

11-2020

Assembly Committee on the Judiciary 2019-2020 Bill Summary

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ASSEMBLY COMMITTEE ON JUDICIARY

2019-2020 BILL SUMMARY

*A Comprehensive Breakdown of
Legislation Considered by the
Committee in 2019-2020*

MARK STONE
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JAMES GALLAGHER
Vice Chair

ED CHAU

DAVID CHIU

LORENA GONZALEZ

CHRIS HOLDEN

ASH KALRA

KEVIN KILEY

BRIAN MAIENSCHIN

JAY OBERNOLTE

ELOISE REYES

Staff

ALISON MERRILEES
Chief Counsel

LEORA GERSHENZON
Deputy Chief Counsel

TOM CLARK
Counsel

NICHOLAS LIEDTKE
Counsel

JITH MEGANATHAN
Counsel

CINDY MORANTE
Committee Secretary

GRANT SILVA
Assistant Secretary



MEMBERS

JAMES GALLAGHER, VICE CHAIR
 ED CHAU
 DAVID CHIU
 LORENA GONZALEZ
 CHRIS R. HOLDEN
 ASH KALRA
 KEVIN KILEY
 BRIAN MAIENSCHN
 JAY OBERNOLTE
 ELOISE GÓMEZ REYES

STATE CAPITOL
 P.O. BOX 942849
 SACRAMENTO, CA 94249-0108
 (916) 319-2334

Assembly California Legislature



ASSEMBLY COMMITTEE ON JUDICIARY MARK STONE, CHAIR

November 2020

CHIEF COUNSEL
ALISON MERRILEES
 DEPUTY CHIEF COUNSEL
LEORA GERSHENZON
 COUNSEL
TOM CLARK
NICHOLAS LIEDTKE
JITH MEGANATHAN
 COMMITTEE SECRETARY
CINDY MORANTE
 COMMITTEE SECRETARY
GRANT SILVA

The counsel and staff of the Assembly Judiciary Committee have prepared this comprehensive report of bills that were considered by the Committee in the 2019-20 legislative session. Because of the COVID-19 pandemic, many bills were dropped by their authors, died in other committees, or were not double-referred in the second year of the session. As a result, the Committee heard fewer bills than usual in 2020. Nevertheless, the Committee was still responsible for one of the largest and most complex bill loads in the Legislature, encompassing virtually all areas of our civil justice and legal system, during this past session. Some of the highlights are described below, while a more detailed summary of all bills referred to the Committee follows this overview.

Immigration and State-Federal Relations. *As in recent years, the Committee heard a number of bills and resolutions relating to immigrants and immigration policy this session, likely prompted by the Trump Administration's actions and threats regarding those in the United States without documentation of legal presence. In 2019, the Committee most notably heard and passed a bill that would have made it unlawful to act as or hold oneself out as an "Immigration Consultant," and would have limited the lawful provision of immigration services for compensation to persons who are licensed to practice law, those who are authorized to represent clients on immigration matters in front of the United States Departments of Justice and Homeland Security, and paralegals in limited circumstances. However, that bill did not reach the Governor. In 2020, the Committee passed two bills, each meant to create a Cabinet-level agency to coordinate immigrant and refugee services across state government, but neither bill reached the Governor.*

Courts, Civil Procedure and Practice, and Related Matters. *The Committee heard a number of bills dealing with civil procedure and practice during the 2019-2020 legislative session. A significant number of these measures focused on incorporating the use of modern technology into the practice of law. Many of these changes were brought about due to the COVID-19 crisis and the need for the legal system to operate remotely. The Committee heard and approved measures that expanded the use of electronic filing of legal documents and permitted the use of video conferencing to hold depositions remotely. Further, the Committee approved a measure that makes it easier for legal counsel to approve settlement agreements on their client's behalf. The Committee also approved a modest pilot program to evaluate the benefits and potential pitfalls of court reporters operating remotely via video links into courtrooms. The Committee anticipates the results of the pilot program to be available in 2021.*

Yet again, this Committee was asked to review the merits of exempting certain categories of law enforcement from jury service. The Committee also heard and approved several important measures designed to ensure that trial juries better reflect the diversity of California. The Committee approved a measure that removed the barriers that prohibited most formerly incarcerated persons from serving on juries. Additionally, the Committee approved a measure that reformed the peremptory challenge process by prohibiting the use of peremptory challenge based on factors that, while not explicitly related to a juror's race or gender, significantly correlate to a juror's background. Finally, the Committee approved a bill to expand the jury pool to include all California tax filers in an attempt to make the pool of potential jurors more reflective of the population at large.

Family Law, Children, and Related Matters. As in past years, the Committee heard many bills relating to family law, child support, and dependency. The Committee passed and the Governor signed legislation expanding domestic partnerships, as an alternative to marriage, to all couples, including opposite-sex couples under 62 years of age. To better protect survivors of domestic violence, the Legislature passed and the Governor signed bills to (1) authorize courts to make a finding in a domestic violence restraining order issued after notice and a hearing that specific debts were incurred as a result of domestic violence and without the consent of the party, including identity theft; and (2) to clarify that a domestic violence restraining order may be issued because a person is "disturbing the peace of the other party," including through the exercise of coercive control, and that "disturbing the peace of the other party" may be committed directly or indirectly, including through the use of a third party, by any method, or through any means including, but not limited to, telephone, online accounts, text messages, internet-connected devices, or other electronic technologies. The Committee passed, but the Governor vetoed, legislation that would have prohibited the charging of interest on child support owed to the government for recoupment of aid paid to the family and that would have increased the amount of child support passed through and disregarded to families receiving public assistance and defined certain child support debt as uncollectible. The increase to the child support pass through and disregard was later passed in a budget trailer bill. The Governor also vetoed legislation that would have limited the amount of child support arrears that could be collected from a low-income obligor who was also a disabled veteran. However, the Governor signed legislation to reestablish, for two years, a program to suspend a parent's obligation to pay child support when incarcerated or institutionalized, unless the parent has the means to pay the support. Legislation that increases oversight of professional providers of supervised visitation services, including requiring them to complete criminal background checks, was also codified. Pursuant to a bill approved by the Committee and signed by the Governor, a court is now prohibited from considering the sex, gender identity, gender expression, or the sexual orientation of a parent when making a best interest determination for purposes of awarding child custody or visitation rights.

Business and Consumer Protection, including Creditor-Debtor Relations. As is typical, the Committee heard several bills regulating the relationship between creditors and debtors this session. The Committee passed, and the Governor signed, a significant measure that automatically exempts from creditor levy an amount in a debtor's bank accounts up to the state Minimum Basic Standard of Adequate Care. The Committee approved and the Governor signed a bill codifying a standard under which an agreement settling a patent infringement claim for a pharmaceutical product is presumed to be anticompetitive. The Committee passed important legislation, signed by the Governor, meant to stem abuses of the nonjudicial foreclosure process, particularly during the COVID-19 pandemic. Tenants, prospective owner-occupants, nonprofit affordable housing providers, and public entities will now have a 45-day window to purchase residential properties of 1-4 units if they are able to match or exceed the highest bid at a preceding foreclosure auction. Further, properties may no longer be bundled for sale at foreclosure auction. The Committee also passed (and the Governor signed) bills passed by this Committee to clarify that collection activity on mortgage debt is subject to the Rosenthal Fair Debt Collection Practices Act; remove an exception for individual attorneys from the Rosenthal Act; implement consumer protections for medical credit arranged by a healthcare provider; require cosigners of certain contracts, negotiated primarily in Spanish, Chinese, Tagalog, Vietnamese, or Korean, to receive translated copies of those contracts before signing such agreements; and prohibit creditors from foreclosing on judgment liens placed on an individual's principal place of residence if the underlying judgment was based on a consumer debt.

Employee Rights. In the first year of the session, the Committee heard several important measures designed to protect the rights of employees and ensure that they have adequate remedies to enforce

those rights. However, due to COVID-19 restrictions, most employee rights bills in the second year of the session were single-referred to the Assembly Labor Committee. The Committee heard several bills relating to sexual harassment: one required "client employers," who hire workers from a labor contractor, to share legal responsibility and legal liability with labor contractors for sexual harassment committed against contracted employees; another limited the use of arbitration to shield allegations of sexual harassment from the courts and public scrutiny. Yet another bill, that would have created a rebuttable presumption of retaliation if an employee is discharged within 90 days of an employer learning that the employee is a victim of sexual harassment, sexual assault, domestic violence, or stalking, was vetoed. The Committee passed, and the Governor signed, a bill ensuring that employees who exercise their right to file a complaint against an employer will not be subjected to retaliatory "no rehire" clauses in settlement agreements. The Committee also passed, and the Governor signed, groundbreaking legislation prohibiting discrimination based upon culturally-rooted hairstyles, anticipating the CROWN Act now pending in the U.S. Congress. Finally, a measure extending the time for filing retaliation complaints and allowing retaliation victims to recover attorney's fees, which was vetoed after the first year of the session, finally succeeded in the second year.

Landlord-Tenant. In the area of landlord-tenant law, a subject over which the Committee has primary jurisdiction, the Committee passed a number of measures that were later enacted into law. Most significantly, the Committee passed a bill that prohibits landlords from discriminating against tenants, both prospective and current, who receive public housing assistance, including federal Housing Choice ("Section 8") vouchers. The Committee also passed legislation prohibiting discrimination by landlords against tenants who hold Housing and Urban Development Veterans Affairs Supportive Housing ("VASH") vouchers; prohibiting discrimination by hosts against guests who obtain short-term rentals on Internet platforms; increasing the amount of notice that landlords must provide tenants for rent increases that exceed 10 percent; clarifying aspects of the Ellis Act, a state law that allows landlords of rent-controlled properties to exit the rental market; and increasing funding for the Sargent Shriver Civil Counsel Act, which provides counsel for low-income litigants in certain life-changing civil legal matters, including evictions. The Committee passed two bills that would have prohibited landlords from terminating residential tenancies without just cause; although these bills failed to pass the Assembly, their material provisions were incorporated in the landmark anti-rent gouging legislation signed by the Governor. In 2020, the Committee also worked extensively with the Revenue & Taxation Committee on a bill meant to forestall COVID-19-related evictions by providing tax credits to property owners as compensation for not evicting tenants who failed to pay their full rent during the state of emergency; this legislation passed the Committee but failed to reach the Governor's desk. Finally, the Committee passed a bill that would have permitted tenants, in lieu of paying an upfront security deposit, to pay their security deposit in monthly installments or to obtain security deposit insurance. This bill did not reach the Governor.

Civil and Constitutional Rights. The Committee heard slightly fewer bills and resolutions pertaining to civil, personal, and constitutional rights this session than in years past, and many of those heard took the form of commemorative or aspirational resolutions, including resolutions on *Roe v. Wade* (right to privacy and reproductive freedom); *Loving v. Virginia* (freedom to marry the person of one's choice); and a resolution apologizing for California's role in the internment of Japanese Americans during World War II. Substantive bills heard and passed by the Committee and ultimately signed into law, include the following: (1) a measure protecting the right of tenants and owners in the community interest development to display religious items on entry doors and door frames; (2) a bill codifying the common law right to be free from civil arrest in a courthouse; (3) a measure creating a "Census Bill of Rights" and prohibiting any person from falsely claiming to be a census taker with intent to obtain information unlawfully; (4) a measure

clarifying the authority of the Department of Fair Employment and Housing to enforce federal civil rights statutes in federal courts, where those federal statutes authorize state enforcement; and (5) an historic measure establishing a Commission to consider reparations for African Americans. One of the more controversial bills heard and passed by the Committee, SB 731, would have increased peace officer accountability and provided a means of decertifying police officers. Most germane to this Committee, SB 731 would have amended the Bane Civil Rights Act to do the following: provide that certain threats, intimidation, and coercion constitute an inherent interference with a right for purposes of the Act; declare that the immunity usually enjoyed by public entities and public employees does not apply to actions brought under the Act; and allow a family member to bring an action on behalf of a person who died as a result of a violation of the Act. However, the bill was one of several that died on the Assembly Floor without a vote as the session closed.

Civil Liability and Immunity. The Committee approved a number of important bills relating to civil liability this session, including several regarding sexual assault and animal welfare. In response to revelations that a physician at the USC student health center sexually assaulted a large number of female students over many years, the Committee passed and the Governor signed a bill that creates a one-year window to revive certain claims alleging sexual assault by a physician at a student health center, between 1988 and 2017. The Committee again passed, and Governor Newsom (unlike former Governor Brown) signed legislation that extends the time for commencement of actions for childhood sexual assault to 40 years of age or five years from discovery of the injury; provides enhanced damages for a cover up of the assault; and provides a three-year window in which expired claims are revived. The Committee heard several bills that sought to impose or adjust limitations on the commercial use of animals and animal products, including one measure to prohibit the sale of new fur products and another that prohibits the use of animals, other than domestic dogs, cats, or horses, in circuses. A measure enhancing liability for real or potential harms to consumers injured by e-scooters and other “shared mobility devices” by requiring companies that offer such devices for use by the public to maintain specified levels of liability insurance and limiting the use of liability waivers in consumer contracts, was approved by the Committee in 2019 and signed by the Governor in 2020.

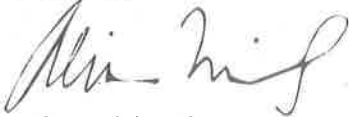
Bills seeking to provide immunity from civil liability, or otherwise altering the scope of liability for certain forms of conduct, yet again constituted a significant portion of the Committee’s work this session, although there were fewer such bills this year than in past sessions. For example, the Committee heard and passed measures that granted immunity to firefighters and peace officers who participate in peer support and counseling programs; and to persons who cause property damage or trespass to a motor vehicle while rescuing a child six years of age or younger from the vehicle under specified circumstances. Many bills seeking immunity from liability died this session, either in the Committee, or elsewhere in the Legislature, including a measure providing immunity to owners and managers of commercial buildings that installed trauma kits, and to nurse practitioners who conduct pre-participating electrocardiograms of high school student-athletes.

Open Government and the Public Records Act. The Committee heard and passed several important bills relating to the California Public Records Act (CPRA) this session. For example, the Committee passed and the Governor approved a bill authored by the Committee to ensure that members of the public have the right to make a copy of a disclosable public record at no charge, as long as the method of duplication does not make physical contact with, or cause damage to, the record. Unfortunately, a number of bills that would have improved public access to public records—including one that would have clarified that certain records of wages, benefits, working hours, and other employment terms and conditions of employees working for a private industry employer are not trade secrets, and another that would have exempted litigation to enforce the California Public Records Act (CPRA) from the application of Civil

Procedure Code Section 998—did not become law. At the same time, most bills that would have significantly limited access to public records, such as body camera footage and all-critical infrastructure information submitted to the Office of Emergency Services, also did not become law.

The following report contains a summary of each bill referred to the Committee, as well as helpful statistical data regarding the disposition of the bills assigned to the Committee in the 2019-20 legislative session. We hope you find this information useful.

Sincerely,

A handwritten signature in cursive script, appearing to read "Alison Merrilees".

Alison Merrilees

Chief Counsel, Assembly Judiciary Committee

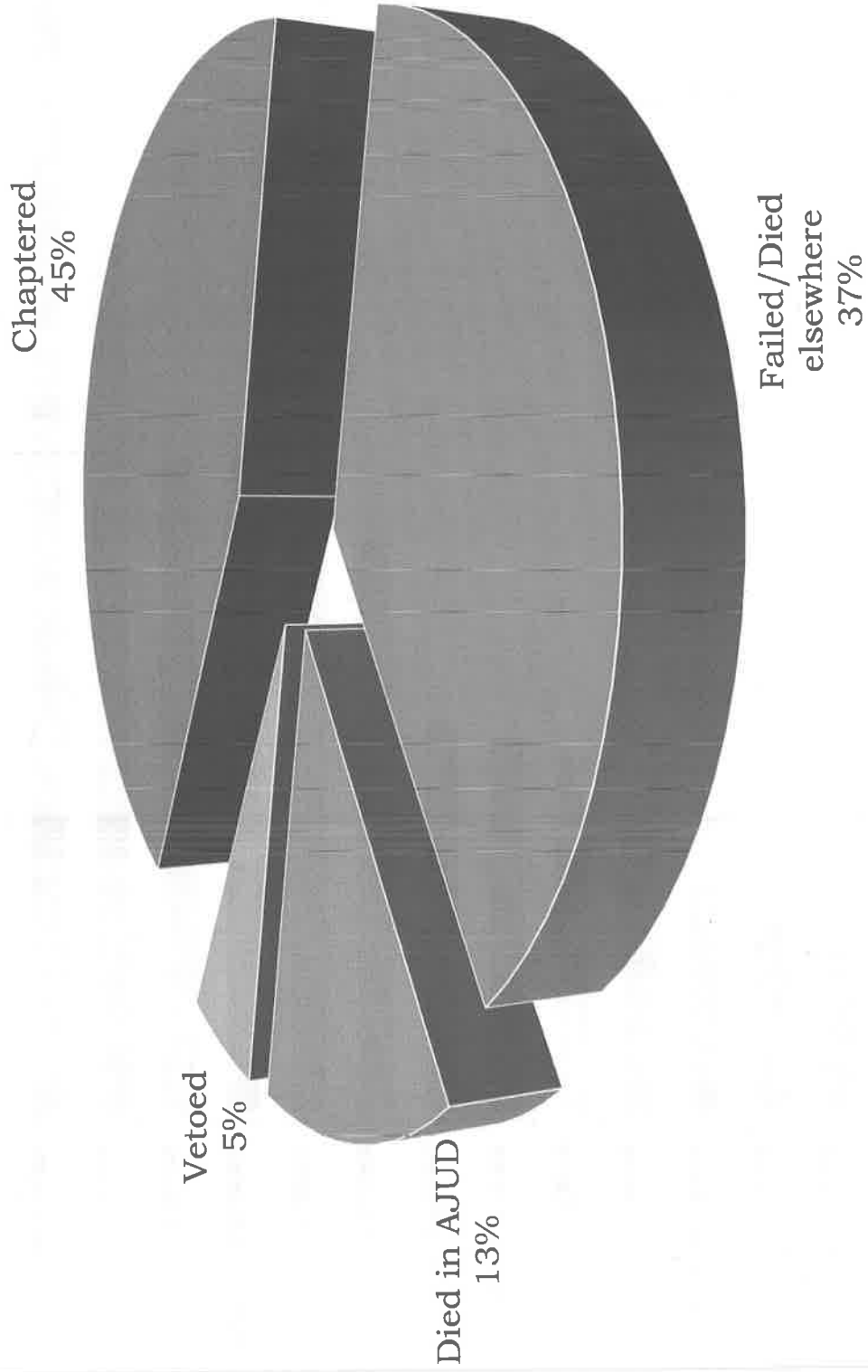
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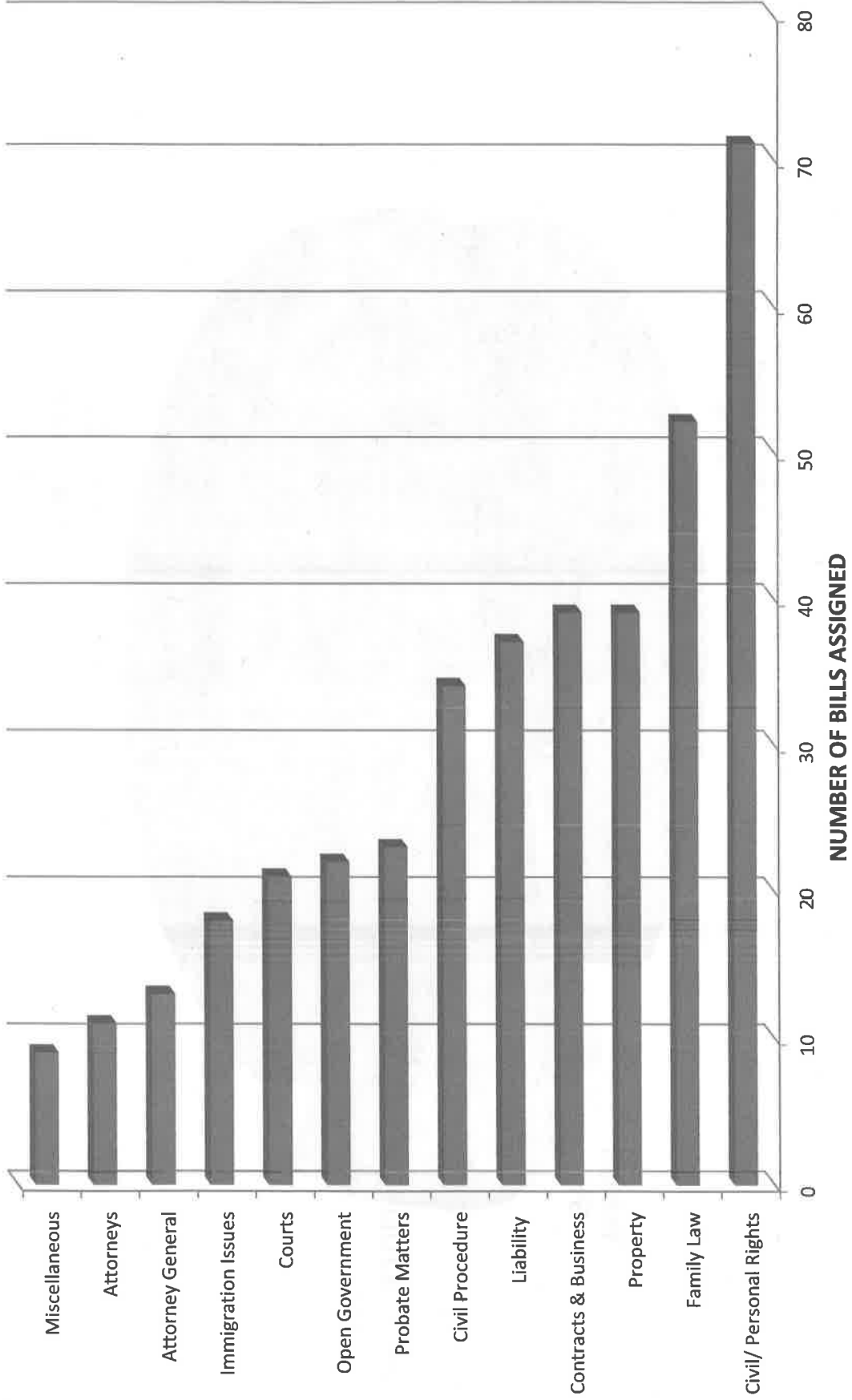
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ASSIGNED	Assembly: 309 Senate: 80 Total: 389	
CHAPTERED/ADOPTED	Assembly: 120 Senate: 57 Total: 177	45%
VETOED	Assembly: 10 Senate: 8 Total: 18	5%
DIED IN AsmJUD	Assembly: 49 Senate: 1 Total: 50	13%
FAILED IN AsmJUD	Assembly: 0 Senate: 0 Total: 0	0%
FAILED OR DIED ELSEWHERE	Assembly: 130 Senate: 14 Total: 144	37%

**DISPOSITION OF BILLS ASSIGNED TO THE
ASSEMBLY JUDICIARY COMMITTEE IN 2019-2020**



**TYPES OF BILLS ASSIGNED TO THE
ASSEMBLY JUDICIARY COMMITTEE IN 2019-2020**



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ATTORNEY GENERAL - ENFORCEMENT AND OVERSIGHT

AB 669 (Holden) Attorney General: assurance of voluntary compliance. This bill provides the Attorney General with new authority to accept an assurance of voluntary compliance, in lieu of a stipulated judgment, in order to streamline settlements, especially in large multistate actions. Status: Chap. 97, Stats. 2019.

AB 855 (McCarty) DOJ task force: police officers: use of deadly force. This bill would have required the Attorney General to convene a task force to study officer-involved shootings throughout the state and develop policy recommendations and a model written policy or general order for the use of deadly force by law enforcement officers, with the goal of promulgating best practices and reducing the number of deadly force incidents that are unjustified, unnecessary, or preventable. Due to the limitations of hearings necessitated by the COVID-19 pandemic, the Committee was unable to hear this bill. Status: Held, Asm Appropriations.

AB 1123 (Reyes) Safe Drinking and Toxic Enforcement Act of 1986: appeal: notice to the Attorney General. (See Civil Procedure.)

AB 1342 (Low) Nonprofit corporations: private postsecondary educational institutions: sale of assets: Attorney General approval. This bill would have required a nonprofit corporation that operates or controls a private postsecondary educational institution to obtain the consent of the California Attorney General before entering into certain agreements or transactions, including an agreement or transaction to sell or convey its assets, or transfer control, responsibility, or governance of a material amount of its assets to a for-profit corporation or mutual benefit corporation. Status: Held, Sen Appropriations.

AB 1625 (R. Rivas) Unflavored tobacco list: civil penalties. This bill would have required the Attorney General to develop and publish online a list of unflavored tobacco products and enables the Attorney General to seek penalties against any product manufacturer failing to comply with the provisions. Status: Dead, Asm Gov Org.

AB 1627 (R. Rivas) Cigarette Tobacco Registry: civil penalties. This bill would have made several modifications to update the Cigarette and Tobacco Products Tax Law and associated directory of tobacco product manufacturers that have submitted compliant certifications with a settlement of a lawsuit related to state-level tobacco related healthcare costs. The bill proposed to vest authority in the Attorney General to seek civil penalties for entities that violate the provisions of the bill. Status: Dead, Asm Gov Org.

AB 1712 (Wicks) Donor advised funds: disclosure of information about individual funds and accounts. This bill would have required the Attorney General to adopt rules and regulations requiring sponsors of donor advised funds to include specific information about individual funds or accounts maintained by that sponsor in annual reports filed with the Attorney General. This information included whether the donor advised fund sponsor has a publically available policy with respect to inactive or dormant funds and the nature of any such policy, as well as the value of assets invested by the sponsoring organization in vehicles controlled by, controlling, or under common control with an entity that provides administrative or investment services to the sponsoring organization. Status: Dead, Asm Appropriations.

AB 2036 (Muratsuchi) Nonprofit public benefit corporations: sale of assets: health facilities. This bill would have specified that if the Attorney General imposes a condition on its consent to a proposed agreement or transaction to transfer the assets of a nonprofit public benefit health facility, that condition shall remain in effect for the entire period of time specified by the Attorney General, regardless of whether the health facility is subject to an additional or subsequent sale, transfer, purchase, lease, exchange, option, conveyance, or other disposition of assets. Status: Dead, Asm Health.

AB 2208 (Irwin) Charitable organizations: charitable fundraising platforms and platform charities. This bill would have directed the Attorney General to establish rules and regulations for overseeing charitable fundraising platforms and platform charities within the context of the Supervision of Trustees and Fundraisers for Charitable Purposes Act. Status: Held, Sen Appropriations.

AB 2356 (Bauer-Kahan) Electrical corporations: failure to comply with safety standards or requirements: enforcement. This bill would have authorized the Attorney General or the district attorney of a proper county or city and county, to bring a civil action in the name of the people of California, to enforce applicable utility laws related to a utility company's failure to comply with safety standards or requirements. Status: Dead, Asm Utilities & Energy.

AB 2913 (R. Rivas) Unflavored tobacco list. This bill would have required the Attorney General to establish a list of tobacco brand styles without discernable flavor and required manufacturers of such products to submit to the Attorney General a list of all brand styles, as defined, of tobacco products that they manufacture or import for sale or distribution in or into California that lack a characterizing flavor. The bill would have required the manufacturers to submit the above information under the penalty of perjury and enabled the Attorney General to seek the recovery of costs and fees against manufacturers who violate the bill. Status: Dead, Asm Gov Org.

AB 2915 (R. Rivas) AG study: farmworkers: sexual harassment. This bill would have required the Attorney General to conduct a Spanish-language radio and television advertising campaign to raise awareness among farmworkers of the criminal and civil penalties for sexual assault and sexual harassment, and to inform farmworkers who are subject to sexual assault or sexual harassment of which state benefits would be available to them. The bill would have appropriated \$1,000,000 for these purposes, and would have required the Attorney General to spend the moneys within the 2021 calendar year. Status: Dead, Asm Judiciary.

AB 2936 (Wicks) Supervision of Trustees and Fundraisers for Charitable Purposes Act: donor-advised funds. This bill would have required the Attorney General to establish a new classification of charity, within the Supervision of Trustees and Fundraisers for Charitable Purposes Act, for sponsoring organizations that maintain one or more donor-advised funds. Status: Dead, Sen Judiciary.

SB 506 (Hueso) Energy crisis litigation. Revives and reauthorizes the authority of the Attorney General to represent the Department of Finance in litigation related to the energy crisis of the early 2000s. Status: Chap. 150, Stats. 2019.

ATTORNEYS AND RELATED MATTERS

Attorneys and Related Services

AB 242 (Kamlager-Dove) Implicit bias: continuing legal education for attorneys and training for court personnel. This bill requires the State Bar to establish a curriculum for all attorneys on the implicit bias against certain protected groups that is common in society, and authorizes the Judicial Council to develop training on implicit bias for all judges, subordinate judicial officers, trial court managers, supervisors, and other court staff who routinely interact with the public. Status: Chap. 418, Stats. 2019.

AB 692 (Maienschein) Attorneys: arbitration of attorney's fees. This bill clarifies several provisions related to the timing of various actions relating to a client and attorney who are involved in a fee or cost dispute subject to the Mandatory Fee Arbitration Act. Status: Chap. 13, Stats. 2019.

AB 1213 (Chen) Legal document assistants and unlawful detainer assistants. This bill extends the sunset for the statutes that regulate legal document assistants and unlawful detainer assistants from January 1, 2021, to January 1, 2024. Status: Chap. 128, Stats. 2019.

AB 2583 (Chen) Legal document assistants and unlawful detainer assistants. This bill would have required a legal document assistant or unlawful detainer assistant to file with the Secretary of State a disclosure form that contains specified information, a copy of a valid and current photo identification, and a photograph of themselves, as specified. The bill would have required a legal document assistant or unlawful detainer assistant to notify the Secretary of State's office in writing within 30 days of specified events. Finally, the bill would have required the Secretary of State to post specified information on its internet website received from a legal document assistant or unlawful detainer assistant and allowed the SOS to charge a filing fee to cover the cost of administering these provisions. Status: Dead, Asm Judiciary.

SB 544 (Umberg) State Bar: admission: license: moral character review: mental health medical records. This bill prohibits the State Bar, when determining whether an applicant is of good moral character and therefore eligible for admission to the practice of law, from reviewing or considering the person's medical records relating to their mental health. The bill also provides an exception to the prohibition in a case where the applicant seeks to use the record to either demonstrate that the applicant is of good moral character, or as a mitigating factor to explain a specific act of misconduct. Status: Chap. 152, Stats. 2019.

State Bar

AB 558 (Petrie-Norris) State Bar: legal services: service members. This bill expands the State Bar of California's existing legal service program that coordinates legal service organizations which provide pro bono legal assistance to veterans and their families so that it would apply to active duty service members and their families who cannot afford legal services. Status: Chap. 303, Stats. 2019.

AB 1060 (Gray) Attorneys: annual license fees: free legal services. This bill would have eliminated from current law the opportunity for attorneys who are licensed in the state to opt out

of a \$40 fee that the State Bar of California is required to charge; made the fee mandatory; and required the fee to be allocated only for the purpose of providing financial support to nonprofit organizations that provide free legal services to persons of limited means. Status: Dead, Asm Inactive File.

AB 2008 (Cunningham) State Bar: legal services. As heard by this Committee, the bill would have required the State Bar to provide on its website a link to legal information and a referral website that lists legal aid and nonprofit organizations that provide legal services to victims of human trafficking or domestic violence. The bill was subsequently amended to focus on parental consent in the formation of contracts. Status: Dead, Sen Judiciary.

AB 3362 (Committee on Judiciary) State Bar: open meetings: discipline: attorneys: foreign legal consultants: annual license fees. This bill is the annual State Bar fee authorization bill that, among other provisions, establishes the annual dues charged to attorneys licensed by the State Bar of California, enacts reforms designed to expand the State Bar's ability to recover costs and other debts owed by disciplined attorneys, expands the ability for the public to comment on any matter before the Board of Trustees of the State Bar of California, and provides modest funding for provisionally licensed 2020 law school graduates working for designated legal services programs. Status: Chap. 360, Stats. 2020.

HR 103 (Stone) Bar examination: retroactive application of reduction of passing score. This resolution strongly encourages the California Supreme Court, in order to help make California attorneys more representative of the state, better support recent law school graduates, and provide greater access to justice for low- and middle-income Californians, to make the Supreme Court's July 2020 reduction in the passing score of the California Bar Examination retroactive to July 2015. Status: Adopted.

SB 176 (Jackson) State Bar: annual fees and oversight. This bill increases the licensing fee that active attorneys in California must pay for 2020 by \$123, from \$315 to \$438; and, for 2020 only, reduces the fee for the Lawyer Assistance Program by \$9. The bill increases the licensing fee that inactive attorneys in California must pay for 2020 by \$33, from \$75 to \$108; and, for 2020 only, eliminates the fee for the Lawyer Assistance Program. This bill also increases the total annual income that an active attorney can make to qualify for 25% waiver of the annual license fee from \$40,000 to \$60,478.35. Finally, the bill revises the formula for the division of the proceeds from the State Bar's marketing offers, to its licensees, of discounts and other benefits, including insurance products, if ChangeLawyers and Cal Bar Affinity administers the discount and benefit program. Status: Chap. 698, Stats. 2019.

CIVIL PRACTICE AND PROCEDURE

Civil Procedure

AB 218 (Gonzalez) Childhood sexual assault: statute of limitations. This bill extends the time for commencement of actions for childhood sexual assault to either the date when the victim is 40 years of age, or five years from discovery of the injury; provides enhanced damages for a cover up, as defined, of the assault; and provides a three-year window in which expired claims are revived. Status: Chap. 861, Stats. 2019.

AB 622 (Chen) Service of process or subpoena. This bill expands the types of structures into which a qualified individual shall be granted limited access for the purpose of service of process or service of a subpoena to include covered multifamily dwellings. Status: Chap. 12, Stats. 2019.

AB 800 (Chu) Civil actions: confidentiality. This bill provides participants in the Safe at Home Program, which permits victims of domestic violence, stalking, sexual assault, or human trafficking to utilize confidential mailing addresses, the ability to proceed in legal actions using a pseudonym, and outlines the procedures for filing and proceeding in litigation while a party is utilizing a pseudonym. Status: Chap. 439, Stats. 2019.

AB 1123 (Reyes) Safe Drinking and Toxic Enforcement Act of 1986: appeal: notice to the Attorney General. This bill requires parties appealing a decision in litigation involving enforcement of the Safe Drinking and Toxic Enforcement Act of 1986, commonly referred to as Proposition 65, to serve specified moving papers on the Attorney General. Status: Chap. 187, Stats. 2019.

AB 1251 (Santiago) Civil procedure: writs of mandate. As heard by this Committee, this bill expanded the information that a local agency must provide to a party who is subject to a decision regarding a suspension, demotion, or dismissal of an officer or employee; or the revocation or denial of an application or denial of an application for any retirement benefit or allowance. The information would have required both the timelines for seeking a writ of mandate and information regarding the local agency's duty to prepare a complete record of the proceedings to be included. The bill was subsequently amended to focus on a different topic: land use planning. Status: Dead, Sen Rules.

AB 1349 (Obernalte) Civil actions: discovery. This bill establishes a framework for civil litigants to request and obtain, in an electronic format, written interrogatories and requests for admission from a propounding party, and responses from a responding party. Status: Chap. 190, Stats. 2019.

AB 1510 (Reyes) Sexual assault: statute of limitations. This bill creates a one-year window in which certain victims of sexual assault may revive claims for damages that are otherwise time-barred by a statute of limitations. Specifically, subject to certain exceptions, the bill revives damage claims of more than \$250,000 arising out of a sexual assault or other inappropriate sexual activity committed by a physician at a student health center between January 1, 1988, and January 1, 2017. The bill specifies that this revived cause of action may proceed if already pending in court on the date when the bill takes effect or, if not filed by that date, if commenced between January 1, 2020 and December 31, 2020. Status: Chap. 462, Stats. 2019.

AB 1528 (Bigelow) Mobilehomes: mandatory mediation. This bill would have required mobilehome owners to use a state mediation process before they take legal action against mobilehome park owners for failing to maintain the physical improvements of a park's common facilities. Status: Dead, Asm Housing & Community Development.

AB 1673 (Salas) California Environmental Quality Act: judicial challenge: litigation transparency: identification of contributors. This bill would have required plaintiffs in California Environmental Quality Act related lawsuits to identify every person or entity who

contributed or committed to contribute \$1,000 or more to support the lawsuit. Status: Failed, Asm Nat Resources.

AB 1785 (Boerner Horvath) Railroads: special motion to strike. This bill would have permitted a railroad owner or operator, or a government entity through which a railroad passes, to file a special motion to strike a cause of action seeking damages for an incident occurring in a portion of the railroad right-of-way open to the public. The court would be required to grant the special motion to strike unless the plaintiff establishes that there is a probability the plaintiff will overcome all defenses asserted by the defendant and prevail on the claim. Status: Dead, Asm Judiciary.

AB 2014 (Maienschein) Medical misconduct: misuse of sperm, ova, or embryos: statute of limitations. This bill extends the statute of limitations for prosecuting a crime involving the unlawful use or implantation of sperm, ova, or embryos to three years after the discovery of the offense, as specified. As introduced, this bill would have also authorized a civil action for assault, battery, or injury to, or for the death of, an individual caused by a wrongful use or implantation of sperm, ova, or embryos to be commenced within three years of the discovery of the wrongful act or neglect. However, the provision relating to the time to bring a civil action was deleted from the bill thereby taking the bill out of this Committee's jurisdiction. Status: Chap. 244, Stats. 2020.

AB 2129 (Chau) Civil procedure: special motion to strike. This bill would have repealed a party's requirement to transmit to the Judicial Council a special motion to strike filing or opposition to a special motion to strike, and would also have repealed the Judicial Council's duty to maintain the filings as a public record for three years. Status: Dead, Asm Judiciary.

AB 2437 (Quirk) Civil actions: statute of limitations. This bill would have provided agencies tasked with enforcing the Medicinal and Adult-Use Cannabis Regulation and Safety Act the ability to bring a civil action to enforce the Act within three years of discovery of the facts constituting the grounds for commencing the action. Status: Dead, Asm Judiciary.

AB 2445 (Reyes) Civil actions: wrongful death. This bill authorizes a decedent's legal guardians to bring a wrongful death action if the decedent's parents would have been authorized to bring a civil action but they are deceased, or if the legal guardians were dependent on the decedent and the decedent's parents are deceased. Status: Chap. 51, Stats. 2020.

AB 2723 (Chiu) Civil actions: entry of judgment: written stipulation. This bill permits attorneys and other designated agents of an insurance company to sign agreements to settle litigation, except litigation pursuant to the Family Code, on the behalf of clients. Status: Chap. 290, Stats. 2020.

AB 2875 (Oberholte) Civil actions: summary judgment: service. This bill would have extended the 75-day notice period for motions for summary judgment by two court days if notice of the motion is served electronically. Status: Dead, Sen Judiciary.

AB 3062 (Oberholte) Civil actions: pleadings and motions. This bill would have permanently eliminated the existing sunset dates from several provisions of the Code of Civil Procedure requiring parties to meet and confer before filing a motion for judgment on the pleadings and a

motion to strike. The provisions of this bill were subsequently amended into AB 3364 (Judiciary). Status: Dead, Sen Judiciary.

AB 3092 (Wicks) Sexual assault and misconduct: statute of limitations on civil actions. This bill revives any claim seeking to recover damages arising out of a sexual assault or other inappropriate contact, communication, or activity of a sexual nature by a physician while employed by a medical clinic owned and operated by UCLA, or by a physician who held active privileges at a hospital owned and operated by UCLA, between January 1, 1983, and January 1, 2019, that would otherwise be barred before January 1, 2021, solely because the applicable statute of limitations has or had expired. Specifies that such a cause of action may proceed if already pending in court on January 1, 2021, or, if not filed by that date, may be commenced between January 1, 2021, and December 31, 2021. This bill exempts any claims that have been settled or litigated to finality, as specified. Status: Chap. 246, Stats. 2020.

AB 3117 (Kalra) Civil actions: costs. This bill would have expanded the category of eligible costs that may be recovered in a civil action to include the costs associated with traveling to a trial. Status: Dead, Asm Judiciary.

SB 17 (Umberg) Civil discovery: sanctions. This bill permits civil litigants to voluntarily stipulate to an initial disclosure of information, modeled on the initial disclosures required under Federal Rule of Civil Procedure 26, and mandates courts to impose a \$250 sanction on parties, persons, or attorneys who engage in certain forms of discovery abuse related to document production. Status: Chap. 836, Stats. 2019.

SB 370 (Umberg) Discovery: response to inspection demands. This bill requires that any documents produced in response to a demand for inspection, copying, testing, or sampling are identified with the specific request number to which the documents respond. The changes are intended to streamline the process of document production. Status: Chap. 208, Stats. 2019.

SB 518 (Wieckowski) Civil actions: settlement offers. This bill would have clarified that litigation to enforce the California Public Records Act (CPRA) is exempt from the application of Civil Procedure Code Section 998. Status: Vetoed.

SB 621 (Glazer) California Environmental Quality Act: expedited judicial review: affordable housing projects: reports. This bill would have provided for an expedited 270-day judicial review of housing projects deemed "affordable" that are subject to litigation regarding the California Environmental Quality Act. Status: Dead, Asm Nat Resources.

SB 645 (Monning) Civil discovery: depositions. This bill limits the amount of time a plaintiff in a civil action for injury or illness that results in mesothelioma or silicosis may be deposed by defendants to seven to 14 hours, if a doctor determines the plaintiff were unlikely to live for more than six months. Status: Chap. 212, Stats. 2019.

SB 707 (Wieckowski) Arbitration agreements: enforcement. This bill provides that the drafting party of a commercial or employment-related arbitration agreement is in material breach of the agreement if the drafting party failed to pay, as required by existing law, specified costs and fees associated with the arbitration proceeding. Status: Chap. 870, Stats. 2019.

SB 788 (Committee on Governmental Organization) Alcoholic beverages: appeals: decision: tied-house restrictions. This bill clarifies the definition of the term “decision” for the purpose of the Alcoholic Beverage Control Act to refer to only final decisions by the Department of Alcoholic Beverage Control (ABC) and provides a means to contest emergency decisions issued by ABC in superior court. Status: Chap. 257, Stats. 2019.

SB 1105 (Umberg) Civil actions: settlements. This bill would have sought to increase judicial efficiency by authorizing attorneys, on behalf of their clients, to request the court retain jurisdiction and making clear that the court may dismiss the case without prejudice upon the court entering a judgment pursuant to the terms of a settlement stipulated to by the parties to a civil action. Status: Dead, Asm Judiciary.

SB 1146 (Umberg) Civil procedure: electronic filing, trial delays, and remote depositions. This bill expands the use of electronic technology in civil litigation by mandating electronic filings for represented parties, permitting remote depositions at the request of the moving party or the deponent. Further, this bill extends several civil litigation deadlines to account for COVID-19 related court delays, and declares an urgency. Status: Chap. 112, Stats. 2020.

SB 1148 (Jones) Mortgages and deeds of trust: foreclosures. This bill makes two changes to the procedures governing mortgage trustees. First, the bill eliminates the initial requirement that a notice of sale in a foreclosure must be published in a newspaper of general circulation in the city in which the property is located, and instead requires that the notice of sale be published in a newspaper of general circulation in the public notice district in which the property is located. Second, the bill prohibits a court from charging a response pleading fee for filing a declaration of nonmonetary status, as specified. Status: Chap. 203, Stats. 2020.

Evidence

AB 418 (Kalra) Evidentiary privileges: union agent-represented worker privilege. This bill would have established an evidentiary privilege for communications between a union agent and a represented employee or represented former employee. Status: Dead, Sen Inactive file.

AB 828 (Ting) Human trafficking caseworker-victim privilege. As heard by the Committee, this bill would have, among other things, adopted a definition of “human trafficking victim services program” that included a counselor at a domestic violence victim services organization who provides support to human trafficking victims and has specific experience and qualifications to qualify as a human trafficking caseworker. The bill was subsequently amended to address a temporary moratorium on foreclosures and unlawful detainer actions due to the COVID-19 pandemic. Status: Dead, Sen Judiciary.

AB 1116 (Grayson) Firefighters: peer support. This bill authorizes the state or any local or regional public fire agency to establish a Peer Support and Crisis Referral Program; permit emergency service personnel to refuse to disclose; and prevent another from disclosing, a confidential communication between the emergency service personnel and a peer support team member, crisis hotline staff member, or crisis referral service, except as specified. Finally, the bill provides that peer support team members are not liable for damages, as specified, for acts or

omissions made in the performance of peer support services, unless the act or omission constitutes gross negligence or intentional misconduct. Status: Chap. 388, Stats. 2019.

AB 1117 (Grayson) Peace officers: peer support. The bill permits emergency service personnel to refuse to disclose, and to prevent another from disclosing, a confidential communication between the emergency service personnel and a peer support team member, crisis hotline staff member, or crisis referral service, except as specified. The bill also provides that peer support team members are not liable for damages, as specified, for acts or omissions made in performing peer support services, unless the act or omission constitutes gross negligence or intentional misconduct. Status: Chap. 621, Stats. 2019.

AB 1735 (Bauer-Kahan) Human trafficking caseworker-victim privilege. This bill makes a number of changes to existing law governing the human trafficking caseworker-victim privilege including removal of a provision in existing law that authorizes a court to compel disclosure of privileged information by the caseworker if the victim is either dead or is not the complaining witness in a criminal action against the perpetrator. It also modifies the definition of "human trafficking caseworker" in current law to be a person who is employed by a "human trafficking victim services organization" and who has specified experience, education, and training working with victims of human trafficking. Status: Chap. 197, Stats. 2019.

CONTRACTS, BUSINESS AND COMMERCIAL MATTERS

Business and Consumer Protection

AB 44 (Friedman) Fur products: prohibition. This bill prohibits the sale, offer for sale, display for sale, trading, or other distribution of new fur products, and imposes civil penalties for violation of this prohibition. The bill specifically exempts used fur products, fur products used for religious purposes, fur products used for tribal, spiritual, or cultural purposes by a member of a Native American tribe recognized by the state or federal government, and any activity expressly authorized by federal law, from this prohibition. Status: Chap. 764, Stats. 2019.

AB 199 (Calderon) California Online Notary Act of 2019. This bill would have required a person registered as an online notary public with the California Secretary of State to perform remote online notarization over the internet, rather than requiring in-person notarization. Status: Dead, Asm Judiciary.

AB 325 (Ramos) Self-service storage facilities. This bill would have modified the means by which self-service storage facility owners can demonstrate actual delivery and receipt of certain legal notices sent to customers by electronic mail. Subsequent Assembly amendments added a January 1, 2024 sunset date. The bill would have also removed the January 1, 2021 sunset date, established by AB 1108 (Daly, Chap. 227, Stats. 2017), for various provisions authorizing self-service storage facility owners to provide notices to customers via electronic mail. The contents of this bill were incorporated into AB 3364 (Judiciary). Status: Dead, Sen Judiciary.

AB 824 (Wood) Business: preserving access to affordable drugs. This bill codifies a standard under which "reverse payment settlements" in pharmaceutical patent infringement cases are presumed to be anticompetitive, unless procompetitive effects can be clearly and convincingly demonstrated, and subjects parties who engage in anticompetitive reverse payment settlements to

civil penalties. Specifically, this bill creates a presumption of an anticompetitive effect of an agreement resolving or settling a patent infringement claim in connection with the sale of a pharmaceutical product if 1) the generic filer receives anything of value from the company asserting patent infringement, and 2) the generic filer agrees to limit or forego research, development, manufacturing, marketing, or sales of the product for any period of time. Status: Chap. 531, Stats. 2019.

AB 1213 (Chen) Legal document assistants and unlawful detainer assistants. (See Attorneys and Related Services.)

AB 1417 (Blanca Rubio) Cannabis advertisement and marketing. This bill would have strengthened the disclosure requirements for advertisement of cannabis products and expanded liability for those found to have assisted a person in engaging in unlicensed commercial cannabis activity. Status: Held, Sen Appropriations.

AB 1607 (Boerner Horvath) Gender discrimination: pricing: notification. This bill requires a city, county, or city and county, by January 1, 2021, to provide businesses with a printed notice of the price discrimination provisions of the Gender Tax Repeal Act of 1995 when a license is issued to that business, and to provide the notice in specified languages. The bill permits the city, county, or city and county to use a notice developed by the Department of Consumer Affairs (DCA) and requires DCA to develop the notice for this purpose by January 1, 2020, and make it available for download on the department's website. Status: Chap. 293, Stats. 2019.

AB 1790 (Wicks) Marketplaces: marketplace sellers. This bill requires physical and electronic marketplaces to ensure that terms and conditions regarding marketplace sellers must meet certain specified criteria, including intelligibility and availability, and requires a marketplace to provide a written statement justifying their action in the event the marketplace suspends or terminates a marketplace seller based upon an alleged violation of law, or a term, condition, or policy of the marketplace. As referred to this Committee, the bill provided specific requirements for large e-commerce marketplaces relating to the disbursement of funds to third-party sellers and sharing of customer data from those sellers and included a "right to sue" provision; however, that provision was deleted and the bill was removed from this Committee's jurisdiction. Status: Chap. 635, Stats. 2019.

AB 2424 (Calderon) Notaries public: disclosures. This bill would have required notaries public to disclose certain information to clients, including whether they are licensed California attorneys, and to obtain clients' signatures in acknowledgment of these disclosures prior to providing notarial services. Status: Dead, Asm Judiciary.

AB 2583 (Chen) Legal document assistants and unlawful detainer assistants. (See Attorneys and Related Services.)

AB 2961 (E. Garcia) Federally recognized California Indian tribes: civil remedies. This bill would have expanded the definition of "person" for the sake of establishing standing to file suit to enforce California's unlawful trust and unlawful restraint of trade laws to include a federal recognized California Indian tribe. Status: Dead, Asm Judiciary.

AB 3010 (Limon) Deferred Deposit Transaction Law. This bill would have required the Department of Business Oversight to develop, operate, and maintain an internet-accessible database in which licensees would have been required to record each deferred deposit transaction, for the purpose of preventing violations of the Deferred Deposit Transaction Law. Status: Dead, Asm Banking & Finance.

AB 3020 (Gloria) Unfair Practices Act. This bill provides that all civil penalties recovered by the City Attorney of San Diego for Unfair Competition Law cases prosecuted solely by the City Attorney must be deposited into the treasury of the City of San Diego. Status: Chap. 75, Stats. 2020.

SB 234 (Skinner) Family daycare homes. The bill revises and recasts statutes regarding licensed family childcare homes and local zoning laws and housing protections. Specifically, the bill seeks to increase the supply of licensed family childcare homes in the state by treating small and large family childcare homes more uniformly for purpose of the statute that governs the regulation of such homes by local ordinances and the State Fire Marshal. Status: Chap. 244, Stats. 2019.

SB 318 (Hertzberg) Consumer protections: contracts and agreements to finance or secure a bail bond or immigration bond. This bill would have clarified existing law and legislative intent by providing that consumer protections under the Consumer Legal Remedies Act, the Rosenthal Fair Debt Collection Practices Act, and the contract translation and consumer credit contract provisions of the Civil Code, apply to the securing and financing of bail and immigration bonds to facilitate the pretrial release of a defendant. Status: Failed, Asm Insurance.

SB 342 (Hertzberg) Unfair competition: ticket websites. This bill makes it unlawful to register, traffic in or use the name of a professional sports team or the name of a professional sports league, among others, in a domain or subdomain name of a website to sell tickets in a fraudulent, deceptive, or misleading manner and provides a private right of action to a person who suffers an economic injury as a result of such misconduct. Status: Chap. 162, Stats. 2020.

SB 392 (Allen) Hazardous materials: green chemistry: consumer products. This bill would have provided the Department of Toxic Substances Control (DTSC) with the authority to enforce consumer product chemical information requests for the purpose of identifying and prioritizing chemicals of concern and the consumer products in which they are present, and seek specified civil penalties for failure to comply with such a request. The bill also would have permitted, following public notice and comment, the use of reliable existing studies or evaluations in lieu of a full chemical alternatives analyses conducted by DTSC. Finally, the bill required DTSC to publish specific plans and timelines for obtaining information necessary to develop regulations for five product categories or subcategories, and eliminates the Toxics Information Clearinghouse. Status: Dead, Asm Inactive File.

SB 425 (Hill) Health care practitioners: unprofessional conduct: reporting liability. This bill requires health care facilities, health care service plans, and entities that arrange to provide licensed health services (including student health centers at postsecondary educational institutions) to report to the appropriate licensing board any allegations of sexual abuse and sexual misconduct made that are made by a patient against a licensed health care professional.

The bill specifies that the report must be made to the appropriate licensing board within 15 days of the receipt of a written allegation of sexual abuse or sexual misconduct. Status: Chap. 849, Stats. 2019.

SB 472 (Caballero) Wage-based, work-based, and income-based advances. This bill would have established a regulatory framework under which third-party companies could lawfully provide advances on earnings and income to employed persons in California. Status: Dead, Asm Banking & Finance.

SB 578 (Jones) Vacation Ownership and Time Share Act: arbitration. This bill allows, under certain conditions, sellers of time-share interests to offer temporary accommodations to prospective buyers, in accommodations that are more than 20-miles away as an exception to the 20-mile radius prescribed in existing law. The bill also allows parties who are subject to the Vacation Ownership and Time-Share Act (VOTA) to submit their disputes to a third-party organization other than the American Arbitration Association. Status: Chap. 153, Stats. 2019.

Vehicles

AB 596 (Grayson) Motor vehicle defects: service bulletins and consumer electronic authorization. This bill permits car owners to consent via electronic means to having recall repairs performed on their cars, so long as the means of consent is consistent with applicable Bureau of Automotive Repair regulations. The bill also updates the text of a notice regarding automotive service bulletins that new car dealerships are required to display. Status: Chap. 490, Stats. 2019.

AB 2111 (Maienschein) Vehicle history reports: liability. This bill would have absolved auto dealers from being held liable for inaccurate, erroneous, or omitted information on dealer-obtained vehicle history reports, so long as those inaccuracies, errors, or omissions were not the result of information that the dealer itself furnished to the vehicle history report provider. Status: Held, Asm Transportation.

AB 2319 (Berman) Tow truck operators: liens: exceptions. This bill broadens the list of methods by which a registered vehicle owner who sells or transfers their vehicle and is not responsible for the conditions requiring the removal of the vehicle is exempt from liability for any deficiency judgment following a lien sale, so that the requirements for exemption of liability for a deficiency judgment following the lien sale matches the requirements for exemption of liability in all other circumstances. Status: Chap. 50, Stats. 2020.

Contracts

AB 1339 (Gabriel and Chiu) Mechanics liens: attachment date. This bill would have eliminated the current priority of a mechanics lien over all other liens or encumbrances under specified circumstances. Status: Dead, Asm Judiciary.

AB 1821 (Committee on Judiciary) Holder Rule: attorneys' fees. This bill provides that if a plaintiff prevails in a lawsuit against a defendant named under the Federal Trade Commission's Holder In Due Course Rule, the plaintiff can claim attorney's fees, costs, and expenses from that

defendant to the fullest extent possible as if the plaintiff had prevailed against the seller who assigned the contract to the defendant. Status: Chap. 116, Stats. 2019.

AB 2471 (Maienschein) Senior citizens: rescission of contracts. This bill extends the buyer's right to cancel home improvement, service and repair, home solicitation, seminar sales solicitation, and Property Assessed Clean Energy (PACE) assessment contracts to five business days if the buyer is 65 years of age or older, for contracts entered after January 1, 2021. Status: Chap. 158, Stats. 2020.

AB 2672 (Holden) California Franchise Relations Act. This bill would have clarified that a contract arising from the transfer of an existing franchise agreement is deemed to be a new franchise contract for the purposes of triggering provisions of the California Franchise Relations Act. The bill would have also clarified provisions related to fund offsets at the termination of a franchise agreement. Status: Dead, Asm Business & Professions.

AB 2768 (Kalra) Digital Signatures. This bill would have required the Secretary of State to adopt emergency regulations to provide appropriate and timely guidance to public entities and the public generally regarding the signature requirements and to make the regulatory changes needed to update these provisions no later than March 1, 2022. Status: Dead, Asm Judiciary.

AB 3228 (Bonta) Private detention facilities. This bill requires private detention facilities to comply with the detention standards of care and confinement agreed upon in the facility's contract for operations, and establishes a civil cause of action against facilities which violate this requirement. Due to the limitations of hearings necessitated by the COVID-19 pandemic, the Committee was unable to hear this bill. Status: Chap. 190, Stats. 2020.

AB 3254 (Limon) Contracts: translations. This bill ensures that people who cosign certain types of contracts, negotiated primarily in the Spanish, Chinese, Tagalog, Vietnamese, or Korean languages, receive translated copies of those contracts to review before they sign. Status: Chap. 161, Stats. 2020.

AB 3271 (Kiley) Enrollment agreements. This bill would have declared it unconscionable to require a minor to waive legal rights as a condition of enrollment in a public or private K-12 educational institution with respect to any claim arising from sexual assault or sexual battery, and therefore allows a minor to disaffirm any waiver of such rights with respect to claims arising from a sexual assault or sexual battery. Status: Dead, Sen Judiciary.

Creditor-Debtor Relations

AB 513 (Gallagher) Venue: debtor location. This bill would have modified the Uniform Voidable Transactions Act, which specifies that a claim under the act is governed by the local law of the jurisdiction where the debtor is located and that a debtor's location, if the debtor is an individual, is the individual's principal residence. The bill would instead provide that a debtor's location, if the debtor is an individual, is the debtor's principal residence *or domicile*. Status: Dead, Asm Judiciary.

AB 2443 (Weber) Deceptive practices: debt settlement. This bill would have established the following as violations of the Consumers Legal Remedies Act: (i) for a prorater to act in a

manner that deceives consumers, including by performing identified actions; (ii) for a proratee to violate enumerated provisions of the Financial Code; or (iii) for a person to provide payment processing services for a fee paid by a consumer, to a proratee that is in violation of (i) or (ii). The bill would have exempted tax-exempt entities from these provisions. Due to the limitations of hearings necessitated by the COVID-19 pandemic, the Committee was unable to hear this bill. Status: Dead, Sen Judiciary.

AB 2463 (Wicks) Enforcement of money judgments: execution: homestead. This bill prohibits foreclosure on a judgment lien placed on an individual's principal place of residence if the underlying judgment is based on a consumer debt, unless the debt was secured by the debtor's principal place of residence at the time it was incurred. The bill explicitly exempts various forms of debt from this prohibition, including taxes, spousal and child support, and debts in excess of \$75,000, as adjusted for inflation and excluding student loans owed to a financial institution. Status: Chap. 218, Stats. 2020.

AB 2524 (Wicks) Check sellers, bill payers, and proraters: out-of-state activities. This bill deletes provisions of the Financial Code that previously impaired the ability of the Department of Business Oversight to license all debt settlement companies doing business in California. Due to the limitations of hearings necessitated by the COVID-19 pandemic, the Committee was unable to hear this bill. Status: Chap. 159, Stats. 2020.

AB 2635 (Gallagher) Enforcement of money judgments: exemptions. This bill would have expanded the existing exemption from enforcement of money judgments of \$2,425 in material purchased in good faith for use in the repair or improvement of a debtor's principal place of residence to also include material purchased in good faith for use in the repair or improvement of the debtor's domicile. The bill was later amended to focus on nursing licensure. Status: Dead, Asm Judiciary.

SB 187 (Wieckowski) Rosenthal Fair Debt Collection Practices Act. This bill clarifies that collection activity on mortgage debt is subject to the Rosenthal Fair Debt Collection Practices Act, and removes an existing exception for individual attorneys from that Act. Status: Chap. 545, Stats. 2019.

SB 616 (Wieckowski) Enforcement of money judgments: exemptions. This bill creates an automatic exemption from creditor levy, in an amount up to the current state Minimum Basic Standard of Adequate Care for a family of four, for a debtor's bank deposits. The bill also provides a procedure for creditors to seek a court order allocating the exemption among a debtor's accounts if the debtor holds multiple bank accounts. Finally, the bill clarifies procedures and extends timelines for filing claims of exemption. Status: Chap. 552, Stats. 2019.

SB 619 (Hueso) Promise Zones: credit reporting pilot program: rental payments. As heard by the Committee, this bill would have required owners of certain large rental housing developments within Promise Zones (as designated by the federal Department of Housing and Urban Development) to report tenants' rental payment information to at least one national consumer credit reporting agency. The bill was subsequently amended to deal with a different topic: armories. Status: Dead, Asm Rules.

SB 639 (Mitchell) Medical services: credit or loan. This bill prohibits healthcare providers from arranging for their patients to obtain deferred interest credit. The bill also requires that patients, rather than providers, fill out applications for medical credit, and requires patients to consent to complete a credit application in the treatment area. Finally, the bill requires providers to identify on treatment plans whether Medi-Cal would cover any medically necessary service as an alternative to any one listed on the treatment plan. Status: Chap. 856, Stats. 2019.

SB 898 (Wieckowski) Enforcement of judgments: exemptions. This bill updates the dollar amounts of debtor-owned property that are exempt from enforcement of a money judgment, and adds to the existing exemptions a new exemption for monies held in a ScholarShare college savings account owned and established by the debtor, subject to the specified limits. Status: Chap. 81, Stats. 2020.

COURTS AND RELATED MATTERS

Courts

AB 330 (Gabriel) Appointed legal counsel in civil cases. This bill raises fees on certain court filings by \$15 in order to increase funding for the Sargent Shriver Civil Counsel Act, which in turn provides counsel for low-income litigants in certain life-changing civil legal matters. Status: Chap. 217, Stats. 2019.

AB 351 (Choi) Criminal fees: payment plans. This bill would have required, except in the case of an order of victim restitution, that whenever a provision of this code or any other law requires or authorizes imposition of a fine, fee, or assessment related to a criminal or juvenile proceeding involving a misdemeanor or felony, that a criminal defendant shall be given the opportunity to pay such fine, fee, or assessment with a payment plan. Status: Held, Asm Appropriations.

AB 668 (Gonzalez and Bonta) Courthouses: freedom from civil arrest. This bill provides that no person shall be subject to civil arrest at any courthouse while the person is attending a court proceeding or having legal business in the courthouse, unless the arrest is made pursuant to a valid judicial warrant. The bill makes findings and declarations on the importance of keeping courts of justice open, accessible, and free from interruption, and on the need to protect persons from civil arrest or service of process while they are in California's courts for the purpose of attending judicial proceedings. Status: Chap. 787, Stats. 2019.

AB 1193 (Fong) Courts: long-term lease obligations. This bill would have authorized superior courts to incur long-term lease obligations for a term of more than 10 years for the acquisition or improvement of a courthouse, court property, or related facilities. Status: Dead, Asm Judiciary.

AB 1737 (Obernalte) Trial court budget process. This bill would have eliminated the limit on the amount of funds a trial court may hold in reserve from one year to the next. Status: Held, Sen Appropriations.

AB 1984 (Maienschein) Courts. This bill makes several dozen changes to existing law to implement the recommendations of the California Law Revision Commission, intended to

modernize the codes to better reflect the operational realities of California's court system after trial court consolidation. Status: Chap. 210, Stats. 2020.

AB 2165 (R. Rivas) Electronic filing and service of documents. This bill clarifies procedures governing electronic filing of court documents, with specific attention paid to filing fees, allocation of costs, consistency of requirements between courts, notices to filers, statutes of limitations, and methods for signing documents. Status: Chap. 215, Stats. 2020.

AB 2271 (Gabriel) Data: appointed legal counsel in civil cases: unlawful detainer. This bill would have required trial courts to collect and report specified information regarding unlawful detainer cases to the Judicial Council, which in turn would have had to make the information available via a downloadable electronic spreadsheet. The bill would also have required any legal services nonprofit funded through the Sargent Shriver Civil Counsel Act to refer immigrants to alternate legal services providers if other funding restrictions prohibited the nonprofit itself from serving those immigrants. Status: Dead, Sen Judiciary.

AB 3366 (Committee on Judiciary) Judicial emergencies. This bill allows the Chairperson of the Judicial Council to issue an order authorizing multiple courts to implement certain rule changes if the chairperson determines that emergency conditions threaten the orderly operation of the superior court in more than one county, or which render presence in, or access to, affected facilities unsafe. Status: Chap. 76, Stats. 2020.

Court Reporting and Recording

AB 253 (Stone) Remote court reporting. This bill enacts a pilot program in the Santa Clara County Superior Court to study the use and effectiveness of remote court reporting technology in California courts, and requires the Presiding Judge of the Santa Clara County Superior Court to report the results of the program to the Legislature. Status: Chap. 419, Stats. 2019.

AB 424 (Gabriel) Depositions: audio or video recordings. This bill would have clarified the conditions surrounding transcription of audio and video-recorded deposition testimony for use as evidence in court. Specifically, the bill would have required that transcripts of audio and video-recorded depositions must be prepared by a person who is certified to practice shorthand reporting in California in order to be admissible as evidence in court. Status: Dead, Sen Judiciary.

AB 1385 (Santiago) Court reporter fees. This bill would have provided for a phased increase of fees that court reporters may charge for transcripts and copies of official records by approximately 33 percent. Status: Held, Sen Appropriations.

AB 3080 (Stone) Court interpreters. This bill would have deleted obsolete reporting requirements for the Judicial Council of California related to the establishment of guidelines for entities that administer testing for court interpreters for individuals who are deaf or hard of hearing. Status: Dead, Asm Judiciary.

Juries

AB 310 (Santiago) Trial jury selection. As heard by the Committee, this bill would have exempted probation officers from jury service in criminal trials. Additionally, the bill would have required the Judicial Council of California to report to the Legislature regarding the impacts of categorical jury service exemptions to the jury pool and the administration of justice. The bill was subsequently amended to create an Infrastructure and Economic Development Bank Commission. Status: Dead, Sen Governance & Finance.

AB 3070 (Weber) Juries: peremptory challenges. This bill prohibits a party from using a peremptory challenge to remove a prospective juror on the basis of race, ethnicity, gender, gender identity, sexual orientation, national origin, religious affiliation, or perceived membership in any of those groups, and establishes a court procedure for objecting to, evaluating, and resolving improper bias in peremptory challenges. This bill requires the party exercising the peremptory challenge to state the reason for the challenge, and requires the court to evaluate the reason given and determine whether there is a substantial likelihood that an objectively reasonable person, aware of role of unconscious bias in the unfair exclusion of potential jurors, would view race, ethnicity, gender, or other specified group membership, as a factor in the use of the peremptory challenge. Status: Chap. 318, Stats. 2020.

SB 60 (Atkins) Jury duty: fees. This bill would have specifically added employees of the Legislature to the list of public employees who may not receive a fee for performing jury service if the employee receives regular compensation and benefits while performing jury service. Status: Dead, Asm Inactive File.

SB 310 (Skinner) Jury service. This bill eliminates, except as specified, current law that prohibits persons who have been convicted of a felony from serving on a trial jury, unless the person is presently incarcerated in prison or jail or serving on parole, postrelease community supervision, felony probation, or mandated supervision for the conviction of a felony. Status: Chap. 591, Stats. 2019.

SB 592 (Weiner) Jury service. This bill requires, commencing in 2022, California courts to utilize taxpayer lists when developing the lists of potential jurors to be summoned for voir dire. The bill also requires the Franchise Tax Board and the Judicial Council of California to make several administrative changes to implement the mandate. Status: Chap. 230, Stats. 2020.

Judges

AB 1842 (Salas) Commission on Judicial Performance: complaints against judges. This bill would have required the Commission on Judicial Performance to, among other things, establish and implement a procedure to permit the electronic filing of complaints against judges on or before January 1, 2022. The bill was later amended to address economic development. Status: Dead, Asm Judiciary.

AB 2108 (Oberholte) Judgeships. This bill would have provided for 50 new judicial positions to be allocated, upon appropriation, across California's superior courts in accordance with the Judicial Council's judicial needs study. Status: Held, Asm Appropriations.

AB 3363 (Committee on Judiciary) CJP reform. This bill would have required the Commission on Judicial Performance (CJP) to take all reasonable steps to determine the existence or extent of alleged judicial misconduct in order to protect the public, enforce rigorous standards of judicial conduct, and maintain public confidence in the integrity and independence of the judicial system. The bill would also have created in state government the Committee to Review the Operations and Structure of CJP to study and make recommendations for changes in the operations and structure of the commission; hold at least two hearings to accept comments from the public; provide a written report about its findings and recommendations; and make the report public. Status: Dead, Sen Judiciary.

FAMILY LAW, CHILDREN AND RELATED MATTERS

Adoption

AB 677 (Choi) Foreign adoption: readoption. This bill requires that a foreign adoption be set for readoption in California within a set period of time, as specified. If the adoptive parents fail to readopt the child, the bill requires the adoption agency that facilitated the adoption to file a petition for readoption and provides that the adoptive parents are liable to the adoption agency for all costs and fees incurred as a result of good faith actions taken by the agency to fulfill this requirement. If the court, at the readoption hearing, finds that the child may be subject to human trafficking, or may be at risk of abuse or neglect, the court is required to notify appropriate authorities. Status: Chap. 805, Stats. 2019.

AB 1373 (Patterson) Adoption. This bill clarifies the circumstances under which the termination of parental rights as part of an adoption may be waived and expands the ability to use the limited stepparent adoption process when a child is born to a married couple or domestic partners through gestational surrogacy. Status: Chap. 192, Stats. 2019.

AB 2390 (Patterson) Parent and child relationship. This bill would have made multiple changes to adoption and family law in California, including rules for determining whether an embryo donor is an intended parent, what a court must consider when determining whether to terminate the parental rights of an unfit parent, codifying rules for relinquishment of a child as part of an agency adoption, specifying who can file for adoption and when, and allowing for inheritance between children and their birth parents when parental rights have not been terminated as part of an adoption. Status: Dead, Asm Judiciary.

Children

AB 175 (Gipson) Foster care rights. This bill expands the duties of the Office of the State Foster Care Ombudsperson, and expands, clarifies, and revises the rights of foster youth found in current statute under the Foster Youth Bill of Rights. Status: Chap. 416, Stats. 2019.

AB 465 (Eggman) Dual-status youth: definitions. As heard by this Committee, this bill would have implemented standardized definitions and common identifiers for tracking youth involved in both the child welfare system and the juvenile justice system, known as “dual-status youth,” as recommended by the Judicial Council’s statutorily required Data Standards Working Group. The bill was later amended to codify and expand two Rules of Court that govern criminal court

and family court processes for determining if a restrained party failed to relinquish a firearm as required by the protective order to which they are subject. The bill was subsequently amended again, and passed by the Legislature, to require that specified mental health professionals that respond in collaboration with law enforcement, or in the place of law enforcement, are supervised by licensed mental health professionals. Status: Chap. 137, Stats. 2020.

AB 685 (Reyes and Ramos) Indian child welfare: legal services and training. As heard by this Committee, this bill would have expanded legal support for Indian tribes involved in child welfare cases under the Indian Child Welfare Act (ICWA) by requiring the State Bar, subject to a state general fund appropriation, to administer grants to qualified legal services programs for providing legal services to Indian tribes in child welfare matters under ICWA. Second, this bill also would have required the court of appeal, when a child's dependency case is on appeal, to appoint counsel to represent the child's tribe, if requested by the tribe. As passed by the Legislature, this bill requires employers to provide specified notices to employees and others if an employee is exposed to COVID-19. Status: Chap. 84, Stats. 2020.

AB 686 (Waldron and Ramos) Indian child welfare. This bill requires the Judicial Council to adopt rules of court related to telephone or other remote appearance options by an Indian child's tribe, as provided. The bill also provides that tribal home approvals conducted in compliance with ICWA are not subject to resource family approval (RFA) requirements; requires the county and foster family agency, when placing an Indian child, to apply the prevailing social and cultural standards of the Indian community to the RFA process for that child; and requires the Department of Social Services to issue guidance to counties and foster family agencies on how to consistently implement the application of prevailing social and cultural standards of the Indian community. Status: Chap. 434, Stats. 2019.

AB 718 (Eggman) Dependent children: documents, information, and services. This bill requires county child welfare agencies to submit to the juvenile dependency court a report verifying that the county has provided certain information, documents, and services to foster youth at the first regularly scheduled court review hearing after the youth turns 16, before the youth turns 18, and at every review hearing until the foster youth ages out of foster care, as specified. Status: Chap. 438, Stats. 2019.

AB 748 (Gipson) Nonminor dependents: extended foster care benefits. This bill requires a juvenile court to hold a dispositional proceeding for a youth who is 18 years of age in order to be eligible for extended foster care benefits if the youth, prior to attaining 18 years of age, is determined to be within the jurisdiction of the court at a jurisdictional hearing, and is continuously detained by the court, and the youth consents. Status: Chap. 682, Stats. 2019.

AB 813 (Frazier) Developmental services: alternative dispute resolution. This bill would have required regional centers to establish a dispute resolution program and established, within the Department of Developmental Services, the "Developmental Disabilities Resolution Advisory Council" to promulgate regulations for the dispute resolution programs. Status: Held, Asm Appropriations.

AB 859 (Maienschein) Juvenile court: dependent children. This bill would have required the Department of Social Services, by January 1, 2021, and in consultation with the Judicial Council, to convene a stakeholder group that includes specified groups to make recommendations, by January 1, 2022, related to juvenile dependency proceedings with the purpose of improving child and family outcomes in dependency court and enhancing collaboration between dependency court and child welfare services. Status: Vetoed.

AB 861 (Chen) Juveniles. For children who are homeless or have previously been involved with the juvenile dependency system, this bill would have expedited an existing process for requesting a social worker to petition the juvenile court to assert jurisdiction over the child, and, if the social worker declined to do so, for appealing that decision to the court. Status: Held, Sen Appropriations.

AB 1068 (Cooley) Juvenile dependency: child and family teams. This bill redefines the Child and Family Team (CFT) meeting to mean a convening of all or some members; authorizes the attachment of a copy of the CFT meeting summary report or action plan to be included in certain court reports, as specified; requires notification to be provided to certain team members; and requires CFT meetings to include a foster youth's court-appointed educational rights holder under certain circumstances. Status: Chap. 780, Stats. 2019.

AB 1324 (Levine) Dependent youth: immigration counsel. As heard by this Committee, this bill would have required the Department of Social Services, subject to the availability of funding, to contract with qualified nonprofit legal services organizations to provide legal services to undocumented immigrants who are dependent children or nonminor dependents or who are the subject of an order for out-of-home placement through the juvenile court, and subjects such contracts to certain requirements, as specified. The bill was later amended to require the State Department of Public Health and the State Department of Social Services to collaborate to create health and safety guidelines and a description of best practices for use by skilled nursing facilities, intermediate care facilities, and congregate living health facilities that are providing post-acute care during a pandemic, public health crisis, or other emergency. Status: Dead, Sen Health.

AB 1394 (Daly) Juveniles: sealing of records. This bill prohibits a superior court or probation department from charging a fee to an applicant for filing a petition to seal juvenile records. Status: Chap. 582, Stats. 2019.

AB 1954 (Cooley) Foster care: sibling placement. This bill would have extended the definition of relative to include caregivers of minor siblings who are in a permanent plan of adoption, legal guardianship, or placement with a fit and willing relative; deleted the provision prohibiting the consideration and investigation of a relative placement from being the cause of continuance of a dispositional hearing; required the court to set a hearing within 15 court days if a relative or any party request a hearing regarding a request for relative placement. This bill would have also prohibited the size and space of the placement home from being the sole reason to find that placement of siblings together is contrary to the safety or well-being of any sibling. Status: Dead, Asm Hum Resources.

AB 1985 (Blanca Rubio) Dependency: victims of human trafficking. This bill would have explicitly authorized a child who is or was a victim of labor trafficking, and whose parent or guardian has failed or was unable to protect the child, to be adjudged a dependent of the juvenile court. The bill would make various related changes to reflect this expansion, including, among other things, a requirement that the case plan for a child nonminor dependent who is, or who is at risk of becoming, the victim of labor trafficking, document the services provided to address that issue. Status: Dead, Asm Judiciary.

AB 1996 (Gipson) Foster youth: data collection regarding nonminor dependents. This bill would have required the Department of Social Services to report to the Legislature and stakeholders, during the 2021-22 budget process, a detailed list of current data fields and types of information related to entry into foster care and reentry into extended foster care for youths 16 to 21 years of age, collected from calls to county hotlines; and a summary of which types of data collection, on an aggregate basis and on a county-by-county basis, may be implemented in the existing child welfare data system and which types of data collection can be included in subsequent data system upgrades on data collection points, including certain specified data. The bill also would have allowed a nonminor dependent who is participating in a transitional independent living case plan, and who is not in an approved housing placement for more than two consecutive months during the period covered by the transitional independent living case plan as a result of a lack of available housing to remain eligible for AFDC-FC benefits following the nonminor's 21st birthday for a period of time equivalent to the lack of approved housing. Status: Dead, Asm Human Services.

AB 2005 (Levine) Nonminor dependents: transitional independent living case plans. This bill would have provided that in cases in which a court finds that a nonminor dependent is unable to participate in the development of a transitional independent living case plan due to incompetency, disability, or a medical condition, the social worker, probation officer, or tribal entity must instead develop the transitional independent living case plan in consultation with the nonminor dependent's counsel, conservator, guardian ad litem, caregiver, developmental services decisionmaker, and persons identified as important in the nonminor dependent's life, as applicable. Additionally, this bill would have provided that a nonminor dependent's inability to participate in the development of a transitional independent living case plan due to incompetency, disability, or a medical condition would not prevent the nonminor dependent from receiving benefits, as provided. Status: Dead, Asm Human Services.

AB 2051 (Reyes) Foster care: foster sibling relationship. This bill would have defined a foster sibling relationship as a relationship between a dependent or nonminor dependent children who are placed together in foster care and develop a sibling-like bond, and required the courts, appropriate local agencies, and county welfare departments to review and make meaningful efforts to maintain foster sibling relationships for dependent children who have been in an out-of-home placement. Status: Held, Asm Appropriations.

AB 2202 (Mathis) Dependent children: documents. This bill would have required that county welfare departments document in the report submitted at the last regularly scheduled review hearing before a dependent child attains 18 years of age that the minor has been provided the minor's school records and other academic records. Status: Dead, Asm Human Services.

AB 2354 (Chau) Dependent children: parents lacking shelter. This bill would have allowed an extension of six months for keeping a child, who had been removed from their parents, in foster care before the child's permanency hearing if the child could not be returned to their parents solely due to lack of emergency shelter for the family. This bill would also have made it a compelling reason for determining that termination of parental rights would be detrimental to the child if the court had previously found at a 24-month permanency review hearing that the only reason the child could not be returned to a parent's custody was due to the parent's lack of emergency shelter for the family. Status: Dead, Asm Human Services.

AB 2805 (Eggman) Juveniles: reunification. This bill expands the evidence that a court can consider, from competent testimony to competent evidence, when the court considers whether to permit reunification services for a child, under five years old, who has been made a dependent of the juvenile court because the child suffered severe physical abuse by a parent or by any person known by the parent, if the parent knew or reasonably should have known that the person was physically abusing the child. In this case, prohibits the court from ordering reunification unless the court, considering competent evidence, finds that those services are likely to prevent re-abuse or continued neglect of the child or that failure to try reunification will be detrimental to the child because the child is closely and positively attached to that parent. Status: Chap. 356, Stats. 2020.

AB 2838 (Eggman) Juveniles: dual status children. This bill would have required the California Health and Human Services Agency, on or before January 1, 2023, to coordinate the efforts of the State Department of Social Services and the Department of Youth and Community Restoration to implement a common identifier for counties to use to reconcile data across child welfare and juvenile justice systems statewide. Status: Dead, Asm Judiciary.

AB 3291 (McCarty) Dependent children: documents. This bill would have required the county welfare department to include in its reports submitted at various dependency hearings, including, among others, the first regularly scheduled review hearing after a dependent child has attained 16 years of age and the last regularly scheduled review hearing before a dependent child attains 18 years of age, a verification that the child has been provided written information notifying the child of federal, state, and local programs available to assist the child with obtaining housing and a written fact sheet the child may offer to a prospective landlord that explains the child's rights as a tenant. Status: Dead, Asm Human Services.

AB 3318 (Reyes) Indian children: tribal appearances. This bill would have required the Judicial Council, by July 1, 2022 and annually thereafter, to report to the Legislature on the number of telephonic or other remote appearance options used by an Indian child's tribe to appear in the child's dependency case during the prior 12 months. Status: Dead, Asm Judiciary.

SB 377 (McGuire) Psychotropic medications: medical information of wards and dependents of the juvenile court. This bill creates a process for a ward or dependent child or their attorney to provide authorization for the Medical Board of California to review their medical information to determine if they have been prescribed excess psychotropic medication. The bill also requires the Department of Social Services, by January 1, 2020, to convene a working group to consider various options for seeking informed consent from a dependent child or ward, or their attorney, for medical information regarding psychotropic medication prescribed between January 1, 2017 and July 1, 2020, and to report to the Legislature by April 15, 2020 on those options. Status: Chap. 547, Stats. 2019.

Child Custody and Visitation

AB 1165 (Bauer-Kahan) Child custody: supervised visitation. This bill requires that professional supervised visitation providers, beginning January 1, 2021, are registered as trustline providers under the Health & Safety Code, which requires successful completion of a criminal background check. The bill prohibits persons from being professional supervised visitation providers if either they are denied trustline registration by the Department of Social Services, or their trustline registration is revoked. This bill also revises the required training for professional supervised visitation providers. Status: Chap. 823, Stats. 2019.

AB 1179 (Blanca Rubio) Child custody: allegations of abuse. This bill requires that a child custody evaluation, investigation, or assessment ordered by the court where the court determines that there is a serious allegation of child sexual abuse must, beginning January 1, 2021, be completed on a form developed by Judicial Council. Status: Chap. 127, Stats. 2019.

AB 2197 (Blanca Rubio) Child custody: workgroup in child custody court proceedings. This bill would have created the Workgroup on Child Custody and Court Proceedings to be comprised of various members, including the Chief Justice or designee and one representative of the Department of Child Support Services, appointed no later than June 1, 2021, and required the workgroup to study state child custody court proceedings, study available science and best practices to children in traumatic situations, and make recommendations to the Legislature, no later than January 1, 2023, about how courts can incorporate the latest science and legal determinations regarding the safety and well-being of children and other victims of domestic violence into court proceedings. Status: Dead, Asm Judiciary.

SB 495 (Durazo) Child custody: sex, gender identity, gender expression, or sexual orientation. This bill prohibits a court from considering sex, gender identity, gender expression, or the sexual orientation of a parent, legal guardian, or relative in making a best interest determination for purposes of awarding child custody or visitation rights. Status: Chap. 551, Stats. 2019.

Marriage

AB 1380 (Oberholte) Premarital agreements: enforcement. This bill clarifies that a requirement in existing law that an unrepresented party be given seven days to sign a premarital agreement is triggered when the final agreement is presented, and applies the seven-day period to all premarital agreements executed after January 1, 2020, regardless of whether the parties are represented by counsel. Status: Chap. 193, Stats. 2019.

SB 30 (Wiener) Domestic partnership. This bill eliminates limitations in existing law regarding who may form domestic partnerships, thereby making opposite-sex couples under 62 years of age, who meet set criteria, eligible to form domestic partnerships. The bill also requires the Secretary of State, on its website and in the instructions to the form that must be completed in order to form a domestic partnership, to explain (1) that registered domestic partners have the same rights, protections, and benefits, and are subject to the same responsibilities, obligations, and duties under law that are granted to and imposed upon spouses; and (2) how a registered domestic partnership can be terminated. Status: Chap. 135, Stats. 2019.

SB 680 (Wieckowski) Names. This bill would have updated the term "maiden name" by replacing it with "last name before first marriage" or a similarly gender-neutral term regarding parentage, in numerous sections of existing law. Status: Dead, Asm Inactive File.

Paternity and Child, Family and Spousal Support

AB 785 (Bloom) Gamete banks: donor information. This bill makes clarifying and technical changes to the law governing gamete banks and relating to the collection and disclosure of donor identifying and medical information. The bill also requires the Department of Public Health, in instances where the parents are not married, to issue a certificate of live birth that includes the name of the mother and the name of the person identified by the woman giving birth as either the only possible genetic partner, or the intended parent of a child conceived through assisted reproduction, who has also executed a voluntary declaration of parentage, consistent with existing law. Status: Chap. 539, Stats. 2019.

AB 1091 (Jones-Sawyer) Child support: suspension during incarceration. This bill would have extended indefinitely a program to suspend the obligation of a person to pay child support when the obligor is incarcerated or involuntarily institutionalized. The bill also, to the extent authorized by federal law, required the Department of Child Support Services or a local child support agency, upon learning of their erroneous collection of child support that had been suspended, to promptly correct the calculation of support owed. Finally, the bill required the Department of Child Support Services and the Judicial Council to conduct an evaluation of the effectiveness of the administrative adjustment process and to report the results of the review, as well as any recommended changes, to the Assembly and Senate Judiciary Committees by February 1, 2020. Status: Dead, Asm Inactive File.

AB 1092 (Jones-Sawyer) Child support: interest on debt owed to the county. This bill would have prohibited the Department of Child Support Services or a local child support agency from collecting any interest that accrued on or after January 1, 2022, on the principal amount of past-due child support owed to the county. Status: Vetoed.

AB 1498 (Lackey) Child support evader law. This bill would have required the Department of Child Support Services, by January 1, 2021, to create a website and make publicly available information regarding obligor parents who are delinquent in the payment of court-ordered child support, as specified, including the obligor's name, photograph, and the amount of child support owed, but would have prohibited the use of information published on the website for specified purposes relating to credit, employment, and housing, among other things. The bill also would have allowed the Department of Child Support Services to publish a list of "top child support deadbeats" on social media. Status: Dead, Asm Judiciary.

AB 2046 (Voepel) Child support: veterans' military benefits. This bill would have limited the amount of child support arrears that could be collected from a low-income child support obligor who is also a disabled veteran receiving disability compensation to five percent of their monthly disability compensation. Status: Vetoed.

AB 2325 (Carrillo) Child support: suspension. This bill reestablishes, until January 1, 2023, a program to suspend a parent's obligation to pay child support if the parent is incarcerated or

involuntarily institutionalized, unless they have the means to pay or are incarcerated for domestic violence. This bill also requires the Department of Child Support Services and the Judicial Council to conduct an evaluation of the effectiveness of the administrative adjustment process under the bill and to report the results of the review, as well as any recommended changes, to the Assembly and Senate Judiciary Committees by January 1, 2022. Status: Chap. 217, Stats. 2020.

AB 2745 (Megan Dahle) Parentage: access to records and court hearings. This bill would have eliminated, for cases filed beginning January 1, 2022, the court's authority to exclude the public from Uniform Parentage Act hearings and opened up access to court records in those cases, except cases involving assisted reproduction. Status: Dead, Sen Judiciary.

AB 3314 (Weber) Child support: order establishment. This bill would have required a court, when considering the earning capacity of a parent in lieu of actual income when determining child support, to consider specific circumstances of the parent, including the parent's job skills and record of seeking work. The bill would also have required, effective January 1, 2022, that the simplified child support complaint form provide notice of the amount of child support that is sought based upon one of four methods used to determine income, including, actual income, earning capacity, and reliable income history, or presumed income if actual income, earning capacity, and reliable income history are unknown. Status: Dead, Asm Judiciary.

SB 337 (Skinner) Child support: increasing pass-through and reducing uncollectible debt owed to the state. This bill would have increased the amount of child support to be paid to a recipient of CalWORKs aid, and prohibited this amount from being considered income, or resources, or from being deducted from the amount of aid to which the family would otherwise be eligible, from \$50 for all families to \$100 for a family with one child and \$200 for a family with two or more children, as specified. The bill excluded from the definition of "child support delinquency" any arrearage or otherwise past due amount owed that has been determined to be uncollectible, as specified, and required an arrearage or otherwise past due amount to be deemed uncollectible under certain circumstances. Status: Vetoed.

Domestic Violence

AB 455 (Kiley) Ex parte orders: connected devices. This bill would have expanded the range of behaviors that can be prohibited by a court-issued domestic violence protective order to include remote control of internet-enabled "smart" devices that affect the home, vehicle, or property of the victim. Status: Dead, Asm Judiciary.

AB 573 (Limon) Domestic violence: restraining orders: Hope Cards. This bill would have required the Department of Justice, by July 1, 2020, to develop and implement a program for the issuance of domestic violence restraining order Hope Cards to provide protected persons with an easy to carry summary of a valid protective order, including a photograph of the restrained person at no charge. Status: Dead, Asm Judiciary.

AB 925 (Gloria) Protective orders: confidential info regarding minors. This bill authorizes courts to permit disclosure of confidential information about a minor in order to (i) implement a civil domestic violence protective order or a civil harassment restraining order, or (ii) if disclosure would be in the minor's best interest. The bill also makes clear that minors cannot be

sanctioned for disclosing their own confidential information. Status: Chap. 294, Stats. 2019.

AB 1987 (Gonzalez) Protective orders: connected devices. This bill would have permitted a court to issue an ex parte order under the Domestic Violence Prevention Act enjoining a party from remotely controlling any connected devices, as defined, affecting the home, vehicle, or property of the victim. The bill would have required the Judicial Council to develop or update any forms or rules of court that are necessary to implement the bill by January 1, 2022. Status: Dead, Asm Privacy and Consumer Protection.

AB 2517 (Gloria) Domestic violence: personal property and liens. This bill authorizes courts, beginning January 1, 2022, to make a finding in a domestic violence restraining order issued after notice and a hearing that specific debts were incurred as a result of domestic violence and without the consent of the party, including identity theft. Status: Chap. 245, Stats. 2020.

SB 1141 (Susan Rubio) Domestic violence: coercive control. This bill codifies and elaborates on case law defining when a restraining order under the Domestic Violence Prevention Act may be issued because a person was “disturbing the peace of the other party,” which includes coercive control. This bill also codifies that “disturbing the peace of the other party” may be committed directly or indirectly, including through the use of a third party, by any method, or through any means including, but not limited to, telephone, online accounts, text messages, internet-connected devices, or other electronic technologies. Status: Chap. 248, Stats. 2020.

Family Law

AB 1817 (Committee on Judiciary) Family law omnibus. This bill, the Assembly Judiciary Committee’s annual omnibus family law bill, makes several technical updates and clarifications to various parts of the Family Code, including clarifying that a challenge to the parentage of a spouse who is a presumed parent, as provided, must be filed *and served* within two years of the child's birth. The bill also removes gendered terms from the Family Code. Status: Chap. 115, Stats. 2019.

AB 2338 (Weber) Family law: contempt. This bill provides that in lieu of an order of imprisonment, community service, or both, for a person found in contempt for failure to comply with a court order under the Family Code, the court may grant probation, as defined, or a conditional sentence, as defined, for a period not to exceed one year upon a first finding of contempt, a period not to exceed two years upon a second finding of contempt, and a period not to exceed three years upon a third or any subsequent finding of contempt. Status: Chap. 283, Stats. 2020.

AB 3365 (Committee on Judiciary) Family law. This family law omnibus bill would have made various non-controversial changes to family law in California, including lifting the sunset on the 2013 increase to the low-income adjustment to the child support guideline, clarifying that child support court files are public documents, making timeframes consistent for regular and confidential marriages, and reducing the matching funds requirement of the judicial branch grant program for local Court Appointed Special Advocate (CASA) programs. The contents of this bill were added to AB 3364 (Judiciary), Chap. 36, Stats. 2020. Status: Dead, Sen Judiciary.

IMMIGRATION ISSUES

AB 222 (Voepel) Law enforcement: immigration authorities. This bill would have allowed information regarding the release or transfer of an individual to be provided to immigration authorities if the individual were convicted of a misdemeanor or felony assault or battery against the person of a peace officer or firefighter, as specified. Status: Dead, Asm Public Safety.

AB 1073 (Blanca Rubio) Immigration enforcement activities. This bill would have authorized the Attorney General to enter into a memorandum of understanding with United States Immigration and Customs Enforcement to establish appropriate limitations on immigration enforcement activities at specified locations that provide critical services, including schools, libraries, health facilities, courthouses, facilities related to labor protections and benefits, and domestic violence shelters. Status: Dead, Sen Inactive File.

AB 1113 (Chiu) Office of Immigrant and Refugee Affairs. This bill would have established a new Cabinet-level agency in state government, with responsibilities to include: coordinating immigrant and refugee services among state agencies; assisting state agencies in evaluating the effectiveness and reach of their services; and working with local immigrant affairs offices to maximize the impact of the services they provide. Status: Held, Asm Appropriations.

AB 1282 (Kalra) Immigration enforcement: private transportation. This bill would have prohibited an officer, employee, contractor, or employee of a contractor of the Department of Corrections and Rehabilitation from facilitating or allowing entry to the department's premises, or otherwise authorizing an employee or contractor of a private security company, in order to arrest, detain, interrogate, transport, or take into custody any individual for immigration enforcement purposes. The bill was withdrawn from this Committee pursuant to Assembly Rule 96(a). Status: Vetoed.

AB 1332 (Bonta) Sanctuary State Contracting and Investment Act. This bill would have prohibited, with limited exceptions, any state or local agency from entering into a new contract or extending an existing contract with a person or entity that provides a federal immigration agency with any data broker, extreme vetting, or detention facilities services, as defined, unless no reasonable alternative existed for the contracted good or service. Status: Held, Asm Appropriations.

AB 1408 (Mathis) Law enforcement cooperation: immigration authorities. This bill would have required that a person taken into custody for a specified category of misdemeanor to receive a pretrial risk assessment and allowed information regarding the release or transfer of an individual to be provided to immigration authorities if the individual were deemed a medium or high risk or a risk or danger to public safety by means of the pretrial risk assessment or a determination by a law enforcement agency. Status: Dead, Asm Public Safety.

AB 1412 (Bloom) Special immigrant juvenile status. This bill would have established a procedure for a family court to use when making the findings necessary for special immigrant juvenile status when a petition to do so is filed independently of any other action or filed as part of a family law proceeding. The bill also would have authorized a hearing, trial, and records pertaining to these petitions to be confidential and required hearings on these petitions to have

priority over all other matters. The bill would have made the denial of a petition filed under these provisions subject to appellate review as an emergency application for a writ of mandate. Finally, the bill would have authorized the probate division of the superior court to use these procedures when a petition to make the judicial determinations and factual findings is filed in a probate proceeding. Status: Dead, Asm Judiciary.

AB 1747 (Gonzalez) Law enforcement cooperation: databases: immigration status. This bill limits the use of the state's telecommunications system containing criminal history information for immigration enforcement purposes, as defined, and for purposes of investigating immigration crimes solely because criminal history includes a violation of federal immigration law. Status: Chap. 789, Stats. 2019.

AB 1753 (Carrillo) Immigration consultants. This bill would have made it unlawful for a person to act as or hold oneself out to be an "immigration consultant," and would have limited the lawful provision of immigration services for compensation to those persons who are licensed to practice law, those who are authorized to represent clients on immigration matters in front of the United States Departments of Justice and Homeland Security, and paralegals acting under the supervision of persons licensed to practice law as authorized under state law. The bill also would have required the Secretary of State to establish a website informing the public of the process for receiving federal accreditation to provide immigration services, and providing other immigration legal resources. Status: Held, Sen Appropriations.

AB 2973 (Santiago) Office of Immigration and Refugee Affairs. This bill would have established a new Cabinet-level agency in state government, with responsibilities to include: coordinating immigrant and refugee services among state agencies; assisting state agencies in evaluating the effectiveness and reach of their services; and working with local immigrant affairs offices to maximize the impact of the services they provide. Status: Held, Asm Appropriations.

AB 3133 (Aguiar-Curry) Refugees: resettlement. This bill prohibits the denial of resettlement to a refugee based on any criterion, method of administration, or practice that has the purpose or effect of discriminating on the basis of race, religion, ethnicity, sexual orientation, or other protected characteristic. Status: Chap. 189, Stats. 2020.

AJR 9 (C. Garcia) Immigration enforcement tactics. This resolution makes findings about ruses and other predatory tactics used by United States Immigration and Customs Enforcement and how they create an atmosphere of distrust between state residents, their employers, and various official agencies and institutions. The resolution calls on the federal government to cease the above-described practices. Res. Chap. 104, Stats. 2019.

AJR 11 (Carrillo) Immigration: Development, Relief, and Education for Alien Minors Act: Deferred Action for Childhood Arrivals: Deferred Enforced Departure: Temporary Protected Status. This resolution urges the President and Congress to enact legislation to provide permanent legal status and a path to citizenship for immigrant youth and individuals with Deferred Enforced Departure status (DED) and Temporary Protected Status (TPS). Status: Res. Chap. 136, Stats. 2019.

AJR 19 (Gloria) Refugees. This resolution expresses support for the resettlement of refugees in the United States and particularly in California. Status: Res. Chap. 183, Stats. 2019.

AJR 22 (Ting) 76th anniversary of repeal of the Chinese Exclusion Act. This resolution would have commemorated the 76th anniversary of the repeal of the Chinese Exclusion Act, a discriminatory and racist federal law regarding immigration and naturalization that was in effect from 1882 until 1943. Status: Dead, Sen Rules.

SB 225 (Durazo) Citizenship status: eligibility to hold public office. This bill clarifies that “citizens of the state” include all persons born in the state and residing within it, except the children of alien public ministers and consuls, and all persons born out of the state who are citizens of the United States and residing within the state. In addition, the bill permits any person, regardless of citizenship or immigration status, to hold an appointed civil office if the person is 18 years of age and a resident of the state. The bill also allows a person appointed to receive any form of compensation for such service that is not otherwise prohibited by federal law. Status: Chap. 790, Stats. 2019.

SB 622 (Durazo) Civil detention facilities: death investigations. This bill would have established a process for the timely investigation of deaths that occur in, and shortly after release from, civil detention facilities in California and would clarify that any facility records related to such deaths are public records for purposes of the California Public Records Act. Status: Vetoed.

SJR 2 (Umberg) The President’s National Emergency Declaration. This resolution urges the houses of the United States Congress to block the President’s declaration of a national emergency at the southern border by overriding the President’s veto on House Joint Resolution 46, or by terminating the declaration of national emergency within six months. The resolution also urges the President to use the funds he designated for construction of the border wall for the purposes for which they were originally appropriated. Status: Res. Chap. 66, Stats. 2019.

LIABILITY AND RELATED MATTERS

Damages and Civil Penalties

AB 317 (Diep) Department of Motor Vehicles: appointments. This bill provides that it is unlawful for any person to sell, or offer to sell, an appointment with the Department of Motor Vehicles. As referred to this Committee, this bill contained provisions permitting the enforcement of the bill via civil penalties. Those provisions were struck from the bill, thus removing the bill from this Committee’s jurisdiction. Status: Chap. 608, Stats. 2019.

AB 602 (Berman) Sexually explicit material: creation or disclosure without consent: civil liability. This bill provides that a person who is depicted in sexually explicit material has a cause of action against another person who does either of the following: (1) creates and intentionally discloses the material when that person knows, or reasonably should know, that the depicted individual did not consent to its creation or disclosure; or (2) intentionally discloses the material that the person did not create, and the person knows the depicted individual in that material did not consent to the creation of the sexually explicit material. Status: Chap. 491, Stats. 2019.

AB 766 (Chiu) Unsealed beverage container portion cap. This bill would have prohibited a retailer from selling an unsealed beverage container that is able to contain more than 16 fluid ounces, except for a container for water. The bill would have imposed civil penalties on parties violating the prohibition. Status: Dead, Asm Health.

AB 1132 (Gabriel) Telecommunications: caller identification fraud. This bill prohibits a caller from entering, causing to be entered, or making a call knowing that one has entered false government information into a caller ID system with the intent to mislead, cause harm, deceive, or defraud the recipient of the call, and specifies civil penalties for violation of this provision. Status: Chap. 452, Stats. 2019.

AB 1151 (Daly) Fire damages: civil actions: pecuniary damages and ecological and environmental damages. This bill sought to clarify and limit the scope and type of pecuniary damages that could be received as the result of damage caused by a wildfire starting on a defendant's property. Status: Dead, Asm Judiciary.

AB 1162 (Kalra) Lodging establishments: personal care products: small plastic bottles. This bill prohibits lodging establishments from providing small plastic bottles containing shampoo, hair conditioner, or bath soap to guests and holds the lodging establishments liable for civil penalties in the event of a violation. Status: Chap. 687, Stats. 2019.

AB 1270 (Stone) False Claims Act: damages: materiality: tax fraud. This bill would have expanded the California False Claims Act (CFCA) to apply to cases of tax fraud and would have made two additional clarifying changes to existing law. First, the bill would have specified that the test for determining if a false statement is "material" should focus on the potential effect of the false record or statement when it is made, not on the actual effect of the false statement when it is discovered. Second, the bill would have specified that the amount of damages awarded to a claimant includes consequential damages. Status: Held, Sen Appropriations.

AB 1360 (Ting) Food delivery: liability. This bill would have required food delivery platforms that arrange for the delivery of food from a grocery establishment to consumers to comply with certain regulations, including obtaining liability insurance, ensuring that drivers obtain a "food handler card" and corresponding training, and ensuring that the driver's vehicle meets specified standards. Status: Dead, Sen Inactive File.

AB 1361 (Oberholte) Civil actions: satisfaction of money judgments. This bill provides that a payment of a portion of a money judgment, associated costs, and interest does not waive the right to appeal other portions of the money judgment. Status: Chap. 48, Stats. 2019.

AB 1477 (Gloria) Civil penalties: Unfair Competition Law. As heard by this Committee, this bill specified that the civil penalties recovered from an action brought on behalf of the public by a city attorney of a city having a population in excess of 750,000 under the Unfair Competition Law would be paid in full to the treasurer of that city. The bill was later amended to specify that if a county agency participated in the pre-litigation investigation of the action, one-half of the penalty collected would be paid to the treasurer of the city, and one-half shall be paid to the treasurer of the county. Status: Vetoed.

AB 1672 (Bloom) Solid waste: flushable products: civil penalties. This bill would have established performance and labeling standards for flushable wipes and provided for the imposition of civil penalties for failure to conform with those standards. Status: Dead, Sen Appropriations.

AB 1708 (Rodriguez) Trauma kits: civil liability. This bill would have required certain private and public buildings to make a “trauma kit,” designed and intended for treatment of emergency medical care, available on their premises; clarified that a “Good Samaritan” who uses such a kit to administer emergency medical care and an entity that trains lay rescuers to use the kit is not liable for injuries resulting from such use; and protected a person or entity that acquires a trauma kit from liability for misuse of such a kit, as long as minimum requirements regarding installation and maintenance were satisfied. Status: Held, Asm Appropriations.

AB 1919 (Bauer-Kahan) Pesticides: enforcement actions: civil penalty: judicial review. This bill would have authorized the Department of Pesticide Regulation to initiate and maintain enforcement actions and to levy civil penalties for specified pesticide use violations. Status: Dead, Asm Judiciary.

AB 2059 (Kamlager-Dove) Toxicological testing on dogs: civil penalties. This bill would have prohibited testing facilities from conducting toxicological experiments on dogs unless required by federal law, and would have imposed civil penalties upon any entity that is determined to have violated the prohibition. Status: Held, Asm Appropriations.

AB 2069 (Muratsuchi) Securities transactions: qualification requirements, exemptions, and liability. This bill would have created a new exemption from the qualification requirements for securities issuances under California law, provided that enumerated conditions were met. Among these conditions was a requirement that, if the issuance complied with specified federal regulations, the offering not exceed \$3,000,000, or, if the issuance did not comply with specified federal regulations, that the offering not exceed \$300,000 and the Chief Executive Officer of the issuer have completed eight hours of training through the California Small Business Development Center program. Status: Dead, Asm Banking & Finance.

AB 2122 (Blanca Rubio) Unlawful cannabis activity: enforcement. This bill would have subjected any person who aided and abetted unlicensed commercial cannabis activity to civil penalties of up to \$30,000 per day. Due to the limitations of hearings necessitated by the COVID-19 pandemic, the Committee was unable to hear this bill. Status: Dead, Sen Judiciary.

AB 2334 (Levine) Subsurface installations: attorney’s fees and costs. This bill would have required a court to award reasonable attorney’s fees and costs, including expert witness fees, to a prevailing excavator, if a court determines that an excavator is not liable for damages, replacement costs, or other expenses arising from damages to a subsurface installation due to an inaccurate field mark by an operator, or by a third party under contract to perform field marking for the operator. Status: Dead, Asm Judiciary.

AB 2559 (Bauer-Kahan) California Financing Law: enforcement and penalties. This bill permits the Department of Business Oversight to include a claim for ancillary relief—such as for damages, restitution, or disgorgement—with the fines the Department was already permitted to

assess. The bill also clarifies the scope of the witnesses whom the Department may compel to attend and be examined under oath and adds specificity to the procedures whereby a court may convert an administrative fine and order into a civil judgment. Due to the limitations of hearings necessitated by the COVID-19 pandemic, the Committee was unable to hear this bill. Status: Chap. 160, Stats. 2020.

AB 2562 (Holden) California Beverage Container Recycling and Litter Reduction Act: empty beverage container redemption: civil penalties. This bill would have revised the requirements for affidavit requirements for dealers establishing recycling locations within a convenience zone, and provided for a civil penalty for failure to properly file the affidavit with the Department of Resources Recycling and Recovery. Status: Dead, Asm Natural Resources.

AB 2570 (Stone) False Claims Act. This bill would have expanded the California False Claims Act to apply to cases of tax fraud and would have made several additional clarifying changes to existing law. First, the bill would have specified that the test for determining if a false statement is “material” ought to focus on the potential effect of the false record or statement when it is made, not on the actual effect of the false statement when it is discovered. Second, the bill would have specified that the amount of damages awarded to a claimant includes consequential damages. Third, the bill would have strengthened the Act’s anti-retaliation protections for whistleblowers. Status: Dead, Sen Judiciary.

AB 2691 (Bauer-Kahan) Dog training services and facilities: requirements and civil penalties. This bill would have established care and maintenance requirements for dog trainers, dog training facilities, and dog training facility operators. The bill would have imposed civil penalties for those found in violation of the care and maintenance requirements. Status: Dead, Asm Business & Professions.

AB 2845 (Limon) Mobilehome Residency Law: civil actions. This bill would have altered the attorney fee provision under the Mobilehome Residency Law so that prevailing park residents would have been entitled to an award of their attorney’s fees and costs, while prevailing park management would only have been entitled to their attorney’s fees and costs if a resident’s action or defense was frivolous. Status: Dead, Asm Housing & Community Development.

AB 3007 (Chau) Automatic dialing-announcing devices: call mitigation technology: civil actions. This bill would have defined “automatic dialing-announcing devices” as equipment that automatically calls or sends messages to telephone numbers without significant human involvement in the act of calling or sending and restricted the use of automatic dialing-announcing devices only in circumstances where the person called expressly consented to receive the calls. The bill would have authorized that person to revoke their consent at any time and presumed the consent of recipients of calls made to telephone numbers obtained from registered voter lists for the purpose of communicating about plans to vote in elections. As referred, this bill authorized a person harmed by a violation of the bill’s provisions to bring an action to recover damages. This provision was deleted from the bill thereby taking the bill out of this Committee’s jurisdiction. Status: Dead, Asm Appropriations.

AB 3262 (Stone) Online marketplace liability. This bill would have clarified that an online retail marketplace is subject to strict liability for defective consumer goods to the same extent as

brick and mortar retailers. The bill also would have defined “online retail marketplace” and other related terms. Status: Dead, Sen Floor.

SB 1 (Atkins) California Environmental, Public Health, and Workers Defense Act of 2019. This bill would have established a minimum baseline for environmental, public health, and labor standards based on existing federal standards and required specified state agencies to review any federal action in those areas to determine if the action that is less protective than the existing baseline; and would have provided that if federal action results in the law being less protective than the existing standard, the state agency may adopt the baseline as a regulation under California law. This bill would have provided for a state-law based citizen lawsuit to enforce the above protections. Finally, the bill would have applied provisions of the California Endangered Species Act to the operation of the federal government’s Central Valley Project. Status: Vetoes.

SB 41 (Hertzberg) Civil actions: damages. This bill prohibits race, ethnicity, or gender from being utilized to reduce lost or impaired earnings-related damage awards in civil actions. Status: Chap. 136, Stats. 2019.

SB 313 (Hueso) Animals: prohibition on use in circuses: civil penalties. This bill prohibits sponsoring, conducting, or operating a circus in California that uses any animal other than a domestic dog, domestic cat, or domesticated horse. The bill also prohibits the act of exhibiting or using any animal other than a domestic dog, domestic cat, or domesticated horse in a circus, and imposes civil penalties for violation of either of these proscriptions. The bill authorizes a civil penalty against a person who violates these prohibitions pursuant to an action brought by the Attorney General, the Department of Fish and Wildlife, the Department of Food and Agriculture, a district attorney, a city attorney, or a city prosecutor. Status: Chap. 768, Stats. 2019.

Immunity, Scope of Liability, and Related Issues

AB 838 (Eggman) Flood management: Mossdale Tract. This bill extends the date for the Mossdale Tract to reach an urban level of flood protection from 2025 to 2028 thereby prolonging the time period for which the local flood management agency would not be liable (and California taxpayers may be liable) for flood losses occurring in the area. Due to the limitations of hearings necessitated by the COVID-19 pandemic, the Committee was unable to hear this bill. Status: Chap. 208, Stats. 2020.

AB 1062 (Limon) Pupil instruction: emergency response training. This bill allows a school district to provide a pupil with credit towards required community service hours for hours spent in completion of a course in community emergency response training. When it was referred to the Committee, the bill included a provision granting qualified immunity to school districts related to the training. However, the immunity provision was later deleted and the bill was single-referred to the Education Committee. Status: Chap. 70, Stats. 2019.

AB 1190 (Irwin) Unmanned aircraft: state and local regulation: limitations. This bill would have provided a framework for local agencies to regulate the use of unmanned aircraft systems, and provided qualified immunity to local agencies operating drone recreation areas. Status: Dead, Sen Rules.

AB 1933 (Maienschein) Pupil health: sudden cardiac arrest: athletic activities. This bill would have, among other things, authorized a pupil or the pupil's parent or guardian to request the administration of an electrocardiogram (ECG) as part of the pupil's evaluation for ability to safely return to an athletic activity; authorized a nurse practitioner to perform ECGs; provided the nurse practitioner with qualified immunity from liability for any injuries for such examination); and required a school to make available to a pupil that receives a physical examination the most current edition of the pre-participation ECG. Status: Dead, Asm Health.

AB 2053 (Rodriguez) Emergency response: trauma kits. This bill would have required that certain occupied structures which are not owned or operated by any local government entity and which are required by current law to have an automated external defibrillator on the premises also be required to have a "trauma kit" on their premises. The bill would have exempted the person or entity responsible for managing the structure from liability for civil damages resulting from any acts or omissions in the rendering of emergency care with the trauma kit if they had periodically inspected and restocked the trauma kit after each use, and notified tenants of the building or structure of the location of the trauma kit. Status: Dead, Asm Appropriations.

AB 2116 (Levine) Pupil health: seizures: liability. This bill would have required a local educational agency to ensure that at least one school employee at each school had received specified training relating to seizure recognition, treatment, and response. The bill would also have authorized a school nurse or other designated school personnel who received the training to administer or provide seizure rescue medication, as specified, and made any educational agency that substantially complied with the provisions of the bill immune from civil liability, as specified. Status: Dead, Asm Education.

AB 2554 (Gipson) Correctional personnel: peer support. This bill would have authorized the Department of Corrections and Rehabilitation to establish a peer support and crisis referral program until January 1, 2024 and extended confidentiality and liability protections to correctional personnel who participated in the program. Due to the limitations of hearings necessitated by the COVID-19 pandemic, the Committee was unable to hear this bill. Status: Held, Asm Appropriations.

AB 2717 (Chau) Motor vehicles: unattended children. This bill exempts a person from civil and criminal liability for property damage or trespass to a motor vehicle if the property damage or trespass to the vehicle occurs while the person is rescuing a child who is six years of age or younger under circumstances that reasonably could cause suffering, disability, or death to the child, if certain steps are taken during the removal. The bill also establishes procedures that apply to a peace officer, firefighter, or emergency responder under specified circumstances. Status: Chap. 352, Stats. 2020.

AB 3066 (Lackey) Homeless services: religious entities: immunity. This bill would have exempted entities operating exclusively for religious purposes as a place of worship from liability for injuries occurring on its premises as a result of the provision of services to homeless persons, unless the injury results from gross negligence or intentional misconduct. Status: Dead, Asm Judiciary.

SB 1003 (Jones) Skateboard parks: liability. This bill expands an existing law that provides public entities with qualified immunity for injuries that occur while skateboarding in skateboard

parks, so that the qualified immunity also extends to the riding of other wheeled recreational devices, as defined. Specifically, the bill deems riding other wheeled recreational devices, such as skateboards, to be a “hazardous recreational activity.” Status: Chap. 236, Stats. 2020.

CIVIL, CONSTITUTIONAL, AND PERSONAL RIGHTS

Civil Rights

AB 446 (Choi) Discrimination: housing: victims of domestic violence. As heard by this Committee, this bill would have added victims of abuse, including survivors of domestic violence, elder abuse, dependent abuse, human trafficking, sexual assault, and stalking, to the protected classes enumerated under the housing antidiscrimination provisions of the Fair Employment and Housing Act. Subsequent amendments specified that certain types of evictions, denials of tenancy, and other statutorily authorized actions do not constitute housing discrimination. Status: Dead, Sen Judiciary.

AB 989 (Gonzalez) Education equity: federal Title IX complaints. This bill would have required, on or before July 1, 2020, school districts, county offices of education, and charter schools to establish a toll-free telephone reporting hotline monitored by the designated Title IX coordinator for the purpose of filing complaints of harassment and discrimination on the basis of sex. The bill would have required numbers to be posted on the entities’ internet websites. The bill also required a public school to forward and report any complaints received to the Title IX coordinator for the school district or county office of education for recordkeeping. Status: Dead, Asm Education.

AB 1497 (Holden) Discrimination: hosting platforms. This bill adds housing offered for rent on an internet hosting platform to the definition of “housing accommodation” under the Fair Employment and Housing Act (FEHA), thereby prohibiting those who offer such housing from discriminating on the basis of any of FEHA’s protected categories. Status: Chap. 599, Stats. 2019.

AB 1628 (R. Rivas) Environmental justice. As heard by this Committee, this bill revised the definition of "environmental justice" for the purposes of the Office of Planning and Research's coordination of state agency programs to include meaningful involvement, in addition to fair treatment, of people of all races, cultures, incomes, and added national origins to this list, and provided a role for the Attorney General in consulting with the Office of Planning and Research. Subsequent amendments removed provisions related to the Attorney General. Status: Chap. 360, Stats. 2019.

AB 1820 (Committee on Judiciary) Department of Fair Employment and Housing: federal civil rights claims. This bill clarifies existing practice by authorizing the Department of Fair Employment and Housing (DFEH) to enforce federal civil rights statutes in federal courts, to the extent that those statutes already authorize state and local enforcement agencies to bring actions in federal court. Specifically, this bill expressly authorizes DFEH to enforce, through actions in state or federal courts, the Civil Rights Act of 1964, the Americans with Disabilities Act of 1990, and the Fair Housing Act. Status: Chap. 834, Stats. 2019.

AB 2881 (Aguiar-Curry) Discrimination: Fair Play in Community Sports Act. This bill would have required a local agency to adopt a nondiscrimination policy with specified provisions, including procedures for filing a grievance with the local agency regarding discrimination on the basis of sex or gender in a local agency's community youth athletics program. Status: Dead, Asm Arts, Entertainment, Sports, Tourism, and Internet Media.

AB 3121 (Weber) Reparations. This bill establishes an eight-member task force to study the issue of reparations for African Americans in light of the nation's long history of slavery, segregation, systemic racism, and continuing civil rights violations. The task force will also propose ways to educate the California public about its findings and to make recommendations on the forms that reparations might take. The bill requires the Task Force to submit a report of its findings to the Legislature, as specified. Status: Chap. 319, Stats. 2020.

AJR 21 (Gonzalez) Reparations. This resolution would have proclaimed the California Legislature's support for H.R. 40 (Jackson Lee), of the 116th Congress, a measure that would establish a commission to study the issue of reparations for African-Americans who continue to be affected by the nation's history of slavery and its legacy. The resolution also apologized for California's complicity in slavery and makes related findings and declarations. Status: Dead, Sen Rules.

HR 77 (Muratsuchi) Japanese American Internment: California Assembly. This resolution apologizes for, and makes findings relating to, the California Assembly's past actions in supporting the unjust exclusion, removal, and incarceration of Japanese Americans during World War II and for its failure to support and defend the civil rights and civil liberties of Japanese Americans during this period. Status: Adopted.

SB 222 (Hill) Discrimination: veteran or military status. This bill prohibits landlords from discriminating against tenants, both prospective and current, whose housing is subsidized by Housing and Urban Development Veterans Affairs Supportive Housing (HUD-VASH) vouchers. The bill also adds "veteran or military status" to the protected classes under state housing antidiscrimination law. Status: Chap. 601, Stats. 2019.

SB 329 (Mitchell) Discrimination: housing: source of income. This bill prohibits landlords from discriminating against tenants, both prospective and current, who receive housing assistance paid directly to their landlord, including tenants whose housing is subsidized by federal Housing Choice (Section 8) Vouchers. Status: Chap. 600, Stats. 2019.

SB 493 (Jackson) Education: postsecondary: sexual harassment. This bill requires postsecondary educational institutions to, among other things, adopt rules and procedures for the prevention of sexual harassment, and adopt and post on their websites the grievance procedures to resolve complaints of sexual harassment. The bill, as heard in this Committee, included a specific, private "right to sue" provision that entitled a party aggrieved by violation of these requirements to sue the offending institution for injunctive relief, actual damages, and/or reasonable attorney's fees. This provision was later removed from the bill and replaced with a general right to sue under existing law. Status: Chap. 303, Stats. 2020.

SB 731 (Bradford) Peace officers: decertification: civil rights. This bill, in order to increase peace officer accountability and provide a means of decertifying police officers, would have made several changes to existing law. First, the bill would have amended the Bane Civil Rights Act to do the following: to provide that certain threats, intimidation, and coercion constitute an inherent interference with a right for purposes of the Act; to declare that the immunity usually enjoyed by public entities and public employees does not apply to actions brought under the Act; and to allow a family member to bring an action on behalf of a person who died as a result of a violation of the Act. Second, the bill would have given the Commission on Peace Officer Standards and Training greater power to investigate and determine peace officer fitness and to decertify officers who engage in serious misconduct, as specified. Status: Dead, Asm Floor.

Constitutional Rights

AB 1358 (Melendez) Postsecondary education: Campus Free Speech Act. This bill would have required the governing body of a public postsecondary institution to develop and adopt a policy on free expression containing several specified components. The bill further required that the policy enumerate certain due process rights of parties subject to possible disciplinary action, and that freshman orientation programs at these institutions contain a section describing these policies. Finally, the bill required the governing board or body of a public postsecondary institution to establish a Committee on Free Expression to assess and report on impediments, controversies, and disciplinary actions relating to free expression within the institution. Status: Dead, Asm Higher Education.

AB 1571 (Kiley and Quirk) Postsecondary education: Free Speech on Campus Act. This bill would have required a public postsecondary institution to make and disseminate a free speech statement affirming the commitment of the campus to promoting freedom of expression and assuring that students and speakers will be protected from exclusionary behavior that violates freedom of expression. Status: Failed, Asm Higher Education.

AB 2065 (Lackey) Crimes: revenge porn. This bill would have made it a felony for a person to intentionally distribute the image of an intimate body of another identifiable person, or to distribute an image of the person engaged in various sexual acts, under circumstances in which the persons agree or understand that the image shall remain private. The bill would also have made it a misdemeanor to distribute an intimate image, as specified, that has been digitally altered to appear to be that of another person, or to distribute an intimate image and deceptively claim that the image is of another person that is not the person actually depicted. The bill was referred to this Committee due to First Amendment concerns. Status: Dead, Asm Public Safety.

AB 2290 (Kiley) Free Speech on Campus Act. This bill would have required a campus of the California Community Colleges or the California State University, and would request a campus of the University of California, to make and disseminate a free speech statement that affirms the importance of, and the campus' commitment to, freedom of expression. Status: Dead, Asm Higher Education.

AB 2391 (Gallagher) Social media: censorship. This bill would have prohibited a person who operates a social media internet website, as defined, from removing or manipulating content

from that site on the basis of the political affiliation or political viewpoint of that content, except as provided. Status: Dead, Asm Arts, Entertainment, Sports, Tourism, and Internet Media.

AB 2442 (Chau) Social medial platforms: false information. This bill would have required the operator of a social media-platform, as defined, to disclose whether or not that social media platform has a policy or mechanism in place to address the spread of misinformation, as specified. The bill would have authorized the Attorney General, and only the Attorney General, to enforce violations and would have subjected a person to a civil penalty of \$1,000 for each day the person is in violation of the bill's provisions. Status: Dead, Sen Judiciary.

AB 3181 (Bonta and Reyes) Detention facilities: Due Process in Detention Program. This bill would have required any facility in the state that detains, confines, or holds an individual in custody to develop written policies and procedures to ensure that persons detained have access to basic minimum standards with respect to due process and access to the court and to legal counsel and the minimum standards specified in state regulations. The bill would have required the State Department of Social Services to establish the Due Process in Detention Program to provide individual consultations where unrepresented individuals can consult with an attorney, develop a statewide referral network with legal service providers, and monitor access to legal resources, courts, and counsel for individuals in detention. Status: Dead, Asm Public Safety.

ACR 110 (Wicks, Bauer-Kahan, and Limón) Access to reproductive care and abortion services. This measure would have resolved that California is a "Reproductive Freedom State for All" and is committed to guaranteeing the constitutionally protected right to safe abortion services, improving and expanding access to reproductive health care, and ensuring that all individuals have access to comprehensive, affordable insurance coverage that includes pregnancy-related care. Status: Dead, Sen Judiciary.

AJR 12 (Kiley) Religious test for public office. This resolution would have condemned any attempt to disqualify an individual for public office on the basis of that individual's religious beliefs and affirms that a religious test is a violation of the United States Constitution. The measure further affirmed that the Legislature stands in solidarity with people of all faiths and their rights to pursue public service. Status: Dead, Asm Judiciary.

HR 6 (Limon) Roe v. Wade anniversary. This resolution marks the 46th anniversary of the United States Supreme Court's decision in *Roe v. Wade* (1973) 410 U.S. 113, which affirmed a woman's right to continue or terminate a pregnancy during the first two trimesters of a pregnancy. The resolution makes findings and declarations criticizing recent legislative and judicial efforts to limit this right. Status: Adopted.

HR 22 (Gallagher) Dismissal of UC Davis professor. This resolution would have urged the University of California at Davis to fire a professor who had made comments relating to the killing of police officers. Status: Dead, Asm Higher Ed.

HR 34 (McCarty) Loving Day. This resolution celebrates Loving Day by commemorating the United States Supreme Court decision in *Loving v. Virginia* (1967) 388 U.S. 1, which legalized interracial marriage in the United States. The resolution makes related declarations and findings. Status: Adopted.

HR 44 (Choi) Relative to freedom of speech. This resolution recognizes the significance of the state's education systems to the cultivation of ideas and social development. The resolution asserts that the Legislature promotes freedom of speech throughout the state's education systems, and commemorates the unique and fundamental importance of protecting and celebrating freedom of speech. Status: Adopted.

HR 69 (Limon) *Roe v. Wade* Anniversary. This resolution acknowledges the 47th anniversary of the U.S. Supreme Court's landmark decision in *Roe v. Wade* (1973) 410 U.S. 113, and makes findings and declarations about the need to preserve a woman's reproductive rights and about potential threats to those rights. Status: Adopted.

SB 652 (Allen) Entry doors: display of religious items. This bill prohibits a property owner, or the governing documents of a common interest development, from prohibiting the display of religious items on the entry door or entry door frame, as specified and subject to certain exceptions. Status: Chap. 154, Stats. 2019.

Disability Rights

AB 46 (Carrillo) Individuals with mental illness: change of terms. This bill replaces outdated terminology used to describe mental health conditions and individuals with mental health conditions. Status: Chap. 9, Stats 2019.

AB 999 (Patterson) Construction-related accessibility standards: technical violations. This bill would have specified that the design of parking signs, the number of required accessible parking spaces, and the lack of compliant van-accessible parking spaces or aisles in parking lots were all "technical violations" of existing state disability access laws and were presumed by law to not cause difficulty, discomfort, or embarrassment to the person who encounters those violations of construction-related accessibility standards. Status: Dead, Asm Judiciary.

AB 2123 (Chau) Accessibility: internet website. This bill, among other things, would have specified that an internet website is presumed to provide equally effective communication for the purpose of an award of minimum statutory damages, if the internet website complies with the standards for the accessibility of an internet website established by the World Wide Web Consortium (W3C) Accessibility Guidelines Working Group. Status: Dead, Asm Judiciary.

AB 2664 (Diep) Disability access: statutory damages. This bill would have revised existing law, providing that in some circumstances the minimum statutory damages for a construction-related accessibility claim are reduced or eliminated when the business employs 50 or fewer employees, so that such provisions would also apply to a business with an average of 50 to 100 employees. Status: Dead, Asm Judiciary.

SB 398 (Durazo) Protection and advocacy. This bill adopts changes that conform to federal law, regulation, and guidance as they relate to the role and authority of the state's protection and advocacy agency to ensure the rights and safety of individuals with disabilities. Status: Chap. 548, Stats. 2019.

Personal Rights

AB 1189 (Wicks and Chiu) Public health: abortion: informational materials. This bill would have required the State Department of Public Health to develop and make available to the public informational materials that identify a person's privacy rights with respect to abortion, and the prohibition against state denial or interference with the right to choose or obtain an abortion. Status: Dead, Asm Health.

AB 1563 (Santiago) Census Bill of Rights. This bill authorizes the Secretary of State, the California Census Office, and the California Complete Count Committee to promulgate a Census Bill of Rights and Responsibilities no later than February 1, 2020. The bill also makes it a misdemeanor for any person to falsely represent themselves as a census taker with the intent to interfere with the operation of the census or otherwise unlawfully obtain information. Status: Chap. 831, Stats. 2019.

AB 3052 (Carrillo) Forced or Involuntary Sterilization Compensation. This bill would have established the Forced or Involuntary Sterilization Compensation Program (FISCP) to provide compensation to women forcibly sterilized under California's eugenic laws, as well as those sterilized without medical necessity or demonstrated informed consent while incarcerated in state prison, county jail, or a state or local mental health facility. Due to the limitations of hearings necessitated by the COVID-19 pandemic, the Committee was unable to hear this bill. Status: Held, Asm Appropriations.

ACR 99 (Low) Conversion therapy. This resolution calls upon all Californians to embrace the individual and social benefits of family and community acceptance; advises religious leaders to counsel on LGBTQ matters from a place of love, compassion, and knowledge of the psychological and other harms of conversion therapy; and calls upon the people of California and the institutions of California to model equitable treatment of all people of the state. Status: Res. Chap. 166, Stats. 2019.

SB 741 (Galgiani) Change of gender: updated marriage and birth certificates. This bill would have provided processes for petitioners changing their names and/or genders to update their marriage certificates and the birth certificates of their children within the framework under existing law for petitioners to update their own birth certificates. Status: Vetoed.

Privacy Rights

AB 288 (Cunningham) Consumer privacy: social media companies. This bill would have required a social networking service to provide a user with the option, upon deactivation or deletion of their account, to have their personally identifiable information permanently removed from any database or records maintained by the service, and to prohibit the distribution of that information to third parties in the future. The bill also provided remedies to any consumer who suffers injury as a result of a violation of this requirement. Status: Dead, Asm Privacy & Consumer Protection.

AB 1760 (Wicks) California Consumer Privacy Act of 2018. This bill would have re-established the consumer rights and business obligations of the California Consumer Privacy Act of 2018 (CCPA) based on the "sharing" of a consumer's personal information (PI) by a business,

instead of the “sale” of a consumer’s PI (which includes sharing if it is for valuable consideration). This bill also would have revised the CCPA’s public enforcement provision to authorize a county district attorney, a city attorney, or a county counsel to bring a civil action, in the name of the people of the State of California, against any business, service provider, or other person that violated the CCPA. Status: Dead, Asm Privacy & Consumer Protection.

AB 1782 (Chau) Automated license plates: recognition system. This bill would have required users of automated license plate recognition (ALPR) systems to adopt procedures for the destruction of all nonanonymized ALPR information no more than 60 days from the date of collection, and to ensure that all ALPR information that is shared is anonymized, as defined. Status: Held, Sen Appropriations.

AB 2261 (Chau) Facial recognition technology. This bill would have regulated the use of facial recognition technology (FRT) and required state and local agencies using or intending to use FRT to provide specified accountability and compliance reports. Among other things, the bill would have required an agency using FRT technology to obtain a person’s consent before enrolling a person’s image into a facial recognition service. The bill would have authorized the Department of Justice to bring actions seeking injunctive relief and civil penalties, as specified. Due to the limitations of hearings necessitated by the COVID-19 pandemic, the Committee was unable to hear this bill. Status: Held, Asm Appropriations.

AB 2788 (Gloria) Public utility information: immigration authorities. This bill prohibits an electrical or gas corporation, or local publicly-owned electric utility from sharing, disclosing, or otherwise making accessible to any immigration authority a customer’s electrical or gas consumption data without a court-ordered subpoena or judicial warrant. Due to the limitations of hearings necessitated by the COVID-19 pandemic, the Committee was unable to hear this bill. Status: Chap. 188, Stats. 2020.

SB 664 (Allen) Electronic toll and transit fare collection systems. This bill would have retroactively made several changes to existing law that regulates transportation agencies’ use of personally identifiable information of subscribers and users of toll facilities. Status: Dead, Asm Privacy & Consumer Protection.

Employment Rights

AB 51 (Gonzalez) Employment discrimination: enforcement. This bill limits the abuse of non-disparagement agreements by making it unlawful for employers to prohibit workers from disclosing an instance of sexual harassment, opposing an unlawful practice, or participating in any investigation relating to harassment or discrimination. Secondly, to prevent the use of arbitration from keeping allegations of sexual harassment from becoming public, this bill ensures that California workers who sign agreements to waive their rights to any particular forum or procedure for dispute resolution must do so voluntarily and that those who elect not to sign such agreements are not subjected to retaliation as a result. Status: Chap. 711, Stats. 2019.

AB 170 (Gonzalez) Employment: sexual harassment: liability. As heard by this Committee, this bill would have required a “client employer,” as defined, to share with a labor contractor all legal responsibility and civil liability relating to the harassment of workers provided to the client

employer by the labor contractor. However, the bill was subsequently amended to address a different subject, to wit, exempting newspaper employees from the provisions of AB 5, which establishes criteria for distinguishing a worker's status as either an "employee" or an "independent contractor." Status: Chap. 415, Stats. 2019.

AB 171 (Gonzalez) Employment: sexual harassment. This bill would have expanded an existing law that prohibits an employer from discharging or taking any adverse action against an employee because of the employee's status as a victim of domestic violence, sexual assault, or stalking, to similarly protect a victim of sexual harassment. The bill would have also created a rebuttable presumption of unlawful retaliation if an employer discharges or takes any other adverse action against an employee within 90 days of learning of the employee's status as a victim of domestic violence, sexual assault, sexual harassment, or stalking. Status: Vetoes.

AB 378 (Limon) Family childcare providers: collective bargaining. This bill authorizes family childcare providers who participate in state-funded childcare programs to form and join a provider organization that will represent them in their negotiations with the state on any matters relating to the terms and conditions of their employment. The bill also creates a training partnership program for family childcare providers. Status: Chap. 385, Stats. 2019.

AB 403 (Kalra) Division of Labor Standards: enforcement: attorney fees. This bill would have extended the time for an employee to file a retaliation complaint with the Division of Labor Standards Enforcement from six months to two years, and would have authorized a court to award reasonable attorney's fees to a plaintiff who brings a successful retaliation action. Status: Vetoes.

AB 443 (Flora) PAGA: attorney's fees. This bill would have limited attorney's fees, as specified, in connection with an action brought pursuant to the Labor Code's Private Attorneys General Act alleging wage statement violations. Status: Dead, Asm Labor and Employment.

AB 589 (Gonzalez) Employment: unfair immigration-related practices. This bill would have made it unlawful for an employer to knowingly destroy, confiscate, or possess another person's immigration documents for the purpose of furthering human trafficking or any other coercive labor practice. In addition, the bill would have required employers to provide each worker with the "Worker's Bill of Rights" that informed them of their right to control their immigration documents. Status: Vetoes.

AB 628 (Bonta) Employment: victims of sexual harassment. This bill would have allowed victims of sexual harassment to take time off from work to obtain injunctive relief or to otherwise protect their health and safety, in the same manner that existing law allows victims of domestic violence, sexual assault, and stalking to take time off from work for these purposes. The bill would have also extended job-protected leave to the immediate family members of victims. Status: Failed, Asm Floor.

AB 749 (Stone) Employment: settlement agreements. This bill prohibits any settlement agreement between an employer and an employee from including a provision that prevents the settling employee from seeking or obtaining future employment with the employer against whom the employee has filed a claim. However, the bill specifies that an employer and an aggrieved

employee are free to agree to end a current employment relationship, or to prohibit or otherwise restrict the aggrieved employee from obtaining future employment with the employer, if the employer has made a good faith determination that the person engaged in sexual harassment or sexual assault, as defined. Status: Chap. 808, Stats. 2019.

AB 758 (Carrillo) Employment: gender equity. This bill would have made relatively minor changes to the California Equal Pay Act (CEPA), which prohibits wage discrimination on the basis of sex. First, the bill would have clarified that “sex,” for purposes of CEPA, includes gender identity. Second, the bill would have required the employee to file an administrative claim for retaliation under EPA within one year of the act of retaliation, the same time as currently required for filing a civil action in court. Finally, the bill would have made other changes to eliminate language that makes binary gender assumptions from existing law. Status: Held, Asm Appropriations.

AB 789 (Flora) PAGA. This bill would have required, for an action alleging violation of the itemized wage statement requirements, that an employee give prescribed notice of the alleged violation to the employer. The bill, subject to certain exemptions, authorized an employer to cure the alleged violation within 65 calendar days of the postmarked date of the notice. Status: Dead, Asm Labor and Employment.

AB 1200 (Patterson) Whistleblower protection: reports to the Legislature. As referred to the Committee, this bill created a complex process, modeled on the California Whistleblower Protection Act (CWPA), for the Legislature to accept and investigate complaints of improper government conduct from public employees and to protect those employees from retaliation for reporting the misconduct to the Legislature. As amended by the Committee, the bill merely clarified that the CWPA protects a public employee from retaliation for making a “protected disclosure” to the Legislature. As amended by the Assembly Public Employment and Retirement Committee, the bill again authorized a legislative investigative committee to investigate and report on improper governmental activities. Status: Held, Asm Appropriations.

AB 1478 (Carrillo) Jury duty: aggrieved employee. This bill would have permitted an employee who suffers discharge or other adverse action in retaliation for exercising rights and taking time off for statutorily permitted reasons, to bring a civil action against an employer. The bill would have specified that an aggrieved employee who brings the civil action need not pursue any other remedy before bringing that action. Status: Vetoed.

AB 1947 (Kalra and Gonzalez) Employment violations: complaints. This bill extends the time that workers have to file a claim with the California Labor Commissioner if their employer retaliates against them for exercising their workplace rights under the Labor Code. The bill also authorizes awarding attorneys’ fee to a worker who prevails on a whistleblower claim. Due to the limitations of hearings necessitated by the COVID-19 pandemic, the Committee was unable to hear this bill. Status: Chap. 344, Stats. 2020.

AB 2043 (R. Rivas) Unlawful business practices: employer liability: contracted supervisor. As introduced and referred to the Committee, this bill would have made a client employer responsible for the acts of a contracted supervisor, as those terms are defined, for purposes of various forms of prohibited harassment. The bill was subsequently amended to

direct the Division of Occupational Safety and Health Division to disseminate information on best practices regarding COVID-19 infection prevention among agricultural employees. Status: Chap. 212, Stats. 2020.

AB 2143 (Stone) Settlement agreements: employment disputes. This bill allows an employer to include a no-rehire clause in a settlement agreement with a worker who filed an official complaint in good faith if, before the worker filed the complaint, the employer made and documented a good faith determination that the worker engaged in sexual harassment, sexual assault, or any criminal conduct. Status: Chap. 73, Stats. 2020.

AB 2355 (Bonta) Employment discrimination: medical cannabis. This bill would have made it an unlawful employment practice, subject to certain exceptions, for an employer to refuse to hire, terminate, or otherwise discriminate against an employee, because of the employee's status as a qualified medical cannabis patient. Status: Dead, Asm Labor and Employment.

AB 2530 (Fong) Labor Code Private Attorneys General Act: filing requirements. This bill would have required an aggrieved employee seeking to file an action under the Labor Code's Private Attorneys General Act (PAGA) to inform employers of their right to cure the violation. Status: Dead, Asm Labor and Employment.

AB 2588 (Kalra) Employee educational program and training costs. This bill provides that the expense or cost of any employer-provided or employer-required educational program or training, as defined, for an employee or applicant providing direct patient care, constitutes a necessary expenditure or loss incurred by the employee. The bill prohibits an employer, or any person acting on behalf of the employer, from retaliating against an employee or applicant for refusing to enter into an agreement that violates these provisions. The bill requires a court to award a prevailing plaintiff reasonable attorney's fees and costs. Due to the limitations of hearings necessitated by the COVID-19 pandemic, the Committee was unable to hear this bill. Status: Chap. 351, Stats. 2020.

AB 2947 (Bonta) Employment discrimination: standard or proof. This bill would have provided that an intentional violation of the Fair Employment and Housing Act's employment provisions occurs when a person intends to discriminate using any of the protected characteristics of any person as a motivating factor in the employment action or decision, even though other factors may have also motivated the action or decision. Status: Dead, Asm Labor and Employment.

AB 2999 (Low) Employers: bereavement leave. This bill would have authorized employees to take up to ten days of unpaid bereavement leave for the death of a spouse, child, parent, sibling, grandparent, grandchild or domestic partner, as specified. Due to the limitations of hearings necessitated by the COVID-19 pandemic, the Committee was unable to hear this bill. Status: Dead, Sen Judiciary.

AB 3265 (McCarty) State auditor: whistleblowers: retaliation. This bill would have made several amendments to the California Whistleblowers' Protection Act in order to provide greater protection to state employees who suffer any form of reprisal or retaliation for reporting waste, fraud, abuse of authority, or any violation of law. Specifically, this bill would have augmented

the power of the State Auditor to investigate and report claims and instances of retaliation against whistleblowers. Status: Dead, Asm Judiciary.

SB 179 (Nielsen) Excluded employees: arbitration. This bill would have enacted the Excluded Employee Arbitration Act and authorized an employee organization representing an excluded employee who filed a grievance with the California Department of Human Resources to request arbitration of the grievance once specified conditions have been met. Status: Vetoed.

SB 188 (Mitchell) Employment: discrimination: hairstyles. This bill amends the definition of "race," for purposes of state anti-discrimination statutes, to include traits that historically are associated with race, including, but not limited to, hair texture and protective hairstyles. The bill defines "protective hairstyles" to include braids, locks, and twists. Status: Chap. 58, Stats. 2019.

SB 218 (Bradford) Employment: discrimination: local enforcement. This bill would have modified the preemption language in the Fair Employment and Housing Act (FEHA) in order to allow local governments to adopt their own anti-discrimination ordinances and enforce such ordinances through local fair employment agencies. The bill also would have allowed local governments and agencies to enforce the provisions of FEHA by establishing a dual-filing and work-sharing agreement with the Department of Fair Employment and Housing. Status: Vetoed.

SB 229 (Hertzberg) Employment: complaints: administrative review. This bill authorizes the Labor Commissioner to file a certified copy of a citation with the superior court for judicial enforcement of the citation, unless the cited employer requests an informal hearing to challenge the citation. The bill requires the clerk of the court to immediately enter judgement, as specified. In addition, this bill increases the amount of the bond that a challenging employer must post, as specified. Status: Chap. 721, Stats. 2019.

SB 688 (Monning) Failure to pay wages: penalties. This bill provides that if the Labor Commissioner determines that an employer has paid an employee less than the wage set by contract, the Commissioner may issue a citation to the employer in order to recover restitution of the amounts owed in the same manner that the Commissioner may, under existing law, issue a citation to an employer who pays less than the legal minimum wage. The bill also specifies the procedure by which bond proceeds shall be forfeited if an employer fails to pay a judgment in a timely manner. Status: Chap. 723, Stats. 2019.

OPEN GOVERNMENT AND PUBLIC RECORDS

AB 54 (Ting) Peace officers: video and audio recording: disclosure. As heard by this Committee, this bill corrected an inadvertent drafting error in last year's AB 748, Chap. 960, Stats. 2018 in order to allow a law enforcement agency to withhold a law enforcement recording of a critical incident from disclosure to the public if there were a law enforcement investigation about that incident pending at the time of the request and the agency demonstrated that disclosure would substantially interfere with the investigation. This bill was later amended to deal with an entirely different issue outside the Committee's jurisdiction. Status: Chap. 793, Stats. 2019.

AB 289 (Fong) California Public Records Act Ombudsperson. This bill would have established the position of the California Public Records Act Ombudsperson within the

California State Auditor's Office in order to review the denial by a state agency of a request by a member of the public to access records under the provisions of the California Public Records Act (CPRA). Status: Failed, Sen Judiciary.

AB 654 (Blanca Rubio) California Public Records Act: utility customers. This bill would have authorized a local agency to disclose the name, utility usage data, and home address of utility customers to an officer or employee of another governmental agency when the disclosure were not necessary for the performance of the other governmental agency's official duties but were to be used for scientific, educational, or research purposes, and the requesting agency agreed to maintain the confidentiality of the disclosed information. Status: Dead, Asm Judiciary.

AB 700 (Friedman) Public records: exceptions to disclosure: public postsecondary educational institutions: research information. This bill would have made certain records possessed by public postsecondary educational institutions relating to researchers or their research exempt from mandatory public disclosure pursuant to the California Public Records Act. Specifically, the bill exempted from mandatory public disclosure records regarding preliminary research that would expose the thought process or preliminary findings of a researcher in a manner that would interfere with ongoing research, constitute trade secrets, or compromise the privacy of research subjects. Status: Dead, Asm Appropriations.

AB 941 (Cunningham) California Public Records Act: gang crimes. This bill sought to inform victims and witnesses of gang-related crimes about the law and their rights to request that their names be withheld from public disclosure. The bill also would have established a process to ensure that victims have more information about their rights and require law enforcement agencies to memorialize in writing that the information is provided to witnesses and victims. Status: Held, Asm Appropriations.

AB 1069 (Rodriguez) California Public Records Act: police officers: body camera footage. This bill would have modified existing law to allow video or audio recordings that relate to critical incidents, as defined, to be withheld from public disclosure for a limited period of time if the public interest in withholding such recordings clearly outweighed the public interest in disclosure. The bill would instead have authorized a video or audio recording made with a body-worn camera to be disclosed only if it is related to a depiction of the commission of a crime, an incident in which officer misconduct is alleged, a tactical response to an incident of significance, including, but not limited to, a terrorist attack or mass shooting, or an officer-involved shooting or use of force. Status: Dead, Asm Public Safety.

AB 1184 (Gloria) Public records: electronic mail retention. This bill would have required a public agency to retain and preserve for at least two years every public record, as defined, transmitted by electronic mail unless a longer retention period is required by statute or regulation or established by the Secretary of State pursuant to the State Records Management Act. Status: Vetoed.

AB 1491 (Oberholte) California Public Records Act: internet posting of elected or appointed officials. This bill would have prohibited a person from knowingly posting on the internet the home address, telephone number, license plate, or vehicle description of any elected or appointed official, or the official's spouse or immediate family, knowing that person is an

elected or appointed official and intending to cause intimidation, harassment, or bodily harm to that individual or threatening to cause bodily harm to that individual. Status: Dead, Asm Judiciary.

AB 1819 (Committee on Judiciary) California Public Records Act: right to copy records with own equipment. This bill ensures that members of the public have the right to make a copy of a disclosable public record at no charge, as long as the method of duplication does not make physical contact with, or cause damage to, the record. Status: Chap. 695, Stats. 2019.

AB 2093 (Gloria) Public records: electronic mail: retention. This bill would have required a public agency to retain and preserve for at least two years every writing containing information relating to the conduct of the public's business that is prepared, owned, or used by the public agency and transmitted by electronic mail, unless a statute or regulation, or a rule established by the Secretary of State pursuant to the State Records Management Act, requires a longer retention period. Status: Dead, Asm Appropriations.

AB 2138 (Chau) California Public Records Act. This bill would have recodified and reorganized the provisions of the act as suggested by the California Law Revision Commission. The bill would have included provisions to govern the effect of recodification and state that the bill was intended to be entirely nonsubstantive in effect and become operative on January 1, 2022. Status: Dead, Asm Judiciary.

AB 2155 (Oberholte) Public officers: contracts: prohibited interests. This bill would have defined the term "party," for the purpose of providing standing to file suit to invalidate a contract signed by a public official with a financial stake in the contract, to include any taxpayer. Status: Dead, Asm Judiciary.

AB 2438 (Chau) California Public Records Act: conforming revisions. This bill, a companion measure to AB 2138, would have enacted various conforming and technical changes related to AB 2138. This bill would only have become operative if AB 2138, recodifying the California Public Records Act, would have been enacted and become operative on January 1, 2022. Status: Dead, Asm Judiciary.

AB 2473 (Cooper) Public investment funds. This bill would have created an exception to the California Public Records Act to facilitate direct private lending by the California Public Employees' Retirement System (CalPERS) or the California State Teachers' Retirement System (CalSTRS). Specifically, the bill would have exempted records regarding an internally managed private loan made by a public investment fund, including due diligence materials that are proprietary to the public investment fund, private loan agreements, and all related documents, unless the information has already been publicly released by the keeper of the information. Due to the limitations of hearings necessitated by the COVID-19 pandemic, the Committee was unable to hear this bill. Status: Dead, Sen Labor, Public Employment and Retirement.

AB 2569 (Grayson) Crimes: juvenile victim confidentiality. This bill would have exempted from disclosure pursuant to the California Public Records Act the name and address of the victim of any crime who is less than 18 years of age. This bill would have required a law enforcement officer receiving a report in which a minor is a victim to indicate on the report that the alleged victim is a minor and inform the person making the report that the minor's name and address will

remain confidential. The bill would have prohibited, except as otherwise specified, the disclosure of the minor's name and address. Status: Dead, Asm Public Safety.

AB 2676 (Quirk) Public Records Act: exemptions. This bill would have exempted all critical infrastructure information submitted to the Office of Emergency Services for use by that office from the requirement of disclosure under the California Public Records Act. The bill would have removed the restriction that only voluntary submissions be exempted for the purpose of assuring public safety and security. Status: Dead, Asm Judiciary.

SB 171 (Jackson) Employers: annual report: pay data. This bill sought to further the goal of achieving pay equity in California by requiring large employers (those with 100 employees or more) to submit data about their employees' pay, broken down in specified job categories and including the number of employees by race, ethnicity and sex with annual earnings, to the California Department of Fair Employment and Housing. The bill would have made all individually identifiable information submitted to the department confidential and not subject to disclosure pursuant to the California Public Records Act. Status: Held, Asm Appropriations.

SB 202 (Wilk) Animal blood donors: disclosure of donor information. This bill would have permitted the Secretary of California's Department of Food and Agriculture to license animal blood banks that source blood from donor animals in the community rather than from captive colonies of animals housed at the blood bank. Pertinent to the jurisdiction of this Committee, the bill also relaxed current exemptions to mandatory public disclosure of documents relating to commercial animal blood banking under the California Public Records Act and clarified the liability standard that applies to the collection, production, and transfusion of animal blood and blood products. Status: Vetoed.

SB 223 (Hill) Pupil health: administration of medicinal cannabis: schoolsites. This bill permits local school governing bodies to adopt policies that allow a parent or guardian to administer medicinal cannabis to a pupil with a valid physician's recommendation on school grounds. The bill also specifies several requirements for any such policy, including that administration must be in a manner that does not disrupt the educational environment or expose other pupils, that any remaining medicinal cannabis must be removed from the schoolsite by the parent or guardian, that the parent or guardian must sign in at the schoolsite before administration, and that the parent or guardian must provide a valid written medical recommendation to be kept on file at the school. The bill, for pupil records collected for the purpose of administering medicinal cannabis, requires those records to be treated as medical records and subject to all provisions of state and federal law governing the confidentiality and disclosure of medical records. Status: Chap. 699, Stats. 2019.

SB 534 (Bradford) Insurers: minority, women, LGBT, veteran, and disabled veteran business enterprises. This bill directs the Department of Insurance to collect data regarding regulated insurance companies' minority, women, LGBT, veteran, and disabled veteran-owned business procurement efforts during the previous two years. Additionally, the bill requires the Department of Insurance to collect data related to the diversity of the board of directors of insurance companies which would be published in aggregate and would not identify an individual respondent or insurer. Status: Chap. 249, Stats. 2019.

SB 708 (Hueso) Electricity: Independent System Operator. This bill would have explicitly required the California Independent System Operator to adhere to the public notice and open record requirements of both the Bagley-Keen Open Meeting Act and the California Public Records Act. Status: Dead, Asm Utilities and Energy.

SB 749 (Durazo) California Public Records Act: trade secrets. This bill would have provided that, unless contrary to Section 19542 of the Revenue and Taxation Code, notwithstanding any other law or effort to maintain their secrecy, certain records- including records of wages, benefits, working hours, and other employment terms and conditions of employees working for a private industry employer, or a subcontractor of a private industry employer, that are prepared, owned, used, or retained by a public agency- are public records and are not trade secrets. Status: Dead, Asm Floor.

PROBATE AND RELATED MATTERS

Civil Commitment, Conservatorship and Guardianship

AB 1378 (Irwin) Standby guardianship. This bill would have authorized a custodial parent or a person who has been awarded custody or guardianship of a child to designate a person to serve as a standby guardian of the person, the estate, or both, by completing a Standby Guardian's Authorization Affidavit. The bill would have required the designation of a standby guardian to take effect, absent an objection of a noncustodial parent, under specified circumstances that include if the custodial parent or guardian has died or is detained by law enforcement, incarcerated, or deported. Status: Dead, Asm Judiciary.

AB 1572 (Chen) Mental health services: gravely disabled. This bill would have changed the definition of "gravely disabled" under the Lanterman-Petris-Short Act to be a condition in which a person, as a result of a mental health disorder, is incapable of making informed decisions about, or providing for, the person's own basic personal needs for food, clothing, shelter, or medical care without significant supervision and assistance from another person and, as a result of being incapable of making these informed decisions, the person is at risk of substantial bodily harm, dangerous worsening of a serious physical illness, psychiatric condition, or access to essential needs that could result in bodily harm. Status: Dead, Asm Health.

AB 1976 (Eggman) Mental health services: Assisted Outpatient Treatment (AOT). This bill, commencing July 1, 2021, requires a county or group of counties to offer Assisted Outpatient Treatment (AOT) mental health programs under "Laura's Law," unless a county or group of counties opts out by a resolution passed by their governing body stating the reasons for opting out and any facts or circumstances relied upon in making that decision. The bill also authorizes a county to instead offer those mental health programs in combination with one or more counties, subject to specified implementation provisions. Finally, the bill repeals the expiration of Laura's Law, thereby extending it indefinitely. Due to the limitations of hearings necessitated by the COVID-19 pandemic, the Committee was unable to hear this bill. Status: Chap. 140, Stats. 2020.

AB 2015 (Eggman) Certification for intensive treatment: review hearing. This bill would have provided that the evidence presented at the 14-day Lanterman-Petris-Short Act (LPS) Act

certification review hearing include information regarding the person's medical condition and how that condition bears on certification of the person as either a danger to themselves or others or gravely disabled. This bill would have required that that information be considered by the hearing officer in the determination of whether probable cause exists to believe that the person certified is, as a result of a mental disorder or impairment by chronic alcoholism, a danger to others, or to themselves, or gravely disabled. Status: Dead, Asm Judiciary.

AB 2124 (Stone) Guardianships. This bill would have required that if a proposed ward in a probate guardianship case is at risk of abuse or neglect, the probate court must refer the matter to the local child welfare agency to initiate an investigation of the referral and to report the findings of that investigation to the juvenile court, unless it finds that all parties knowingly and voluntarily consent to the guardianship and the child is not at risk of abuse or neglect in the home of the proposed guardian. If the social worker elected not to file a dependency petition for a case referred by the probate court, this bill would have required the juvenile court to review the decision of the social worker, considering factors including whether the child, parent, or caregivers would benefit from supports or services offered by the juvenile court. The bill would have required that a child placed with a relative caregiver who is appointed as the child's legal guardian in juvenile court be eligible for aid under the state-funded Kinship Guardianship Assistance Payment (Kin-GAP) Program. Status: Dead, Asm Judiciary.

AB 2679 (Gallagher) Conservatorship for serious mental illness and substance use disorders: County of Butte. This bill would have expanded to Butte County the recently created "housing" conservatorship pilot project for individuals who suffer from both serious mental illness and substance use disorder, as evidenced by eight or more detentions for evaluation and treatment in the preceding 12 months, which now is permitted to operate only in Los Angeles, San Diego, and San Francisco Counties, and is set to expire on January 1, 2024, with reports on the pilot due to the Legislature on January 1, 2021 and January 2, 2023. Status: Dead, Asm Health.

AB 2844 (Obernalte) Guardians and conservators: accountings. This bill enables guardians and conservators to satisfy their existing duties to provide accountings to courts by submitting verified electronic account statements. Status: Chap. 221, Stats. 2020.

AB 2899 (Jones-Sawyer) Mental health: involuntary commitment. This bill would have removed the 14-day limit on the period of time for which a person could be certified for intensive treatment after being involuntarily detained for 72 hours because they are a danger to themselves or others, or are gravely disabled, as the result of a mental health disorder. The bill would have authorized the person to be certified for intensive treatment for a period longer than 14 days, as determined by the professional staff providing the evaluation. Status: Dead, Asm Health.

SB 40 (Wiener and Stern) Conservatorship: serious mental illness and substance use disorders. This bill amends and expands the process for establishing a "housing conservatorship," a mechanism for involuntary commitment for treatment of an individual suffering from a serious mental illness and a substance use disorder, pursuant to a pilot program previously authorized for Los Angeles, San Diego, and San Francisco Counties. Specifically, this bill removes the requirement that assisted outpatient treatment be unsuccessfully attempted or denied before a housing conservatorship can be established, expands the scope of the

evaluation of the pilot program, requires that a housing conservatorship be preceded by a temporary conservatorship of up to 28 days during which a clinical evaluation is performed, clarifies conditions for qualification for a conservatorship, details opportunities to challenge the conservatorship, and specifies burdens of proof for demonstrating that criteria for conservatorship have been met. Status: Chap. 467, Stats. 2019.

SB 303 (Wieckowski) Guardians and conservators: compensation: residence of conservatee. This bill limits the circumstances under which a conservatee's personal residence may be sold by, among other things, providing that, in any hearing to determine if removal of a conservatee from their personal residence is appropriate, the presumption that the residence is the least restrictive appropriate residence may only be overcome by clear and convincing evidence. The bill authorizes the sale of a conservatee's present or former personal residence only if the court finds that the conservator demonstrated a compelling need to sell the residence for the benefit of the conservatee; also removes a provision in current law exempting a court, when granting a conservator the power to sell a conservatee's personal residence, from certain requirements. Finally, the bill limits any compensation that can be paid to a guardian, conservator or attorney from the ward's or conservatee's government benefits. Status: Chap. 847, Stats. 2019.

Elder Abuse

AB 797 (Grayson) Mandated reporters: financial abuse of dependent adults. This bill would have required a business that is licensed under the Money Transmission Act whose primary business function is transmitting money and operates out of a physical storefront or location and does not engage in other transactions, to provide notice to customers who are 65 years of age or older that fraud had been committed in recent years by means of money transmittals. The bill also would have specified the manner for providing and confirming delivery of the notice and provided a civil penalty in the amount of \$5,000 to be imposed for the willful failure to provide this notice. Status: Dead, Asm Aging & Long Term Care.

AB 1396 (Oberholte) Protective orders: elder and dependent adults. This bill permits courts, when issuing a protective order in response to elder abuse after notice and a hearing, to also issue an order requiring the respondent to attend mandatory clinical counseling or anger management courses provided by a counselor, psychologist, psychiatrist, therapist, clinical social worker, or other mental or behavioral health professional licensed in the state to provide those services. Status: Chap. 628, Stats 2019.

SB 314 (Dodd) Elder and dependent adult abuse: abandonment. This bill adds abandonment to the Elder Abuse and Dependent Adult Civil Protection Act as a basis for awarding enhanced remedies to victims of such abuse, and defines "abandonment" as the desertion or willful forsaking of an elder or a dependent adult by anyone having care or custody of that person under circumstances in which a reasonable person would continue to provide care and custody to the elder or dependent adult. Status: Chap. 21, Stats. 2019.

SB 496 (Moorlach) Financial abuse of elder or dependent adults. This bill extends reporting requirements to "broker-dealers" and "investment advisors," as defined, similar to those now required of bank employees, when they suspect financial abuse of an elder or dependent adult.

The bill also allows broker-dealers and investment advisors, under specified circumstances, to notify a “trusted contact person” about the suspected abuse and to temporarily delay disbursements, as specified. Status: Chap. 272, Stats. 2019.

Probate

AB 473 (Maienschein) Small estates: disposition without administration. This bill increases the threshold value of small estates and portions of estates that may be administered outside of probate, and decreases from 10 percent to seven percent the interest on the amount of restitution owed a recipient of property under these provisions to the rightful recipient of the property. Status: Chap. 122, Stats. 2019.

SB 1305 (Roth) Revocable transfer on death deed: extension. This bill extends the sunset date for revocable transfer on death deeds from January 1, 2021 to January 1, 2022. Status: Chap. 238, Stats. 2020.

Trusts and Estates

AB 327 (Maienschein) At-death transfers: spousal fiduciary duty. This bill provides that an at-death transfer, as defined, between spouses by will, revocable trust, beneficiary form, or other instrument is not subject to a presumption of undue influence under a Family Code provision applicable to inter-spousal contracts. Status: Chap. 43, Stats. 2019.

AB 328 (Maienschein) Donative transfer: care custodian spouse. This bill creates a presumption that donative gifts from dependent adults to their care custodians who marry them are the result of fraud or undue influence and that such care custodians do not take under the omitted spouse doctrine absent clear and convincing evidence that the marriage was not the product of fraud or undue influence. Status: Chap. 10, Stats. 2019.

AB 795 (Irwin) Private cemeteries: endowment funds. This bill enacts various measures to help ensure the long-term solvency of cemetery endowment care trust funds that operate under a unitrust distribution method. These measures include: setting appropriate limits on trustee compensation, requiring the Cemetery and Funeral Bureau to review management fees and expenses if a fund’s fair market value falls below a certain level, and regulating the parameters under which fund assets may be seized. Status: Chap. 309, Stats. 2019.

AB 1667 (Santiago) Electronic wills. This bill, as heard by the Committee, would have provided for the recognition of validly executed electronic wills if the will is executed in accordance with the laws of a state that permits electronic wills by a person who then resided in that state. The bill was subsequently amended to have mandated a California Law Revision Commission report on the viability of electronic wills. Status: Dead, Sen Appropriations.

AB 2573 (Oberholte) Trusts: notifications. This bill would have limited when a beneficiary of a trust or heir of the settlor may bring an action to contest a trust to within 120 days from when a revocable trust, or any portion thereof, has become irrevocable because of the death of one or more settlors or because of the express terms of the trust. Status: Dead, Sen Judiciary.

SB 308 (Jones) Estates and trusts: instrument. This bill revises the definition of “instrument” under the Probate Code to exclude “trust,” but to include instead a document establishing or modifying a trust. Status: Chap. 56, Stats. 2019.

PROPERTY AND RELATED MATTERS

Mortgage Lending and Foreclosure

SB 306 (Morrell) Mortgages and deeds of trust: substitutions. This bill establishes procedures for trustees named under deeds of trust to either resign or refuse appointment as a trustee. The bill requires such trustees to retain relevant documents for a period of five years after such resignation or refusal. Finally, the bill clarifies that a trustee’s resignation or refusal does not affect the validity of the underlying deed of trust. Status: Chap. 474, Stats. 2019.

SB 1079 (Skinner) Residential property: foreclosure. This bill provides tenants, prospective owner-occupants, nonprofit affordable housing providers, and public entities a 45-day window to purchase residential properties of 1-4 units if they are able to match or exceed the highest bid at a preceding foreclosure auction. It also bans properties from being bundled for sale at foreclosure auctions. Finally, the bill increases the civil fines that local governments can assess against owners who fail to maintain properties acquired at foreclosure sale, while also providing these owners with more information about alleged violations and additional time to remedy violations. Status: Chap. 202, Stats. 2020.

SB 1447 (Bradford) Mortgages and deeds of trust: foreclosure. As heard by this Committee, this bill would have, for a two-year period, extended Homeowner Bill of Rights protections to cover tenant-occupied residential real property of 1-4 units in which at least one tenant was unable to pay rent due to a COVID-19-related reduction in income. Material provisions of the bill were incorporated into AB 3088 (Chiu, Chap. 37, Stats. 2020), and the bill was subsequently amended to focus on taxes. Status: Chap. 41, Stats. 2020.

Personal Property

AB 1637 (Smith) Unclaimed property. This bill authorizes the State Controller to transfer property reported to the state under the Unclaimed Property Law (UPL) in the name of a local agency or state agency directly to that agency without the agency needing to file a claim, and provides that existing immunity from suit under the UPL also applies to the transfer of this property. Status: Chap. 320, Stats. 2019.

AB 2198 (Ting) Unclaimed property: secure payment of claims. This bill would have required the State Controller to streamline the claims process and the payment of claims under the Unclaimed Property Law. Status: Held, Asm Appropriations.

AB 2332 (Kalra) Preneed funeral arrangements: unclaimed property. This bill would have established procedures for when and how preneed funeral arrangements that are not claimed upon a beneficiary’s death should escheat to the state under the Unclaimed Property Law. Status: Held, Sen Appropriations.

Common Interest Developments

AB 670 (Friedman) Common interest developments: accessory dwelling units. This bill prohibits homeowner associations from banning construction or use of an accessory dwelling unit or junior accessory dwelling unit, but allows homeowner associations to impose reasonable rules on the construction or use of such units, so long as those rules do not effectively prevent or unreasonably restrict their construction or use. Status: Chap. 178, Stats. 2019.

AB 2227 (Irwin) Common interest developments: funds: insurance. This bill would have required the managing agent of a common interest development to deposit any funds received into an account insured by the Federal Deposit Insurance Corporation, National Credit Union Administration Insurance Fund, or the Securities Investor Protection Corporation. Additionally, this bill would have modified the threshold at which a managing agent would be required to obtain board approval for moving the common interest development's funds. Status: Dead, Asm Housing & Community Development.

SB 323 (Wieckowski) Common interest developments: elections. This bill makes various changes to the procedures utilized for elections within common interest developments, including limits on the ability for a homeowners association to disqualify potential candidates for the board. Status: Chap. 848, Stats. 2019.

SB 326 (Hill) Common interest developments. This bill establishes an inspection regime for exterior elevated elements, including balconies, within common interest developments, and generally prohibits the governing documents of a homeowners association from limiting the board's ability to bring construction defect litigation against the founder, developer, or builder of the development. Status: Chap. 207, Stats. 2019.

Real Property

AB 687 (Daly) Real estate brokers: LLCs. This bill would have authorized limited liability companies (LLCs) to be licensed as real estate brokers in California. Status: Dead, Sen Business, Professions and Economic Development.

AB 892 (Holden) Transfers of real property. This bill amends the Real Estate Law to cure an ambiguity regarding when a prospective buyer of residential property may exercise their right to cancel an offer upon receipt of disclosures from the seller. The bill also amends the Real Estate Law to require multiple listing services to maintain and make available information placed on the service for a period of three years. Finally, the bill makes various technical and clarifying amendments to the Real Estate Law, many of which correct errors inadvertently introduced with the Law's recodification during the 2016-2018 period. Status: Chap. 310, Stats. 2019.

AB 1106 (Smith) Los Angeles County: notice of recordation. This bill permanently extends most aspects of the Los Angeles County Homeowner Notification Program, a program originally created to combat widespread instances of falsified home loan documents that led to home foreclosures in Los Angeles County, and extends the program's reporting requirement until 2030. Status: Chap. 165, Stats. 2019.

AB 2806 (Wood) Transfer of residential property: disclosures: fire hazards. This bill would have clarified that the buyer and seller of real property located in a high or very high fire hazard severity zone cannot, through private contractual agreement, limit a state or local agency's ability to enforce defensible space requirements around structures on the property. The contents of this bill were incorporated into AB 3364 (Judiciary). Status: Dead, Asm Judiciary.

Rental Property

AB 206 (Chiu) Public nuisance: abatement: lead-based paint. In order to protect those opting to voluntarily participate in a lead paint abatement program, this bill provides property owners with limited immunity from lawsuits and other claims associated with the participation in the lead abatement program. Status: Chap. 171, Stats. 2019.

AB 724 (Wicks) Rental property data registry. This bill would have required the Department of Housing and Community Development (HCD) to create an online rental registry to collect and disseminate detailed information about rental properties that consist of 16 or more dwelling units. Status: Held, Asm Appropriations.

AB 1110 (Friedman) Rent increases: noticing. This bill extends the time period for notifying tenants of annual rent increases of more than 10 percent on month-to-month residential tenancies from 60 days to 90 days. Status: Chap. 595, Stats. 2019.

AB 1188 (Gabriel) Dwelling units: persons at risk of homelessness. This bill produces a framework under which a tenant can permit a person at risk of homelessness to occupy their dwelling unit, and details the liabilities, rights, and obligations of all parties to such an agreement. The provisions of this bill will remain in effect until January 1, 2024. Status: Chap. 339, Stats. 2019.

AB 1399 (Bloom) Residential real property: rent control: withdrawal of accommodations. This bill clarifies two aspects of the Ellis Act: first, that owners may not pay prior tenants liquidated damages instead of offering them the opportunity to re-rent their former units; and second, that the date on which a building is deemed to have been withdrawn from the rental market under the Act is the date on which the final tenancy among all tenants is terminated. Status: Chap. 596, Stats. 2019.

AB 1481 (Bonta) Tenancy termination: just cause. This bill would have prohibited a landlord from terminating a residential tenancy without just cause if the tenancy has lasted at least six months. After this bill was ordered to the inactive file, AB 1482 (Chiu, Chap. 597, Stats. 2019) was amended in the Senate to incorporate several of the bill's material provisions. Status: Dead, Asm Inactive File.

AB 1697 (Grayson) Tenancy termination: just cause. This bill would have prohibited a landlord from terminating a residential tenancy without just cause if the tenancy has lasted at least 10 months. After this bill was ordered to the inactive file, AB 1482 (Chiu, Chap. 597, Stats. 2019) was amended in the Senate to incorporate several of the bill's material provisions. Status: Dead, Asm Inactive File.

AB 1731 (Boerner Horvath) Short term rentals: coastal zone: County of San Diego. As heard by this Committee, this bill would have prohibited, subject to numerous restrictions, a hosting platform from booking a transaction for the short term rental of residential property located within the coastal zone of San Diego County for more than 30 days per calendar year. This prohibition would have sunset on January 1, 2023, at which point the Office of Planning and Resource would have been tasked with evaluating the effect of the prohibition on housing availability and long-term rental rates within San Diego's coastal zone. The bill was subsequently amended to focus on unemployment insurance. Status: Chap. 209, Stats. 2020.

AB 1795 (Kamlager-Dove) Civil actions: unlawful detainer: court records. This bill would have prohibited court clerks from allowing access to civil case records in eviction cases filed under the Ellis Act, subject to exceptions in existing law. Status: Dead, Sen Judiciary.

AB 2272 (Gabriel, Chiu, Wicks) Eviction prevention: education, outreach, and legal services. This bill would have established the Stable Communities Fund within the Legal Services Trust Fund Program, which the State Bar would have administered to provide education, outreach, and legal services for preventing eviction. It would also have funded short-term rental assistance. Status: Dead, Asm Judiciary.

AB 2318 (Boerner Horvath) Human trafficking. This bill would have defined a short-term rental as a residential property unit rented to a visitor for fewer than 30 days through a centralized online platform, and required short-term rentals to post the same notices about human trafficking and available hotlines as hotels, motels, and other specified businesses. Status: Dead, Asm Judiciary.

AB 2377 (Chiu) Adult residential facilities: closures and resident transfers. This bill expands closure requirements for licensed adult residential facilities (ARFs), including mandating timely notice to residents and certain local entities of ARF closures and providing opportunities for private and public entities to purchase and continue ARF operations. Due to the limitations of hearings necessitated by the COVID-19 pandemic, the Committee was unable to hear this bill. Status: Chap. 146, Stats. 2020.

AB 2406 (Wicks) Homeless Accountability and Prevention Act: rental registry online portal. This bill would have required the Department of Housing and Community Development (HCD) to create an online rental registry to collect and disseminate detailed information about rental properties consisting of 5 or more dwelling units, if their owners accepted federal or state rental assistance payments provided in response to the COVID-19 emergency. The bill would also have allowed parties other than landlords to submit information to the database, subject to verification by HCD before becoming publicly available. Due to the limitations of hearings necessitated by the COVID-19 pandemic, the Committee was unable to hear this bill. Status: Held, Asm Appropriations.

AB 2774 (Jones-Sawyer) Hiring of real property: tenants: late fees. This bill would have prohibited a landlord from charging a tenant more than \$50 in fees for a late rent payment. Status: Dead, Asm Judiciary.

AB 2970 (Mayes) Mobilehome parks and manufactured housing communities: omnibus. This bill would have made various amendments to the Manufactured Housing Act of 1980 and the Mobilehome Parks Act, including amending the definition of the term “park trailer,” requiring code enforcement agencies to provide various notices to the owner or operator of any mobilehome park where violations are cited, and limiting the circumstances under which enforcement agencies could revoke a mobilehome park’s permit to operate. Status: Dead, Asm Housing & Community Development.

AB 3077 (Santiago) Residential real property: tenancy: termination: withdrawal of accommodations. This bill would have prohibited a landlord from serving a tenant with a no-fault eviction notice if the landlord’s intent was to sell the property to new owners who would hold title as tenants in common. It would also have amended the Ellis Act to prohibit landlords from withdrawing a property from the rental market in order to sell it to new owners who would hold title as tenants in common. Status: Dead, Asm Judiciary.

AB 3260 (Wicks) Tenancy: security deposit. This bill would have required landlords, in lieu of requiring tenants to pay an upfront security deposit in its entirety, to allow tenants to pay their security deposit in monthly installments or to obtain security deposit insurance. Status: Dead, Asm Floor.

SB 18 (Skinner) Keep Californians Housed Act. This bill removes the sunset date on an existing law which provides that certain residential tenants—those whose landlord loses ownership of the rental property as a result of a foreclosure sale—must be given at least 90 days’ notice before their tenancy can be terminated. Status: Chap. 134, Stats. 2019.

SB 479 (Atkins) Tenancy: automatic renewal or extension of lease. As heard by this Committee, this bill would have increased the required font size of automatic renewal or extension provisions in residential leases from 8-point to 12-point type. The bill was subsequently amended to focus on transportation. Status: Dead, Sen Inactive File.

SB 638 (Allen) Leases: charging stations: insurance coverage. This bill modifies the insurance requirements imposed on a tenant seeking to install an electric vehicle charging station at a parking space allotted to their residential lease. Status: Chap. 855, Stats. 2019.

SB 644 (Glazer) Tenancy: security deposit: service members. This bill limits, with certain enumerated exceptions, the maximum security deposit that a landlord may charge an active service member to one month’s rent for an unfurnished rental property and two months’ rent for a furnished rental property. Status: Chap. 602, Stats. 2019.

SB 1190 (Durazo) Tenancy: termination. This bill expands existing law in a number of ways. Most significantly, the bill extends existing relocation protections to all victims of violent crimes *and to their immediate family members*, whether or not they live in the tenant’s household. While current law limits the ability to terminate a lease to victims of domestic violence, sexual assault, stalking, human trafficking, and elder or dependent adult abuse (and their household member), this bill expands the ability to prematurely terminate a lease to victims of any crime that caused physical injury, emotional injury and the threat of physical injury, or death. Finally,

the bill provides more flexibility in the documentation requirements regarding such crimes. Status: Chap. 205, Stats. 2020.

SB 1410 (Caballero, Bradford) COVID-19 emergency: tenancies. This bill would have provided tax credits to property owners as compensation for not evicting their tenants who failed to pay their full rent during the COVID-19 state of emergency. The bill would have further required these tenants to repay the state for this deferred unpaid rent, unless they qualified for income-based exemptions at the time of repayment. Status: Held, Asm Appropriations.

Affordable Housing

AB 1561 (C. Garcia) Planning and zoning: housing element. As heard by this Committee, this bill would have required a local government when performing the legally required analysis of potential and actual governmental constraints upon the maintenance, improvement, or development of housing for all income levels as a part of the local government update to the Housing Element of the General Plan to examine impacts on persons belonging to a protected class, as identified in the Unruh Civil Rights Act. The bill was subsequently amended in the Senate to authorize the Department of Housing and Community Development to require a local government's housing element to include an analysis of governmental constraints upon the development of housing for individuals identified under the Unruh Civil Rights Act as members of a protected class; extends the response period for Native American tribes to request consultation on a housing development project, and provides an 18-month extension for housing development project entitlements, as specified. Status: Chap. 195, Stats. 2020.

SB 1157 (Bradford) Tenancy: credit reporting: lower income households. This bill requires any landlord of an assisted housing development, as defined, to offer each tenant obligated on a lease the option of having the tenant's rental payment information reported to at least one nationwide consumer reporting agency. Status: Chap. 204, Stats. 2020.

MISCELLANEOUS

AB 991 (Gallagher) Maintenance of the codes. This bill makes several non-substantive changes in various provisions of law to effectuate the recommendations made by the Legislative Counsel to the Legislature. Status: Chap. 497, Stats. 2019.

AB 1286 (Muratsuchi) Shared mobility devices: liability insurance: waivers. This bill requires a shared mobility service provider, as defined, to enter an agreement with, or obtain a permit from, the local jurisdiction that, among other things, requires the provider to maintain a specified amount of general liability insurance before distributing a shared mobility device within that jurisdiction. The bill also requires the local jurisdiction to adopt operation, parking, and maintenance rules, as provided, by 2021. Status: Chap. 91, Stats. 2020.

AB 1818 (Committee on the Judiciary) State government. This bill eliminates or modifies several reports provided to the Legislature in order to generate efficiency and eliminate unnecessary data collection and reporting. Status: Chap. 637, Stats. 2019.

AB 2020 (Low) State government: travel and reimbursement. This bill would have prevented a state agency from reimbursing a state employee or state officer for any lodging or other business service expenses incurred at a lodging establishment or other business owned by the President of the United States. Status: Dead, Asm Accountability and Administrative Review.

AB 2902 (Kalra) Fine art: physical alteration or destruction. This bill would have amended the California Fine Art Preservation Act so as to require the trier-of-fact to consider additional criteria in making a finding about the artistic quality of the work and expanded the list of groups that must be notified before a work of fine art is removed or otherwise destroyed. Status: Dead, Asm Judiciary.

AB 3364 (Committee on Judiciary) Judiciary omnibus. This bill enacts nearly two-dozen technical changes to the various codes within the jurisdiction of the Judiciary Committee including modifications to several legislative reports submitted by Judicial Council of California, eliminating several sunset dates, and extending the timelines for implementing bail reform to account for implementation delays as a result of the pending referendum vote. Status: Chap. 36, Stats. 2020.

ACR 173 (Gallagher) California Law Revision Commission: studies. This measure grants approval to the California Law Revision Commission to continue its study of designated topics that the Legislature previously authorized or directed the commission to study. The measure also grants approval to the commission to remove specified topics from its calendar of topics for study. Status: Res. Chap. 46, Stats. 2020.

SB 630 (Stern) Human trafficking: local ordinances, rules, and regulations. This bill clarifies that state law does not prevent a local governing body from adopting and enforcing a local ordinance, rule, or regulation to prevent slavery or human trafficking and allows local regulations regarding the posting of notices about slavery and human trafficking. Status: Chap. 57, Stats. 2019.

SB 1371 (Committee on Judiciary) Code maintenance. This bill makes nonsubstantive changes in various provisions of law to effectuate the recommendations made by the Legislative Counsel to the Legislature. Status: Chap. 370, Stats. 2020.

