

11-2019

## **Assembly Committee on the Judiciary 2019 Bill Summary**

Assembly Committee on the Judiciary

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# ASSEMBLY COMMITTEE ON JUDICIARY

# 2019 BILL SUMMARY

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

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JAMES GALLAGHER

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# Assembly California Legislature



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November 2019

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*The counsel and staff of the Assembly Judiciary Committee have prepared this comprehensive report of bills that were considered by the Committee in 2019. As in past years, the Committee was 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. 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 it has in recent years, the Committee heard a large number of bills and resolutions relating to immigrants and immigration policy, likely prompted by the Trump Administration's actions and threats regarding those in the United States without documentation of legal presence. 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 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 in limited circumstances. However, this bill did not reach the Governor. The Committee heard a significant number of bills prompted by concerns that the Trump administration would undermine California's priorities in other areas of the law, including protection of the environment, public lands, and employee rights. Perhaps the most high-profile of these measures sought to enshrine Obama-era regulations into California law if such regulations were repealed at the federal level. However, due to significant concerns regarding the state's ability to apply certain aspects of the bill to federally run programs, the bill was vetoed by the Governor.*

**Courts, Civil Procedure and Practice, and Related Matters.** *The Committee heard a number of bills dealing with civil procedure and practice, including several measures to reform procedures for the service of process in multi-family dwellings. Additionally, the Committee heard and passed several measures seeking to improve efficiencies for the Attorney General and the Department of Justice with regards to settling and tracking ongoing litigation. Once again, the issue of protecting mesothelioma victims in civil cases came before the Committee, but this year parties agreed on modified time limits for the depositions of terminally ill plaintiffs. The Committee heard and adopted a critical measure to modify the rules related to arbitration that permit parties subject to binding arbitration to file a case in court if the party demanding arbitration fails to pay for the cost of the proceeding in a timely manner.*

*The courts, again, received significant new funding to better improve services for all Californians, including specific resources to fund court reporters in family law proceedings. This Committee will continue to oversee the use of these funds to ensure that the monies provided by the Legislature are properly used to improve court services. Beyond budgetary matters, this Committee heard several important measures to improve access to the courts for all. The Committee approved a modest pilot program to begin studying the use of remote court reporting technology in California courts, thus enabling official court reporters to potentially reach remote court locations without unnecessary travel. Additionally, the Committee heard a measure that would have increased fees paid to court reporters, thus protecting the viability of the industry. Additionally, this Committee heard several measures impacting jury service. This Committee approved meaningful reforms that expanded jury service to formerly*



incarcerated persons. Furthermore, this Committee was once again asked to review the merits of exempting certain categories of law enforcement from jury service, despite the detrimental impact such exemptions pose to court administration.

**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. 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. 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. Finally, the Committee approved, and the Governor signed, a bill permitting courts to issue an order mandating clinical counseling or anger management courses alongside a protective order in response to elder abuse.

**Business and Consumer Protection, including Creditor-Debtor Relations.** As is typical, the Committee heard several bills regulating the relationship between creditors and debtors. 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 anticompetitive. The Governor also 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; and ensure that defrauded auto purchasers are able to obtain their attorney fees when they sue their lenders for redress under the federal Holder Rule. The Committee approved legislation growing out of the USC student health center assault cases that requires health care facilities, including student health care centers, to report allegations of sexual misconduct against their health care providers to the appropriate licensing body within 15 days of receiving a written complaint. As the result of a bill passed by the Committee and signed into law by the Governor, parties subject to the Vacation Ownership and Time Share Act will have the ability to submit their disputes to a third-party organization other than the American Arbitration Association, the only organization authorized to hear such disputes under existing law.

**Employee Rights.** The Committee, as usual, heard several important measures designed to protect the rights of employees and ensure that they have adequate remedies to enforce those rights. Regarding employees who are subjected to sexual harassment in particular, the Committee passed and the Governor signed bills to require "client employers" to share legal responsibility and legal liability with labor contractors for sexual harassment committed against contracted employees; and limit the use of arbitration to shield allegations of sexual harassment from the courts and public scrutiny. However, a bill passed by the Committee 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 groundbreaking measures to ensure 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 and are protected from

discrimination based upon their hairstyles, both of which were signed into law. However, the Committee heard and passed several measures related to employee procedural rights that were subsequently vetoed, including measures that would have extended the time for filing retaliation complaints; provided attorney's fees for employees who bring a successful retaliation action; created a private right of action for employees who suffer retaliatory discharges; prevented employers from improperly holding an employee's immigration documents; and permitted local government to enforcement labor provisions of the Fair Employment and Housing Act. Measures allowing the Labor Commissioner to better enforce its decisions in certain circumstances and allowing family childcare providers who participate in state-funded childcare programs to collectively bargain with the states on reimbursement rates and other working conditions became law. Unlike past years, important measures relating to the classification of "employees" and "independent contractors" – a classification that determines whether workers are protected by state labor laws and afforded corresponding legal remedies – were not referred to the Committee this 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. Finally, 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.

**Civil and Constitutional Rights.** The Committee heard slightly fewer bills and resolutions pertaining to civil, personal, and constitutional rights 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) and *Loving v. Virginia* (freedom to marry the person of one's choice). Among substantive bills heard and passed by the Committee and ultimately signed into law, one protects the right of tenants and owners in the community interest development to display religious items on entry doors and door frames; another codifies the common law right to be free from civil arrest in a courthouse; a third authorizes the promulgation of a "Census Bill of Rights" and prohibits any person from falsely claiming to be a census taker with intent to interfere with the operation of a census or obtain information unlawfully; and a fourth clarifies 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. Finally, the Committee approved and the Governor signed SB 40, a follow-up to last year's SB 1045 which established a "housing conservatorship" designed to permit a pilot program to facilitate compulsory treatment for persons suffering from severe mental illness compounded by a substance use disorder.

**Civil Liability and Immunity.** In response to revelations that a physician at the USC student health center sexually assaulted an unknown 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 heard several bills that

sought to impose or adjust limitations on the commercial use of animals and animal products, including one that prohibits the sale or other distribution of new fur products and another that prohibits the use of animals, other than domestic dogs, cats, or horses, in circuses. The Committee also approved a bill that would have permitted the licensure of animal blood banks that source blood from donor animals in the community rather than from captive colonies of animals housed at the blood bank, but the bill was vetoed. Finally, 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.

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 in 2019, although there were fewer such bills this year than in past sessions. For example, the Committee heard and passed two measures that granted qualified immunity to firefighters and peace officers who participate in peer support and counseling programs. Two measures enhancing liability for real or potential harms to consumers passed out of this Committee but have subsequently stalled in the Senate: one that would require companies that offer e-scooters or other "shared mobility devices" to the public to maintain specified levels of liability insurance and limited the use of liability waivers in consumer contracts; and another that would make online grocery delivery businesses liable for certain harms to consumers and required businesses to maintain liability insurance. Finally, the Committee passed a bill that would have made clarifying changes relating to damages and liability provisions under the California False Claims Act, especially as to determining when a false claim is "material," and would have extended the Act to cases of Tax Fraud, but it died in the Senate Appropriations Committee.

**Open Government and the Public Records Act.** The Committee heard and passed several important bills relating to the California Public Records Act (CPRA). 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. Two other major pieces of legislation that would have improved public access to public records—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.

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

Sincerely,



Alison Merrilees  
Chief Counsel, Assembly Judiciary Committee

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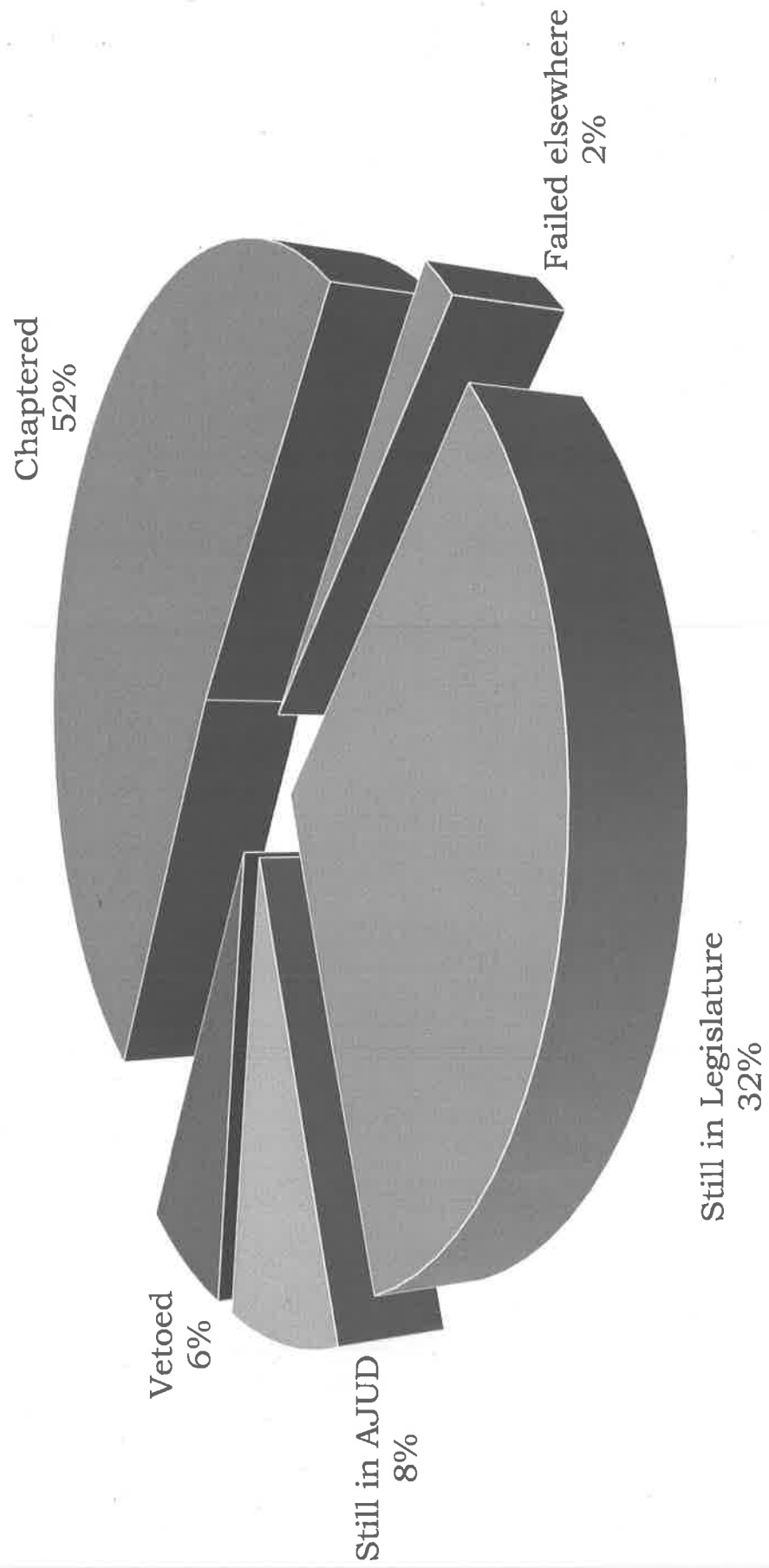


## DISPOSITION OF BILLS ASSIGNED TO THE COMMITTEE IN 2019

<b>ASSIGNED</b>	Assembly: 168 Senate: 65 Total: 233	
<b>CHAPTERED/ ADOPTED</b>	Assembly: 77 Senate: 43 Total: 120	<b>52%</b>
<b>STILL IN LEGISLATURE</b>	Assembly: 60 Senate: 15 Total: 75	<b>32%</b>
<b>STILL IN AJUD</b>	Assembly: 18 Senate: 0 Total: 18	<b>8%</b>
<b>FAILED/DIED IN AJUD</b>	Assembly: 0 Senate: 0 Total: 0	<b>0%</b>
<b>FAILED/DIED ELSEWHERE</b>	Assembly: 4 Senate: 1 Total: 5	<b>2%</b>
<b>VETOED</b>	Assembly: 9 Senate: 6 Total: 15	<b>6%</b>

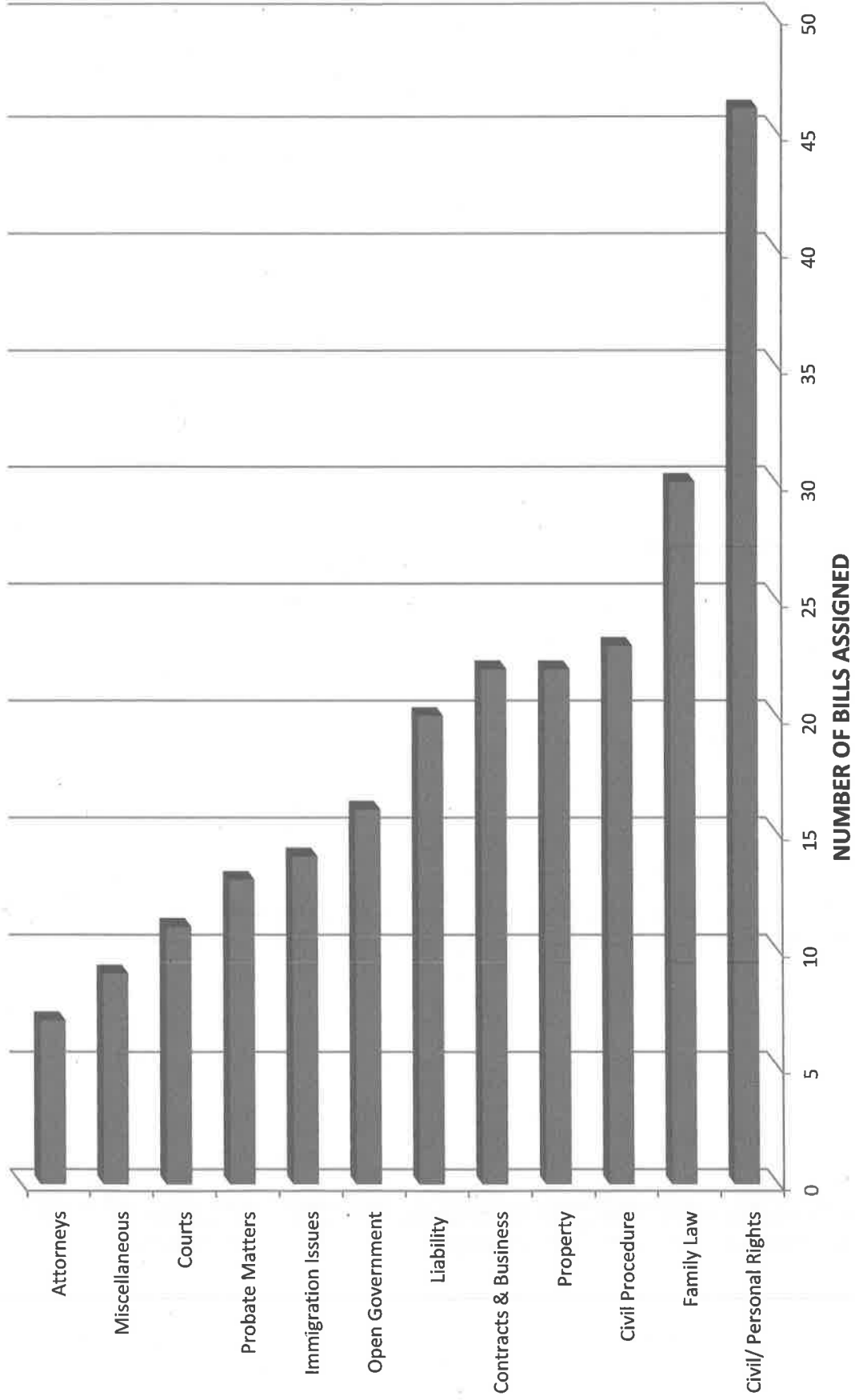


**DISPOSITION OF BILLS ASSIGNED TO THE  
ASSEMBLY JUDICIARY COMMITTEE IN 2019**





# TYPES OF BILLS ASSIGNED TO THE ASSEMBLY JUDICIARY COMMITTEE IN 2019





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## 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.

**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 eliminates 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; makes the fee mandatory; and requires 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: Asm Floor (Inactive File).

**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 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 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 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, to include 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. The bill was subsequently amended to focus on land use planning. Status: Held, 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.** This bill requires 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: Asm Housing.

**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) SLAPP suits: railroads.** This bill permits 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: Asm Judiciary.

**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: Vetoed.

**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 exempted 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 provides for an expedited 270-day judicial review of housing projects deemed “affordable” that are subject to litigation regarding the California Environmental Quality Act. Status: 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 Government 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.

#### *Evidence*

**AB 418 (Kalra) Evidentiary privileges: union agent-represented worker privilege.** This bill establishes an evidentiary privilege for communications between a union agent and a represented employee or represented former employee. Status: Sen Floor (Inactive file).

**AB 828 (Ting) Human trafficking caseworker-victim privilege.** This bill, among other things, adopts a definition of “human trafficking victim services program” that would allow 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. Status: Sen Public Safety.

**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.** This bill authorizes the state or any local or regional law enforcement agency to establish a Peer Support and Crisis Referral Program. 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. Finally, the bill 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 to remove 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; and modify 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 authorizes a person registered with the California Secretary of State as an online notary public to perform remote online notarization over the Internet, rather than requiring in-person notarization. Status: Asm Judiciary.

**AB 325 (Ramos) Self-service storage facilities.** This bill modifies the means by which self-service storage facility owners may demonstrate actual delivery and receipt of certain legal notices sent to customers by electronic mail. The bill also removes 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. Status: Asm 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 1417 (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.** As amended, this bill requires physical and electronic marketplaces to ensure that terms and conditions regarding marketplace sellers 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. It also originally included a "right to sue" provision that brought it within the jurisdiction of this Committee; however, that provision was removed and the Committee waived hearing the bill. Status: Chap. 635, Stats. 2019.

**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: Asm Appropriations (Suspense File).

**SB 392 (Allen) Hazardous materials: green chemistry: consumer products.** This bill provides 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 permits, 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 requires 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: Asm Floor (Inactive).

**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 establishes a regulatory framework under which third-party companies may lawfully provide advances on earnings and income to employed persons in California. Status: Asm Banking.

**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, even though the accommodations are beyond 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.

### *Contracts*

**AB 1339 (Gabriel and Chiu) Mechanics liens: attachment date.** This bill eliminates the current priority of a mechanics lien over all other liens or encumbrances under specified circumstances. Status: 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.

### ***Creditor-Debtor Relations***

**AB 513 (Gallagher) Venue: debtor location.** This bill modifies the Uniform Voidable Transactions Act, which specifies that a claim under the act is governed by the local law of the jurisdiction in which the debtor is located and that a debtor's location, if the debtor is an individual, is located at 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: 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.** This bill requires 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. Status: Asm Banking.

**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.

## **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 authorizes 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: Asm Judiciary.

**AB 1737 (Oberholte) 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.

### *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 clarifies the conditions surrounding transcription of audio and video-recorded deposition testimony for use as evidence in court. Specifically, the bill requires 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: 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.

### *Juries*

**AB 310 (Santiago) Trial jury selection.** This bill exempts probation officers from jury service in criminal trials. Additionally, the bill requires 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. Status: Sen Public Safety.

**SB 60 (Atkins) Jury duty: fees.** This bill specifically adds 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: Asm Floor (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.

## **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.

### *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 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. Status: Sen Floor (Inactive file).

**AB 685 (Reyes and Ramos) Indian child welfare: legal services and training.** This bill seeks to expand 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 requires 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. Finally, the bill mandates that the required training for children’s dependency counsel include training on ICWA. Status: Sen Judiciary.

**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.** This bill requires 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 also requires a placing agency, when it becomes aware that a dependent child or nonminor dependent is an undocumented immigrant, to notify the dependent child's or nonminor dependent's attorney of that fact. Status: Sen Judiciary.

**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.

**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 (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.

**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 updates 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: Asm Floor (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 extends 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, requires 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 requires 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: Asm Floor (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 requires 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 prohibits the use of information published on the website for specified purposes relating to credit, employment, and housing, among other things. The bill also allows the Department of Child Support Services to publish a list of "top child support deadbeats" on social media. Status: 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 expands 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: Asm Judiciary.

**AB 573 (Limon) Domestic violence: restraining orders: Hope Cards.** This bill requires the Department of Justice- by July 1, 2020- to develop and implement a program for the issuance of domestic violence restraining order Hope Cards, that would 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: 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.

### *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.

## IMMIGRATION ISSUES

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

**AB 1073 (Rubio) Immigration enforcement activities.** This bill authorizes 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: Sen Floor (Inactive).

**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 requires that a person who is taken into custody for a specified category of misdemeanor receive a pretrial risk assessment and allows information regarding the release or transfer of an individual to be provided to immigration authorities if the individual is deemed a medium or high risk by the pretrial risk assessment or if the sheriff or chief of police of the arresting agency deems the individual to be a risk or danger to public safety. Status: Asm Public Safety.

**AB 1412 (Bloom) Special immigrant juvenile status.** This bill establishes 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 authorizes a hearing, trial, and records pertaining to these petitions to be confidential and requires hearings on these petitions to have priority over all other matters. The

bill makes the denial of a petition filed under these provisions subject to appellate review as an emergency application for a writ of mandate. The bill also authorizes 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: 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 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.

**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.

**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 (CPRA).  
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 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 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 prohibits 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 imposes civil penalties on parties violating the prohibition. Status: 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 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 1361 (Obernalte) 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 1625 (R. Rivas) Unflavored tobacco list.** This bill requires 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: Asm Gov Org.

**AB 1627 (R. Rivas) Cigarette Tobacco Registry.** This bill makes 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 vests authority in the Attorney General to seek civil penalties for entities that violate the provisions of the bill. Status: Asm Gov Org.

**AB 1672 (Bloom) Solid waste: flushable products.** This bill establishes performance and labeling standards for flushable wipes and provides for the imposition of civil penalties for failure to conform with those standards. Status: Asm 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.

**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.** 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 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. The bill was referred to this Committee due to an early version of the bill that contained a provision granting qualified immunity relating to the training. However, the immunity provision was removed and the bill was single-referred to the Education Committee. Status: Chap. 70, Stats. 2019.

**AB 1116 (Grayson) Firefighters: peer support.** See summary under Evidence.

**AB 1117 (Grayson) Peace officers: peer support.** See summary under Evidence.

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

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

**AB 1286 (Muratsuchi) Shared mobility devices: liability insurance: waivers.** This bill requires a shared mobility service provider, as defined, to enter into an agreement with, or obtain a permit from, the city or county where the device will be operated. In addition, the bill requires the provider to maintain a specified amount of commercial liability insurance and prohibits the provider from including specified waivers and other provisions in a user agreement. The bill requires a city or county that authorizes a shared mobility device provider to operate within its jurisdiction to adopt use and safety rules, as specified. Status: Sen Judiciary.

**AB 1360 (Ting) Food delivery: liability.** This bill requires 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: Sen Floor (Inactive file).

## **CIVIL, CONSTITUTIONAL, AND PERSONAL RIGHTS**

### ***Civil Rights***

**AB 446 (Choi) Discrimination: housing: victims of domestic violence.** This bill, as heard by this Committee, adds 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 Senate amendments specify that certain types of evictions, denials of tenancy, and other statutorily authorized actions do not constitute housing discrimination. Status: Sen Judiciary.

**AB 989 (Gonzalez) Education equity: federal Title IX complaints.** This bill requires, 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 requires numbers to be posted on the entities’ internet websites. The bill also requires 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: 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.

**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 codifies certain aspects of recently rescinded Obama-era federal guidance on the implementation of Title IX sex equity protections as they relate to sexual harassment on college campuses. More specifically, the bill requires all postsecondary institutions in California to develop policies that meet certain due process and trauma-informed requirements for investigatory and disciplinary proceedings relating to sexual harassment complaints by students. This bill also prohibits automatic issuance of mutual no-contact orders upon receipt of a sexual harassment complaint, except under specified conditions. The bill as it was heard in this Committee, included a 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, but this provision was later removed from the bill. Status: Asm Appropriations.

### ***Constitutional Rights***

**AB 1358 (Melendez) Postsecondary education: Campus Free Speech Act.** This bill requires the governing body of a public postsecondary institution to develop and adopt a policy on free expression containing several specified components. The bill further requires 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 requires 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: 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.

**ACR 110 (Wicks, Bauer-Kahan, and Limón) Access to reproductive care and abortion services.** This measure resolves 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: Sen Rules.

**AJR 12 (Kiley) Religious test for public office.** This resolution condemns 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 affirms that the Legislature stands in solidarity with people of all faiths and their rights to pursue public service. Status: Asm Judiciary.

**HR 6 (Limon) *Roe v. Wade* anniversary.** This resolution marks the 46<sup>th</sup> 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 urges the University of California at Davis to fire a professor who had made comments relating to the killing of police officers. Status: 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.

**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 specifies 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 are all "technical violations" of existing state disability access laws and are presumed by law to not cause difficulty, discomfort, or embarrassment to the person who encounters those violations of construction-related accessibility standards. Status: 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 668 (Gonzalez and Bonta) Courthouses: freedom from civil arrest.** See summary under Courts and Related Matters.

**AB 1189 (Wicks and Chiu) Public health: abortion: informational materials.** This bill requires 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: 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.

**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 creates a process for a petitioner seeking a change of gender to also request that their marriage license and certificate and their children's birth certificates be reissued with updated information about the petitioner. Status: Asm Health.

## *Privacy Rights*

**AB 288 (Cunningham) Consumer privacy: social media companies.** This bill requires 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 provides remedies to any consumer who suffers injury as a result of a violation of this requirement. Status: Asm Privacy & Consumer Protection.

**AB 1760 (Wicks) California Consumer Privacy Act of 2018.** This bill seeks to re-establish 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 revises the CCPA's public enforcement provision to additionally 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 violates the CCPA. Status: Asm Privacy & Consumer Protection.

**AB 1782 (Chau) Automated license plates: recognition system.** This bill requires 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: Sen Judiciary.

**SB 664 (Allen) Electronic toll and transit fare collection systems.** This bill retroactively makes several changes to existing law that regulates transportation agencies' use of personally identifiable information of subscribers and users of toll facilities. Status: 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: Vetoed.

**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: Vetoed.

**AB 443 (Flora) PAGA: attorney's fees.** This bill limits 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: Asm Labor.

**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: Vetoed.

**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 requires, 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, authorizes an employer to cure the alleged violation within 65 calendar days of the postmarked date of the notice. Status: Asm Labor.

**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.

**SB 179 (Nielsen) Excluded employees: arbitration.** This bill enacts the Excluded Employee Arbitration Act and authorizes 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: Asm Floor (Inactive file).

**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 (Rubio) California Public Records Act: utility customers.** This bill authorizes a local agency, as an exception to the general rule in existing law that prohibits the California Public Records Act from being construed to require the disclosure of certain information concerning utility customers of local agencies except in specified circumstances, to also disclose the name, utility usage data, and home address of utility customers to an officer or employee of another governmental agency when the disclosure is not necessary for the performance of the other governmental agency's official duties but is to be used for scientific, educational, or research purposes, and the requesting agency agrees to maintain the disclosed material's confidentiality. Status: Asm Judiciary.

**AB 700 (Friedman) Public records: exceptions to disclosure: public postsecondary educational institutions: research information.** This bill makes 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 exempts 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: 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 modifies existing law allowing 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 outweighs the public interest in disclosure. The bill

would instead authorize a video or audio recording made with a body-worn camera to be disclosed only if it relates 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: 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 prohibits 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: Asm Judiciary.

**AB 1712 (Wicks) Donor advised funds: disclosure of information about individual funds and accounts.** This bill requires the Attorney General (AG) 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 AG. This information includes 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: 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.

**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 518 (Wieckowski) Public records: disclosure: court costs and attorney fees.** See summary under Civil Procedure.

**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 explicitly requires 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: Asm Utilities and Energy.

**SB 749 (Durazo) California Public Records Act: trade secrets.** This bill provides 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 for the purposes of this chapter and are not trade secrets. Status: Asm Floor (Inactive File).

## **PROBATE AND RELATED MATTERS**

### ***Civil Commitment, Conservatorship and Guardianship***

**AB 1378 (Irwin) Standby guardianship.** This bill authorizes 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 requires 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: Asm Judiciary.

**AB 1572 (Chen) Mental health services: gravely disabled.** This bill changes 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: 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 requires a business that is licensed under the Money Transmission Act whose primary business function is transmitting money and that operates out of a physical storefront or location and that does not engage in other transactions, to provide notice to customers who are 65 years of age or

older that fraud has been committed in recent years by means of money transmittals. The bill specifies the manner for providing and confirming delivery of the notice and provides a civil penalty in the amount of \$5,000 to be imposed for the willful failure to provide this notice. Status: 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.

### ***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. 2017.

**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 provides 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 resides in that state. Status: 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.

### *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.

### *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.

**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 authorizes limited liability companies (LLCs) to be licensed as real estate brokers in California. Status: Asm Judiciary.

**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.

### ***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 prohibits 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: Asm Floor (Inactive file).

**AB 1697 (Grayson) Tenancy termination: just cause.** This bill prohibits 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: Asm Floor (Inactive file).

**AB 1731 (Boerner Horvath) Short term rentals: coastal zone: County of San Diego.** This bill prohibits, 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 sunsets on January 1, 2023, at which point the Office of Planning and Resource is tasked with evaluating the effect of the prohibition on housing availability and long-term rental rates within San Diego's coastal zone. Status: Sen Local Government.

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

**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.** This bill seeks to enhance the legibility of automatic renewal or extension provisions in residential leases by increasing the required font size for these provisions from 8-point to 12-point type. Status: Asm Floor (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.

## *Affordable Housing*

**AB 1561 (C. Garcia) Planning and zoning: housing element.** As heard by this Committee, this bill 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 relate to endangered wildlife. Status: Sen Rules.

## **MISCELLANEOUS**

**AB 855 (McCarty) DOJ task force: police officers: use of deadly force.** This bill requires 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. Status: Asm Public Safety.

**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 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 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.

**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 21 (Gonzalez) Reparations.** This resolution proclaims 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 apologizes for California's complicity in slavery and makes related findings and declarations. Status: Sen Rules.

**AJR 22 (Ting) 76th anniversary of repeal of the Chinese Exclusion Act.** This resolution commemorates 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: Sen Rules.

**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.

**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.