or technological advancements. (*Source:* CA Innocence Project & No. CA Innocence Project)

**SB 1255, c. 1255 (Cannella): "Revenge porn," disorderly conduct; unlawful distribution of image.** Expands the elements of the misdemeanor offense which prohibits the unlawful distribution of a consensually-taken image of an identifiable person's intimate body parts.

## PUBLIC CONTRACTS

**AB 1650, c. 880 (Jones-Sawyer): Fair Chance Employment Act; bidders; employment practices; conviction history.** Provides that state contractors must determine an on-site construction-related job applicant's minimum qualifications before obtaining and considering information regarding the applicant's criminal conviction history. Would require any person submitting a bid for a state contract involving onsite construction-related services to certify that the person will not ask an applicant for onsite construction-related employment to disclose

information concerning his or her conviction history on or at the time of an initial employment application.

**AB 1705, c. 670 (Williams): Payments** This bill limits the circumstances under which public agencies may withhold more than 5% of total payment amounts for time and materials on substantially complex public works projects; specifies requirements for projects deemed substantially complex; and extends the date for repealing provisions governing retention proceeds. (*Source:* American Subcontractors Ass'n CA, CA Ass'n of Sheet Metal & Air Conditioning Contractors, National Ass'n CA Chapters of the National Electrical Contractors Ass'n)

## PUBLIC RESOURCES

**AB 1826, c. 727 (Chesbro): Solid waste; organic waste.** Phases in requirements for generators of specified amounts of organic waste to arrange recycling services for that material beginning January 1, 2016, through January 1, 2019.

**SB 270, c. 850 (Padilla): Plastic bags ban; solid waste; single-use carryout bags.** Prohibits stores, as defined, from distributing lightweight, single-use plastic bags after specified dates. Establishes requirements for reusable bags and prohibits stores from distributing reusable bags and recycled paper bags for less than \$0.10 per bag.

## PUBLIC UTILITIES

**AB 2293, c. 389 (Bonilla): Transportation network companies; insurance coverage.** Establishes guidelines for insurance coverage for Transportation Network Companies (TNCs) to ensure personal and financial safety of consumers by 1) codifying the PUC's definition of TNC; 2) requiring TNCs to inform drivers about insurance coverage and limits offered by the TNC when providing TNC services and that a driver's personal auto coverage may not provide coverage when operating as a TNC; and 3) defining when

personal and commercial auto insurance is in effect. (*Source*: Association of CA Insurance Cos. & Personal Insurance Federation of CA)

**SB 936, c. 482 (Monning): Water.**

Authorizes the PUC to allow the Monterey Peninsula Water Management District and other financing entities to issue water rate relief bonds to finance water supply infrastructure. (*Source*: MPWMD)

**SB 1064, c. 557 (Hill): PUC; railroads; natural gas pipelines; safety.** Requires the Public Utilities Commission to address and implement federal National Transportation Safety Board recommendations and Federal Transit Administration advisories relating to regulated rail facilities.

**SB 1090, c. 625 (Fuller): Electricity; rates; default time-of-use pricing.** Requires the California Public Utilities Commission to explicitly consider whether hardship will be caused to customers living in hot, inland areas before imposing default time-of-use rates. (*Source*: Utility Reform Network)

## REAL PROPERTY

**AB 319, c. 138 (Campos): Local agencies; domestic violence; tenancy termination.** Prohibits a local agency from requiring a landlord to terminate a tenancy or fail to renew a tenancy based upon an act against a tenant or a tenant's household member that constitutes domestic violence, sexual assault, stalking, human trafficking, or abuse of an elder or dependent adult, and prohibits a local agency from requiring a landlord to terminate a tenancy or fail to renew a tenancy based upon the number of calls made by a person to the emergency telephone system relating to these acts.

**AB 1513, c. 666 (Fox): Residential property; possession by declaration.** Establishes, until 2018, a pilot program to facilitate removal of persons unlawfully occupying residential property that, pursuant to the program, has been registered with and verified by local law

enforcement to be vacant. (*Source*: CA Ass'n of Realtors)

**AB 1963, c. 146 (Atkins): Redevelopment.**

Extends the date, from January 1, 2015, to January 1, 2016, by which the Long Range Property Management Plan submitted by a successor agency must be approved by the Department of Finance, and makes several other changes related to successor agencies.

**AB 2039, c. 893 (Muratsuchi): Auctions.**

This bill, on and after July 1, 2015, with respect to an auction that includes the sale of real property, prohibits a person from causing or allowing any person to bid at a sale for the sole purpose of increasing the bid on any real property being sold by the auctioneer, but does allow an auctioneer or another person to place a bid on the seller's behalf during an auction of real property if specified notice is given. This bill requires in this regard that the person placing that bid disclose to all auction participants that the particular bid has been placed on behalf of the seller. This bill also excepts from the application of these provisions, a credit bid made by a creditor with a security interest in the property that is the subject of auction when the credit bid can result in the transfer of title to property to the creditor. (*Source*: CA Ass'n of Realtors)

**AB 2136, c. 107 (Daly): Contracts; statute of frauds; social media.**

This bill would provide that an electronic message of an ephemeral nature that is not designed to be retained or to create a permanent record, such as a text message or an instant message, is insufficient to constitute a contract to convey real property, in the absence of a written confirmation that conforms to a specified requirement of existing law. (*Source*: CA Ass'n of Realtors)

**AB 2310, c. 339 (Ridley-Thomas): Unlawful detainer; nuisance; unlawful weapons and ammunition.**

Re-establishes a pilot program, which sunset last year, that conditionally allows city attorneys and prosecutors in participating cities to bring eviction proceedings against tenants for committing nuisance violations involving



unlawful weapons and ammunition. (Source: LA City Attorney)

**AB 2485, c. 341 (Dickinson): Unlawful detainer; nuisance; controlled substances.**

Reauthorizes a lapsed pilot program allowing city attorneys or prosecutors in specified cities to bring an unlawful detainer action in the name of the people against a tenant for illegal conduct involving a controlled substance on real property. Also requires a court hearing an unlawful detainer action pursuant to the bill's provisions to enter a specified order depending on whether grounds for an eviction or a partial eviction have been established. (Source: City of Sacramento)

**AB 2565, c. 529 (Muratsuchi): Rental property; electric vehicle charging stations.**

Requires a lessor of a dwelling to approve a written request of a lessee to install an electric vehicle (EV) charging station at a parking space allotted for the lessee, if the EV charging station and all modifications and improvements made to the leased premises meet all applicable health and safety standards, and complies with the lessor's procedural approval process for modification to the property. Renders void any term in a lease renewed or extended on or after January 1, 2015, that conveys any possessory interest in commercial or residential property that either prohibits or unreasonably restricts the installation or use of an EV charging station in a parking space associated with the commercial or residential property. Provides requirements for lessor approval of a lessee's request to install or use an electronic vehicle charging station and requires that a lessor approve a request to install a charging station if the lessee agrees in writing to do specified acts, including paying for various costs associated with the charging station and maintaining insurance naming the lessor as an insured. (Source: ChargePoint)

## STREETS AND HIGHWAYS

**AB 1193, c. 495 (Ting): Bikeways, cycle tracks.** Adds a new category of bikeway named cycletracks or separated bikeways, also known as Class IV bikeways, as defined; clarifies the

Department of Transportation is required to establish minimum safety design criteria for each category of bikeways and provide consideration for the safety of vulnerable populations; and authorizes a local agency to utilize other minimum safety criteria if specified conditions are met. (Source: CA Bicycle Coalition)

## TAXATION

**AB 777, c. 13 (Muratsuchi): Exemption; space flight property.** This bill exempts from the property tax tangible personal property ("TPP") that has space flight capacity. Property exempted by this bill includes raw materials, works in progress, finished goods, and includes orbital space facilities, space propulsion systems, space vehicles, launch vehicles, satellites, or space stations of any kind. Fuel sold and used exclusively in space flight is also exempt if it is not adaptable for use in ordinary motor vehicles. The property need not be returned to Earth to qualify for the exemption. The exemption applies to lien dates between January 1, 2014, and January 1, 2024, and sunsets on July 1, 2025. (Source: SpaceX)

**AB 1839, c. 413 (Gatto): Income taxes, qualified motion pictures.** Creates a tax credit for qualified expenditures for the production of qualified motion pictures in California for taxable years beginning on or after January 1, 2016, and authorizes the California Film Commission (CFC) to administer the program and allocate the tax credits, subject to a \$230 million cap in the first year (2015-16) and \$330 million aggregate annual cap for each fiscal year (FY) from the 2016-17 FY through and including the 2019-20 FY.

**AB 2389, c. 116 (Fox): Local government; capital investment incentive programs; corporation tax creditors; qualified wages; new advanced strategic aircraft program.** This bill modifies the current capital investment incentive program for local governments and allows a tax credit under the Corporation Tax Law to a qualified taxpayer in an amount equal to 17.5% of qualified wages paid by the taxpayer

during the taxable year to qualified full-time employees, as specified.

**SB 718, c. 189 (Roth): Capital investment incentive programs; corporation tax credit; new advanced strategic aircraft program.**

Expands the definition of a "proponent" eligible for financial incentives under a local government capital investment incentive program ("CIIP") and modifies the current aerospace tax credit by, among other things, including a prime contractor within the definition of a qualified taxpayer eligible for the credit.

## UNEMPLOYMENT INSURANCE

**AB 1556, c. 377 (Perea): UI program; reforms.**

Requires the Employment Development Department (EDD) to translate key documents and publications for both the unemployment insurance (UI) program and state disability insurance (SDI) program into seven additional languages. Requires EDD to translate Web site pages providing information regarding applying for and receiving UI benefits into seven additional languages. Requires the EDD director to periodically review the UI program to identify policies and practices that delay benefit payments, increase EDD workload, and provide little or no value in identifying or preventing fraud in the UI program. Requires the EDD director to report the results of the first review to the Legislature on or before July 1, 2015. Prohibits EDD from automatically halting the payment of UI benefits and requiring a redetermination of eligibility when a claimant begins a training or education program. Prohibits EDD from automatically halting the payment of UI benefits and requiring a redetermination of eligibility until a claim certification form is more than 21 days late.

## WATER

**AB 1471, c. 188 (Rendon): Water Quality, Supply, and Infrastructure Improvement Act of 2014.**

This bill removes the existing water bond from the November 2014 ballot and replaces it with a new authorization totaling

\$7.545 billion. This bill reauthorizes \$425 million in unissued bonds, in addition to authorizing \$7.120 billion in new general obligation bonds, all to fund water resources related programs and projects.

**AB 1739, c. 347 (Dickinson): Groundwater management.**

Requires, together with SB 1168 (Pavley) of the current legislative session, that in all basins and subbasins designated high and medium priority by the Department of Water Resources (DWR) that a locally-formed groundwater sustainability agency (GSA) adopt a groundwater sustainability plan (GSP) unless the basin or subbasin is adjudicated or otherwise being sustainably managed. Requires adoption of a GSP by January 31, 2020, if the basin or subbasin is in a critical condition of overdraft, or by January 31, 2022, for all other high and medium priority basins or subbasins.

**AB 2443, c. 817 (Rendon): Water Recycling Act of 1991; mutual water companies; duplication of service.**

Allows specified agencies to provide recycled water service in the territory of mutual water companies, without providing compensation. Exempts a political subdivision, such as a water district, that constructs facilities to provide or extend recycled water services to the territory of the mutual water company from the service duplication law which requires payment of compensation to privately owned water utilities by a political subdivision that provides duplicate water service in the same service area.

**SB 1168, c. 346 (Pavley): Groundwater management.**

Requires adoption of a sustainable groundwater sustainability plan (GSP) by January 31, 2020, for all high or medium priority basins that are subject to critical conditions of overdraft and by January 31, 2022, for all other high and medium priority basins unless the basin is legally adjudicated or the local agency establishes it is otherwise being sustainably managed.

**SB 1319, c. 348 (Pavley): Groundwater.**

Amends AB 1739 (Dickinson) of the current legislative session which, together with SB 1168

(Pavley) of the current legislative session, form the Sustainable Groundwater Management Act and related provisions regarding the State's role and accomplish three things: 1) Delay, for 3 years, the State Water Board's authority to intervene in a basin or subbasin that is not in overdraft, but is causing significant depletions of interconnected surface waters; 2) Clarify that the State Water Board is required to exclude from probationary status any portion of a basin or subbasin for which a groundwater sustainability agency is in compliance with the sustainability goal; and 3) Clarify that the State Water Board is required to include in any interim plan it might create, those existing GSPs and any elements of groundwater plans that comply with or aid in complying with the sustainability goals. (Source: Governor's Office)

## WELFARE AND INSTITUTIONS

**AB 388, c. 760 (Chesbro): Juveniles; foster family homes; group homes; homeless shelters.** Requires the Department of Social Services (DSS) to conduct an unannounced visit to any group home or other specified licensed facility that averages more than one call per month over a six-month period to law enforcement from facility staff regarding residents' alleged violations of specified laws. Requires the Department of Health Care Services or the delegated county to review the certification issued of a facility upon receipt of notification from DSS of any adverse licensing action taken after the finding of noncompliance during an unannounced visit, as specified. Requires DSS to consult with specified agencies and entities by January 1, 2016, to develop additional performance standards and outcome measures that require group homes to implement programs and services to minimize law enforcement contacts and delinquency petition filings against dependent minors, as specified. (Source: Childrens Advocacy Institute, Children Now, Public Counsel, & Youth Law Center)

**AB 1790, c. 766 (Dickinson): Foster children; mental health services.** Requires the Department of Social Services to convene a stakeholder group, as specified, to identify barriers

to mental health services by mental health professionals with specified training. Requires the stakeholder group, on or before January 31, 2016, to make specific, non-binding recommendations to specified groups to address the identified barriers. (Source: Mission Focused Solutions)

**AB 1960, c. 730 (Perea): Criminal history information; state hospitals.** Requires, notwithstanding any other law, a state hospital director or clinician, as specified, to obtain the state summary criminal history information, and provides a means to access this information, whenever a patient is committed to the State Department of State Hospitals to be used as specified. (Source: Dept. of State Hospitals)

**SB 838, c. 919 (Beall): Disabled victims; juveniles; sex offenses.** Also known as "Audrie's Law," this bill reduces confidentiality protections and makes ineligible for deferred entry of judgment juveniles who have committed or who are alleged to have committed specified sex crimes involving an unconscious or disabled victim, as specified. (Source: Santa Clara County District Attorney)

## WORKERS' COMPENSATION

**AB 1035, c. 15 (Pérez): Firefighters and peace officers.** Provides an extension for dependents of deceased firefighters and peace officers to file for workers' compensation death benefits if the death resulted from any of the following: cancer, tuberculosis, methicillin-resistant Staphylococcus aureus (MRSA) skin infections, or blood-borne infectious disease. This extension is for up to 420 weeks from the date of injury, but in no case more than one year from the date of death, as specified. This bill requires the extension to sunset on January 1, 2019. (Source: CA Professional Firefighters & Peace Officers Research Ass'n of CA)

**AB 1746, c. 156 (Alejo): Proceedings; expedited hearings.** This bill requires the Administrative Director of the Division of Workers Compensation to include injured workers who are or were employed by an illegally

uninsured employer on the priority conference calendar when the issues in dispute are employment or injury arising out of employment or in the course of employment.

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