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## NAWBO

### Legislative Report

Updated: February 1, 2021

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## Business Regulation & Economic Development

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### [AB 106 \(Salas D\) Regions Rise Grant Program.](#)

**Current Text:** Introduced: 12/16/2020 [html](#) [pdf](#)

**Status:** 1/11/2021-Read first time.

**Location:** 12/16/2020-A. PRINT

**Summary:** Would state the intent of the Legislature to enact legislation that would establish the Regions Rise Grant Program in order to close the equity gap and spur economic growth.

### [AB 247 \(Ramos D\) Definitions: Small Business Procurement and Contract Act.](#)

**Current Text:** Introduced: 1/13/2021 [html](#) [pdf](#)

**Status:** 1/14/2021-From printer. May be heard in committee February 13.

**Location:** 1/13/2021-A. PRINT

**Summary:** Current law, the Small Business Procurement and Contract Act, defines "small business" to mean an independently owned and operated business of a specified size, that, among other things, has average gross receipts of \$15,000,000 over the previous 3 years. Current federal law defines "small business" to depend upon, among other things, the industry, gross receipts, and number of employees of the business. This bill would declare the intent of the Legislature to enact legislation that would update the definition of "small business" under California law to coincide with the federal definition.

### [AB 286 \(Gonzalez, Lorena D\) Food delivery platforms.](#)

**Current Text:** Introduced: 1/21/2021 [html](#) [pdf](#)

**Status:** 1/21/2021-Read first time. To print.

**Location:** 1/21/2021-A. PRINT

**Summary:** Current law, the Fair Food Delivery Act of 2020, defines a "food delivery platform" as an online business that acts as an intermediary between consumers and multiple food facilities, as defined, to submit food orders and arrange for the delivery of the order, and prohibits a food delivery platform from arranging for the delivery of an order from a food facility without first obtaining an agreement with the food facility. This bill would state the intent of the Legislature to enact legislation that would relate to third-party food delivery company fees and commissions.

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## Consumer Protection & Privacy

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### [AB 13 \(Chau D\) Personal rights: automated decision systems.](#)

**Current Text:** Introduced: 12/7/2020 [html](#) [pdf](#)

**Status:** 1/11/2021-Referred to Coms. on P. & C.P. and B. & F.

**Location:** 1/11/2021-A. P. & C.P.

**Summary:** Would enact the Automated Decision Systems Accountability Act of 2021. The bill would require a business in California that provides a person, as defined, with a program or device that uses an automated decision system (ADS) to take affirmative steps to ensure that there are processes in place to continually test for biases during the development and usage of the ADS, conduct an ADS impact assessment on its program or device to determine whether the ADS has a disproportionate adverse impact on a protected class, as specified, examine if the ADS in question serves reasonable objectives and furthers a legitimate interest, and compare the ADS to alternatives or reasonable modifications that may be taken to limit adverse consequences on protected classes.

**AB 327 (Kiley R) California Cybersecurity Integration Center: representatives: California Privacy Protection Agency.**

**Current Text:** Introduced: 1/26/2021 [html](#) [pdf](#)

**Status:** 1/27/2021-From printer. May be heard in committee February 26.

**Location:** 1/26/2021-A. PRINT

**Summary:** Would add the California Privacy Protection Agency as one of the organizations whose representatives comprise the California Cybersecurity Integration Center.

**AB 335 (Boerner Horvath D) California Consumer Privacy Act of 2018: vessel information.**

**Current Text:** Introduced: 1/27/2021 [html](#) [pdf](#)

**Status:** 1/28/2021-From printer. May be heard in committee February 27.

**Location:** 1/27/2021-A. PRINT

**Summary:** Would exempt from the right to opt out vessel information or ownership information retained or shared between a vessel dealer and the vessel's manufacturer, if the information is shared for the purpose of effectuating or in anticipation of effectuating a vessel repair covered by a vessel warranty or a recall, as specified. The bill would define terms for that purpose.

**AB 346 (Seyarto R) Privacy: breach.**

**Current Text:** Introduced: 1/28/2021 [html](#) [pdf](#)

**Status:** 1/29/2021-From printer. May be heard in committee February 28.

**Location:** 1/28/2021-A. PRINT

**Summary:** The Information Practices Act of 1977 requires an agency, which includes a local agency, that owns or licenses computerized data that includes personal information, as defined, to disclose expeditiously and without unreasonable delay a breach in the security of the data to a resident of California whose unencrypted personal information was, or is reasonably believed to have been, acquired by an unauthorized person, or whose encrypted personal information was, or is reasonably believed to have been, acquired by an unauthorized person, and the encryption key or security credential was, or is reasonably believed to have been, acquired by an unauthorized person, and the agency that owns or licenses the encrypted information has a reasonable belief that the encryption key or security credential could render that personal information readable or useable. Current law also requires an agency that maintains computerized data that includes personal information that the agency does not own to notify the owner or licensee of the information of any breach of the security of the data immediately following discovery, if the personal information was, or is reasonably believed to have been, acquired by an unauthorized person. This bill would make the above-described requirements applicable if the information is accessed by an unauthorized person.

**HR 5 (Chau D) Relative to California Data Privacy Day.**

**Current Text:** Introduced: 12/7/2020 [html](#) [pdf](#)

**Status:** 1/28/2021-Referred to Com. on RLS. From committee: Be adopted. To Consent Calendar. (Ayes 10. Noes 0.) (January 28).

**Location:** 1/28/2021-A. CONSENT CALENDAR

**Calendar:**

2/1/2021 #7 ASSEMBLY CONSENT CALENDAR 1ST DAY-ASSEMBLY BILLS

**Summary:** This measure would resolve that the Assembly declares January 28, 2021, as California Data Privacy Day, to increase awareness of privacy and data protection issues among consumers, organizations, and government officials.

**SB 41 (Umberg D) Privacy: genetic testing companies.**

**Current Text:** Introduced: 12/7/2020 [html](#) [pdf](#)

**Status:** 1/28/2021-Referred to Com. on JUD.

**Location:** 1/28/2021-S. JUD.

**Summary:** Would establish the Genetic Information Privacy Act, which would require a direct-to-consumer genetic testing company, as defined, or any other company that collects, uses, maintains, or discloses genetic data collected or derived from a direct-to-consumer genetic testing product or service, or provided directly by a consumer, to provide a consumer with certain information regarding the company's policies and procedures for the collection, use, maintenance, and disclosure, as applicable, of genetic data, and to obtain a consumer's express consent for collection, use, or disclosure of the consumer's genetic data, as specified.

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**Covid related**

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**AB 15 (Chiu D) COVID-19 relief: tenancy: Tenant Stabilization Act of 2021.**

**Current Text:** Introduced: 12/7/2020 [html](#) [pdf](#)

**Status:** 1/11/2021-Referred to Com. on H. & C.D.

**Location:** 1/11/2021-A. H. & C.D.

**Summary:** Would extend the definition of “COVID-19 rental debt” as unpaid rent or any other unpaid financial obligation of a tenant that came due between March 1, 2020, and December 31, 2021. The bill would also extend the repeal date of the act to January 1, 2026. The bill would make other conforming changes to align with these extended dates. By extending the repeal date of the act, the bill would expand the crime of perjury and create a state-mandated local program.

**AB 16 (Chiu D) Tenancies: COVID-19 Tenant, Small Landlord, and Affordable Housing Provider Stabilization Act of 2021.**

**Current Text:** Amended: 1/12/2021 [html](#) [pdf](#)

**Last Amended:** 1/12/2021

**Status:** 1/13/2021-Re-referred to Com. on H. & C.D.

**Location:** 1/11/2021-A. H. & C.D.

**Summary:** Would establish the Tenant, Small Landlord, and Affordable Housing Provider Stabilization Program. The bill would authorize the Director of Housing and Community Development to direct an existing office or program within the Department of Housing and Community Development to implement the program. The bill would establish in the State Treasury the COVID-19 Tenant, Small Landlord, and Affordable Housing Provider Stabilization Fund, and, upon appropriation by the Legislature, distribute all moneys in the fund to the department to carry out the purposes of the program.

**AB 54 (Kiley R) COVID-19 emergency order violation: license revocation.**

**Current Text:** Introduced: 12/7/2020 [html](#) [pdf](#)

**Status:** 1/11/2021-Referred to Coms. on B. & P. and G.O.

**Location:** 1/11/2021-A. B.&P.

**Summary:** Would prohibit the Department of Consumer Affairs, a board within the Department of Consumer Affairs, and the Department of Alcoholic Beverage Control from revoking a license for failure to comply with any COVID-19 emergency orders unless the board or department can prove that lack of compliance resulted in transmission of COVID-19.

**AB 62 (Gray D) Income taxes: credits: costs to comply with COVID-19 regulations.**

**Current Text:** Introduced: 12/7/2020 [html](#) [pdf](#)

**Status:** 1/11/2021-Referred to Com. on REV. & TAX.

**Location:** 1/11/2021-A. REV. & TAX

**Summary:** The Personal Income Tax Law and the Corporation Tax Law allow various credits against the taxes imposed by those laws. This bill would allow a credit against those taxes for each taxable year beginning on or after January 1, 2021, to a qualified taxpayer, as defined, in an amount equal to the total amount paid or incurred during the taxable year by the qualified taxpayer to comply with the regulations adopted by the Occupational Safety and Health Standards Board on November 19, 2020, relating to COVID-19 prevention and approved by the Office of Administrative Law. The bill also would state the intent of the Legislature to comply with the additional information requirement for any bill authorizing a new income tax credit.

**AB 69 (Kiley R) State of emergency: termination after 60 days: extension by the Legislature.**

**Current Text:** Introduced: 12/7/2020 [html](#) [pdf](#)

**Status:** 1/11/2021-Referred to Com. on E.M.

**Location:** 1/11/2021-A. EMERGENCY MANAGEMENT

**Summary:** Would require a state of emergency to terminate 60 days after the Governor’s proclamation of the state of emergency unless the Legislature extends it by a concurrent resolution, as specified. The bill would prohibit a concurrent resolution from extending a state of emergency by more than 60 days, as specified.

**AB 76 (Kiley R) Interdistrict transfer of pupils: prohibition on transfers by a school district of residence: in-person instruction.**

**Current Text:** Amended: 1/19/2021 [html](#) [pdf](#)

**Last Amended:** 1/19/2021

**Status:** 1/21/2021-Re-referred to Com. on ED.

**Location:** 1/11/2021-A. ED.

**Summary:** Would prohibit a school district of residence from prohibiting the transfer of a pupil who is not receiving in-person instruction to a school district of proposed enrollment that is offering in-person instruction if the school district of proposed enrollment approves the application for transfer. The bill would define “in-person instruction” for its purposes to mean instruction under the immediate physical supervision and control of a certificated employee of the local educational agency while engaged in educational activities required of the pupil and to include both full-time and hybrid instructional models.

**AB 93 (Garcia, Eduardo D) Pandemics: priority for medical treatment: food supply industry workers.**

**Current Text:** Introduced: 12/7/2020 [html](#) [pdf](#)

**Status:** 12/8/2020-From printer. May be heard in committee January 7.

**Location:** 12/7/2020-A. PRINT

**Summary:** Current law requires various public safety protocols and protections for workers in response to the 2019 novel coronavirus disease, also known as COVID-19. These protocols include, among others, contact tracing and wearing face coverings under specified conditions, except as specified. This bill would state the intent of the Legislature to enact legislation to prioritize workers in the food supply industry, including, but not limited to, field workers and grocery workers, for rapid testing and vaccination programs in response to pandemics, including COVID-19.

**AB 108 (Cunningham R) Governor's emergency orders and regulations: approval by the Legislature.**

**Current Text:** Introduced: 12/16/2020 [html](#) [pdf](#)

**Status:** 1/11/2021-Read first time. Referred to Com. on E.M.

**Location:** 1/11/2021-A. EMERGENCY MANAGEMENT

**Summary:** Current law requires all of the powers granted to the Governor by the CESA with respect to a state of emergency or a state of war emergency to terminate when the state of emergency or state of war emergency has been terminated by proclamation of the Governor or by concurrent resolution of the Legislature declaring it at an end. Current law also requires all of the powers granted to the Governor by the CESA with respect to a state of war emergency to terminate when the Governor has not within 30 days after the beginning of the state of war emergency issued a call for a special session of the Legislature, as specified. Current law requires the orders and regulations to be of no further force or effect upon termination of the state of war emergency or state of emergency. This bill would permit an order or regulation, or an amendment or rescission thereof, issued pursuant to specified CESA provisions 60 or more days after the proclamation, to take effect only if approved by a concurrent resolution of the Legislature.

**AB 255 (Muratsuchi D) Tenancy: commercial leases: COVID-19 rent relief.**

**Current Text:** Introduced: 1/14/2021 [html](#) [pdf](#)

**Status:** 1/15/2021-From printer. May be heard in committee February 14.

**Location:** 1/14/2021-A. PRINT

**Summary:** Would state the intent of the Legislature to enact legislation that would provide commercial rent relief protections for small businesses affected by the COVID-19 pandemic to help them weather this public health and economic crisis without losing their businesses.

**SB 3 (Caballero D) Tenancy: COVID-19**

**Current Text:** Introduced: 12/7/2020 [html](#) [pdf](#)

**Status:** 1/28/2021-Referred to Com. on JUD.

**Location:** 1/28/2021-S. JUD.

**Summary:** The COVID-19 Tenant Relief Act of 2020 establishes certain procedural requirements and limitations on evictions for nonpayment of rent due to COVID-19 rental debt, as defined. Existing law defines COVID-19 rental debt as unpaid rent or any other unpaid financial obligation of a tenant that came due during the covered time period, defined as the period between March 1, 2020, and January 31, 2021. The act also requires a notice that demands payment of rent that came due during the transition time period, defined as the period between September 30, 2020, and January 31, 2021, to comply with additional specified requirements. This bill would extend the covered time period and transition time period for purposes of the act to March 31, 2021.

**SB 49 (Umberg D) Business fees: reimbursement: waiver: Coronavirus (COVID-19) pandemic.**

**Current Text:** Introduced: 12/7/2020 [html](#) [pdf](#)

**Status:** 1/28/2021-Referred to Com. on RLS.

**Location:** 12/7/2020-S. RLS.

**Summary:** Would express the intent of the Legislature to enact future legislation that would reimburse or waive state or locally mandated operating fees for businesses that are unable to operate due to statewide or local actions or ordinances instituted as a result of the Coronavirus (COVID-19) pandemic.

**SB 102 (Melendez R) COVID-19 emergency order violation: license revocation.**

**Current Text:** Introduced: 12/30/2020 [html](#) [pdf](#)

**Status:** 1/28/2021-Referred to Coms. on B., P. & E.D. and G.O.

**Location:** 1/28/2021-S. B., P. & E.D.

**Summary:** Would prohibit the Department of Consumer Affairs, a board within the Department of Consumer Affairs, and the Department of Alcoholic Beverage Control from revoking a license for failure to comply with any COVID-19 emergency orders unless the board or department can prove that lack of compliance resulted in transmission of COVID-19.

**SB 233 (Umberg D) Impact of COVID-19.**

**Current Text:** Introduced: 1/19/2021 [html](#) [pdf](#)

**Status:** 1/28/2021-Referred to Com. on RLS.

**Location:** 1/19/2021-S. RLS.

**Summary:** The California Constitution vests the judicial power of the state in the Supreme Court, courts of appeal, and superior courts. Under current law, the Governor proclaimed a state of emergency on March 4, 2020, related to the pandemic caused by the novel coronavirus disease 2019 (COVID-19). This bill would state the intent of the Legislature to enact legislation to address challenges in the judiciary as a result of the pandemic caused by COVID-19.

**SCR 5 (Melendez R) State of emergency: COVID-19: termination.**

**Current Text:** Introduced: 12/22/2020 [html](#) [pdf](#)

**Status:** 12/22/2020-Introduced. Referred to Com. on RLS.

**Location:** 12/22/2020-S. RLS.

**Summary:** This measure, in accordance with specified law, would declare that the state of emergency proclaimed by the Governor on March 4, 2020, is at an end, thereby terminating the emergency powers granted to the Governor as a result of that proclamation.

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## Education

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**SB 70 (Rubio D) Elementary education: kindergarten.**

**Current Text:** Introduced: 12/8/2020 [html](#) [pdf](#)

**Status:** 1/28/2021-Referred to Com. on ED.

**Location:** 1/28/2021-S. ED.

**Summary:** Under current law, a person between the ages of 6 and 18 years who is not exempted by law is subject to compulsory full-time education. Current law excludes a child under 6 years of age from the public schools, subject to specified exceptions. This bill, beginning with the 2022–23 school year, would require a child to have completed one year of kindergarten before that child may be admitted to the first grade, thereby imposing a state-mandated local program.

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## Financial Services & Banking

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**SB 83 (Allen D) California Infrastructure and Economic Development Bank: Sea Level Rise Revolving Loan Program.**

**Current Text:** Introduced: 12/15/2020 [html](#) [pdf](#)

**Status:** 1/28/2021-Referred to Coms. on N.R. & W. and GOV. & F.

**Location:** 1/28/2021-S. N.R. & W.

**Summary:** Would create the Sea Level Rise Revolving Loan Program within the I-Bank to provide low-interest loans to local jurisdictions for the purchase of coastal properties in their jurisdictions identified as vulnerable coastal property. The bill would require the California Coastal Commission, before January 1, 2023, in consultation with the California Coastal Commission, the State Lands Commission, and any other applicable state, federal, and local entities with relevant jurisdiction and expertise, to determine criteria and guidelines for the identification of vulnerable coastal properties eligible for participation in the program. The bill would authorize specified local jurisdictions to apply for, and be awarded, a low-interest loan under the program if the local jurisdiction develops and submits to the bank a vulnerable coastal property plan.

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## Government Regs & Contracts

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**AB 2 (Fong R) Regulations: legislative review: regulatory reform.**

**Current Text:** Introduced: 12/7/2020 [html](#) [pdf](#)

**Status:** 1/11/2021-Referred to Com. on A. & A.R.

**Location:** 1/11/2021-A. A. & A.R.

**Summary:** The Administrative Procedure Act requires an agency, prior to submitting a proposal to adopt, amend, or repeal an administrative regulation, to determine the economic impact of that regulation, in accordance with certain procedures. The act defines a major regulation as a regulation, as specified, that will have an economic impact on California business enterprises and individuals in an amount exceeding \$50,000,000, as estimated by the agency. The act requires the office to transmit a copy of a regulation to the Secretary of State for filing if the office approves the regulation or fails to act on it within 30 days. The act provides that a regulation or an order of repeal of a regulation becomes effective on a quarterly basis, as prescribed, except in specified instances. This bill would require the office to submit to each house of the Legislature for review a copy of each major regulation that it submits to the Secretary of State.

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## **Labor & Employment**

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### **AB 25 (Kiley R) Worker classification: employees and independent contractors.**

**Current Text:** Introduced: 12/7/2020 [html](#) [pdf](#)

**Status:** 1/11/2021-Referred to Com. on L. & E.

**Location:** 1/11/2021-A. L. & E.

**Summary:** Current law exempts specified occupations and business relationships from the application of the ABC test as specified. Current law, instead, provides that these exempt relationships are governed by the multifactor test previously adopted in the case of S. G. Borello & Sons, Inc. v. Department of Industrial Relations (1989) 48 Cal.3d 341 (Borello). This bill would generally repeal provisions relating to the "ABC" test for various specified occupations and business relationships. The bill would, instead, require the determination of whether a person is an employee or an independent contractor to be based on the specific multifactor test set forth in Borello, including whether the person to whom service is rendered has the right to control the manner and means of accomplishing the result desired, and other identified factors.

### **AB 55 (Boerner Horvath D) Employment: telecommuting.**

**Current Text:** Introduced: 12/7/2020 [html](#) [pdf](#)

**Status:** 12/8/2020-From printer. May be heard in committee January 7.

**Location:** 12/7/2020-A. PRINT

**Summary:** Current law promotes and develops the welfare of workers in California to improve working conditions and advance opportunities for profitable employment. Current law regulates the wages, hours, and working conditions of any worker employed in any occupation, trade, or industry. This bill would declare the intent of the Legislature to enact future legislation to ensure certain rights and benefits for telecommuting employees.

### **AB 95 (Low D) Employees: bereavement leave.**

**Current Text:** Introduced: 12/7/2020 [html](#) [pdf](#)

**Status:** 1/11/2021-Referred to Com. on L. & E.

**Location:** 1/11/2021-A. L. & E.

**Summary:** Would enact the Bereavement Leave Act of 2021. The bill would require an employer with 25 or more employees to grant an employee up to 10 business days of unpaid bereavement leave upon the death of a spouse, child, parent, sibling, grandparent, grandchild, or domestic partner, in accordance with certain procedures, and subject to certain exclusions. The bill would require an employer with fewer than 25 employees to grant up to 3 business days of leave, in accordance with these provisions. The bill would prohibit an employer from interfering with or restraining the exercise or attempt to exercise the employee's right to take this leave.

### **AB 123 (Gonzalez, Lorena D) Paid family leave: weekly benefit amount.**

**Current Text:** Introduced: 12/18/2020 [html](#) [pdf](#)

**Status:** 1/11/2021-Read first time. Referred to Com. on INS.

**Location:** 1/11/2021-A. INS.

**Summary:** Current law establishes, within the Unemployment Compensation Disability Fund program, a family temporary disability insurance program, also known as the paid family leave program, for the provision of wage replacement benefits for up to 8 weeks to workers who take time off work to care for a seriously ill family member or to bond with a minor child within one year of birth or placement, as specified. Current law defines "weekly benefit amount" for purposes of both employee contributions and benefits under this program to mean the amount of weekly benefits available to qualifying disabled individuals pursuant to unemployment compensation disability law, calculated pursuant to specified formulas partly based on the applicable percentage of the wages paid to an individual for employment by employers during the quarter of the individual's disability base period in which these wages were

highest, but not to exceed the maximum workers' compensation temporary disability indemnity weekly benefit amount established by the Department of Industrial Relations. This bill would revise the formula for determining benefits available pursuant to the family temporary disability insurance program, for periods of disability commencing after January 1, 2022, by redefining the weekly benefit amount to be equal to 90% of the wages paid to an individual for employment by employers during the quarter of the individual's disability base period in which these wages were highest, divided by 13, but not exceeding the maximum workers' compensation temporary disability indemnity weekly benefit amount established by the Department of Industrial Relations.

**AB 230 (Voepel R) Employment: flexible work schedules.**

**Current Text:** Introduced: 1/12/2021 [html](#) [pdf](#)

**Status:** 1/28/2021-Referred to Com. on L. & E.

**Location:** 1/28/2021-A. L. & E.

**Summary:** Would enact the Workplace Flexibility Act of 2021. The bill would permit an individual nonexempt employee to request an employee-selected flexible work schedule providing for workdays up to 10 hours per day within a 40-hour workweek, and would allow an employer to implement this schedule without the obligation to pay overtime compensation for those additional hours in a workday, except as specified. The bill would require that the flexible work schedule contain specified information and the employer's and the employee's original signature. The bill would also require the Division of Labor Standards Enforcement in the Department of Industrial Relations to enforce this provision and adopt regulations.

**AB 231 (Nguyen R) Worker classification: employees and independent contractors: licensed manicurists.**

**Current Text:** Introduced: 1/12/2021 [html](#) [pdf](#)

**Status:** 1/28/2021-Referred to Com. on L. & E.

**Location:** 1/28/2021-A. L. & E.

**Summary:** Current law exempts specified occupations and business relationships from the application of the ABC test as specified. Current law, instead, provides that these exempt relationships are governed by the multifactor test previously adopted in the case of S. G. Borello & Sons, Inc. v. Department of Industrial Relations (1989) 48 Cal.3d 341. These exemptions include services provided by a licensed manicurist, subject to the manicurist meeting specified conditions. Current law makes this exemption for licensed manicurists inoperative on January 1, 2022. This bill would delete the January 1, 2022, inoperative date, thereby making licensed manicurists subject to this exemption indefinitely.

**AB 257 (Gonzalez, Lorena D) Fast food industry: working standards.**

**Current Text:** Introduced: 1/15/2021 [html](#) [pdf](#)

**Status:** 1/16/2021-From printer. May be heard in committee February 15.

**Location:** 1/15/2021-A. PRINT

**Summary:** Would enact the FAST Recovery Act. The bill would make a statement of findings regarding the fast food industry, particularly with respect to the COVID-19 pandemic, and state the intent of the Legislature to enact legislation relating to the fast food industry.

**AB 314 (Gonzalez, Lorena D) Collective bargaining: Legislature.**

**Current Text:** Introduced: 1/25/2021 [html](#) [pdf](#)

**Status:** 1/28/2021-Introduced measure version corrected.

**Location:** 1/25/2021-A. PRINT

**Summary:** Would enact the Legislature Employer-Employee Relations Act, to provide employees of the Legislature, including some supervisory and managerial employees, the right to form, join, and participate in the activities of employee organizations of their own choosing for the purpose of representation on all matters of employer-employee relations.

**SB 46 (Stern D) Employment: contact tracing and safety policies: COVID-19.**

**Current Text:** Introduced: 12/7/2020 [html](#) [pdf](#)

**Status:** 1/28/2021-Referred to Com. on RLS.

**Location:** 12/7/2020-S. RLS.

**Summary:** Current law requires an employer to furnish employment and a place of employment that is safe and healthful for its employees. This bill would state the intent of the Legislature to enact legislation that would require an employer to develop and implement contact tracing and safety policies for its employees, including requiring notice to the employer when an employee receives a positive COVID-19 test.

**SB 62 (Durazo D) Employment: garment manufacturing.**

**Current Text:** Introduced: 12/7/2020 [html](#) [pdf](#)

**Status:** 1/28/2021-Referred to Coms. on L., P.E. & R. and JUD.

**Location:** 1/28/2021-S. L., P.E. & R.

**Summary:** Current law makes garment manufacturers liable for guaranteeing payment of wages to employees of their contractors. This bill would expand the definition of garment manufacturing to include dyeing, altering a garment's design, and affixing a label to a garment. The bill would prohibit any employee engaged in the performance of garment manufacturing to be paid by the piece or unit, or by the piece rate, except as specified. The bill would impose statutory damages of \$200 against a garment manufacturer or contractor, payable to the employee, for each pay period in which the employee is paid by the piece rate.

**SB 74 (Borgeas R) Keep California Working Act.**

**Current Text:** Introduced: 12/10/2020 [html](#) [pdf](#)

**Status:** 1/28/2021-Referred to Com. on B., P. & E.D.

**Location:** 1/28/2021-S. B., P. & E.D.

**Summary:** the Keep California Working Act, would establish the Keep California Working Grant Program. The act would require the Small Business Advocate to administer the program and award grants, of an unspecified amount, to small businesses and nonprofit organizations that have experienced economic hardship resulting from the COVID-19 pandemic. The act would appropriate \$2.6 billion dollars to the Office of Small Business Advocate for those purposes.

**SB 236 (Ochoa Bogh R) The Labor Code Private Attorneys General Act of 2004.**

**Current Text:** Introduced: 1/21/2021 [html](#) [pdf](#)

**Status:** 1/22/2021-From printer. May be acted upon on or after February 21.

**Location:** 1/21/2021-S. RLS.

**Summary:** Current law, the Labor Code Private Attorneys General Act of 2004, permits an aggrieved employee, on behalf of themselves and other current or former employees, to bring a civil action pursuant to specified procedures for a violation of a provision of the Labor Code that provides for a civil penalty to be assessed and collected by the Labor and Workforce Development Agency. This bill would make nonsubstantive changes to these provisions.

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## Taxation

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**AB 91 (Valladares R) Taxation: corporations: minimum franchise tax: limited liability companies: annual tax: small businesses: microbusinesses.**

**Current Text:** Introduced: 12/7/2020 [html](#) [pdf](#)

**Status:** 1/11/2021-Referred to Com. on REV. & TAX.

**Location:** 1/11/2021-A. REV. & TAX

**Summary:** Woudl, for taxable years beginning on or after January 1, 2021, reduce the minimum franchise tax to \$400 for small businesses, as defined, and to \$200 for microbusinesses, as defined. The bill, for taxable years beginning on or after January 1, 2021, would also reduce the annual tax for the limited liability companies described above that are small businesses to \$400 and that are microbusinesses to \$200. The bill would also state the intent of the Legislature to comply with the additional information requirement for any bill authorizing a new tax expenditure.

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## Unemployment

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**AB 8 (Smith R) Unemployment benefits: direct deposit.**

**Current Text:** Introduced: 12/7/2020 [html](#) [pdf](#)

**Status:** 1/11/2021-Referred to Com. on INS.

**Location:** 1/11/2021-A. INS.

**Summary:** Current law requires unemployment compensation benefits that are directly deposited to an account of the recipient's choice to be deposited to a qualifying account. Current law defines "qualifying account" for these purposes to mean a demand deposit or savings account at an insured financial institution in the name of the person entitled to receipt of public assistance payments or a prepaid card account that meets certain requirements, including that the prepaid card account may not be attached to any credit or overdraft feature that is automatically repaid from the account after delivery of the payment. This bill would, by July 1, 2021, provide that the recipient of the unemployment compensation benefits has the right to choose whether the benefits payments are directly deposited into a qualifying account or applied to a prepaid debit card.

**AB 19 (Santiago D) Unemployment insurance compensation: COVID-19 pandemic: temporary benefits.**

**Current Text:** Introduced: 12/7/2020 [html](#) [pdf](#)

**Status:** 1/11/2021-Referred to Com. on INS.

**Location:** 1/11/2021-A. INS.

**Summary:** The federal Coronavirus Aid, Relief, and Economic Security Act (CARES Act) temporarily provides for expanded unemployment benefits through the federal Pandemic Unemployment Assistance (PUA) and Pandemic Emergency Unemployment Compensation (PEUC) provisions of the CARES Act. This bill would require the Employment Development Department to provide, until July 1, 2022, following the termination of assistance pursuant to PUA and PEUC or any other federal or state supplemental unemployment compensation payments for unemployment due to the COVID-19 pandemic, in addition to an individual's weekly benefit amount as otherwise provided for by existing unemployment compensation law, unemployment compensation benefits equivalent to the terminated federal or state supplemental unemployment compensation payments for the remainder of the duration of time the individual is unemployed due to the COVID-19 pandemic, notwithstanding the weekly benefit cap. The bill would prohibit any unemployment compensation benefits authorized by the bill from being charged against the reserve account of any employer.

**AB 24 (Waldron R) Unemployment insurance: benefit determination deadlines.**

**Current Text:** Introduced: 12/7/2020 [html](#) [pdf](#)

**Status:** 1/11/2021-Referred to Com. on INS.

**Location:** 1/11/2021-A. INS.

**Summary:** Current law establishes procedures for the filing, determination, and payment of benefit claims, and those benefits are payable from the Unemployment Fund. Current law requires the department to promptly pay benefits if it finds the claimant is eligible and to promptly deny benefits if it finds the claimant is ineligible for benefits. Current law requires the department to consider facts submitted by an employer in making this determination and also provides for the department to audit claims, as specified. Existing law provides a procedure for a claimant or a base employer to challenge a determination of the computation or recomputation of the benefits. This bill would require the department to provide a claimant with a notification of the computation used to determine their benefits within 30 days of the receipt of the claim and to respond to a challenge by the claimant or the base employer based on the computation or recomputation of benefits within 15 days of the receipt of the protest, except as specified.

**AB 42 (Lackey R) Unemployment insurance: advisory committee on unemployment insurance.**

**Current Text:** Introduced: 12/7/2020 [html](#) [pdf](#)

**Status:** 12/8/2020-From printer. May be heard in committee January 7.

**Location:** 12/7/2020-A. PRINT

**Summary:** Would express the intent of the Legislature to enact legislation that would establish an advisory committee on unemployment insurance within the Employment Development Department that is composed of members who represent stakeholders and that has meeting and annual reporting requirements.

**AB 74 (Gonzalez, Lorena D) Unemployment and disability benefit payments: direct deposit.**

**Current Text:** Introduced: 12/7/2020 [html](#) [pdf](#)

**Status:** 1/28/2021-Referred to Com. on INS.

**Location:** 1/28/2021-A. INS.

**Summary:** Would state the intent of the Legislature to enact legislation that would require the Employment Development Department to make benefit payments available through direct deposit to ensure recipients are able receive payments in a quick, secure manner.

**AB 274 (Davies R) Unemployment benefits: chip-enabled cards.**

**Current Text:** Introduced: 1/19/2021 [html](#) [pdf](#)

**Status:** 1/28/2021-Referred to Com. on INS.

**Location:** 1/28/2021-A. INS.

**Summary:** Current law requires unemployment compensation benefits that are directly deposited to an account of the recipient's choice to be deposited to a qualifying account, which includes a prepaid card account that meets certain requirements. Current law includes in the definition of prepaid card or prepaid card account a card, code, or other means of access to funds of a recipient that is usable at multiple, unaffiliated merchants for goods or services, or usable at automated teller machines. This bill would revise the definition of prepaid card or prepaid card account by requiring cards to be chip-enabled, as defined.

**AB 330 (Kamlager D) Unemployment compensation: excluded services: family members.**

**Current Text:** Introduced: 1/27/2021 [html](#) [pdf](#)

**Status:** 1/28/2021-From printer. May be heard in committee February 27.

**Location:** 1/27/2021-A. PRINT

**Summary:** Current law provides for the payment of unemployment insurance and disability compensation to certain employees who become unemployed or disabled. For that purpose, current law defines employment, but excludes certain services performed by individuals from that definition. Current law specifies that employment does not include service performed by a child in the employ of their parents or by an individual in the employ of their child or spouse. This bill would make nonsubstantive changes to that exclusion.

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## Workers' Compensation

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**AB 334 (Mullin D) Workers' compensation: skin cancer.**

**Current Text:** Introduced: 1/27/2021 [html](#) [pdf](#)

**Status:** 1/28/2021-From printer. May be heard in committee February 27.

**Location:** 1/27/2021-A. PRINT

**Summary:** Current law establishes a workers' compensation system, administered by the Administrative Director of the Division of Workers' Compensation, to compensate an employee for injuries sustained in the course of employment. Current law provides, among other things, that skin cancer developing in active lifeguards, as defined, is presumed to arise out of and in the course of employment, unless the presumption is rebutted. This bill would expand the scope of those provisions to certain peace officers of the Department of Fish and Wildlife and the Department of Parks and Recreation.

**SB 213 (Cortese D) Workers' compensation: hospital employees.**

**Current Text:** Introduced: 1/12/2021 [html](#) [pdf](#)

**Status:** 1/28/2021-Referred to Com. on L., P.E. & R.

**Location:** 1/28/2021-S. L., P.E. & R.

**Summary:** Would define "injury," for a hospital employee who provides direct patient care in an acute care hospital, to include infectious diseases, cancer, musculoskeletal injuries, post-traumatic stress disorder, and respiratory diseases. The bill would create rebuttable presumptions that these injuries that develop or manifest in a hospital employee who provides direct patient care in an acute care hospital arose out of and in the course of the employment. The bill would extend these presumptions for specified time periods after the hospital employee's termination of employment. The bill would also make related findings and declarations.

**SB 216 (Dodd D) Contractors: workers' compensation insurance: mandatory coverage.**

**Current Text:** Introduced: 1/13/2021 [html](#) [pdf](#)

**Status:** 1/28/2021-Referred to Com. on B., P. & E.D.

**Location:** 1/28/2021-S. B., P. & E.D.

**Summary:** Would, until January 1, 2025, require concrete contractors holding a C-8 license, warm-air heating, ventilation and air-conditioning (HVAC) contractors holding a C-20 license, or tree service contractors holding a D-49 license to also obtain and maintain workers' compensation insurance even if that contractor has no employees. The bill, as of January 1, 2025, would require all licensed contractors or applicants for licensure to obtain and maintain workers' compensation insurance even if that contractor has no employees and would also prohibit the filing of a certificate of exemption.

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## Workforce Development

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**SB 61 (Hurtado D) Workforce training programs: supportive services.**

**Current Text:** Introduced: 12/7/2020 [html](#) [pdf](#)

**Status:** 1/28/2021-Referred to Com. on L., P.E. & R.

**Location:** 1/28/2021-S. L., P.E. & R.

**Summary:** Would require the California Workforce Development Board to establish and administer the Lifting Families Out of Poverty Supportive Services Program. The bill would require the board, upon appropriation by the Legislature for that purpose, to make \$50,000,000 in grants available to consortia, composed of combinations of local workforce development boards, community

colleges, or other stakeholders, that apply for funding to provide supportive services, as defined, and are approved in accordance with the bill.

Total Measures: 51