



Kammerer & Company, Inc.

Esquire Plaza - 1215 K Street, 17th Floor

SACRAMENTO, CA 95814

(916) 441-5674 - Fax (916) 503-2401

www.kammererandco.com | LoriKammerer@gmail.com

NAWBO-CA

Legislative Report

Updated: August 20, 2021

Business Regulation & Economic Development

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

Current Text: Amended: 5/3/2021 [html](#) [pdf](#)

Last Amended: 5/3/2021

Status: 7/14/2021-Failed Deadline pursuant to Rule 61(a)(11). (Last location was B., P. & E.D. on 6/9/2021)(May be acted upon Jan 2022)

Location: 7/14/2021-S. 2 YEAR

Summary: Would establish the Regions Rise Grant Program within the Office of Planning and Research for the purpose of supporting inclusive, cross-jurisdictional, and innovative engagement processes that lead to inclusive strategies to address barriers and challenges confronting communities in creating economic prosperity for all. The bill would define "region" as a geographic area composed of one or more counties and cities that form a functional economy.

[AB 247](#) ([Ramos D](#)) **COVID-19 emergency: small businesses: nonprofit organizations: immunity from civil liability.**

Current Text: Amended: 3/18/2021 [html](#) [pdf](#)

Last Amended: 3/18/2021

Status: 5/7/2021-Failed Deadline pursuant to Rule 61(a)(3). (Last location was JUD. on 3/18/2021)(May be acted upon Jan 2021)

Location: 5/7/2021-A. 2 YEAR

Summary: Would exempt a small business or nonprofit organization with 100 or fewer employees from liability for an injury or illness to a consumer, as defined, due to coronavirus (COVID-19) based on a claim that the consumer contracted COVID-19 while at that small business or nonprofit organization, or due to the actions of that small business or nonprofit organization. The bill would require the small business or nonprofit organization, for this exemption to apply, to have implemented and substantially complied with all applicable state and local health laws, regulations, and protocols.

[AB 286](#) ([Gonzalez, Lorena D](#)) **Food delivery: purchase prices and tips.**

Current Text: Amended: 7/16/2021 [html](#) [pdf](#)

Last Amended: 7/16/2021

Status: 8/17/2021-Read second time. Ordered to third reading.

Location: 8/17/2021-S. THIRD READING

Calendar: 8/23/2021 #156 SENATE ASSEMBLY BILLS - THIRD READING FILE

Summary: Would make it unlawful for a food delivery platform to charge a customer any purchase price, as defined, for food or beverage that is higher than the price posted on the food delivery platform's internet website by the food facility at the time of the order. The bill would make it unlawful for a food delivery platform to retain any portion of amounts designated as a tip or gratuity. The bill would require a food

delivery platform to pay any tip or gratuity for a delivery order, in its entirety, to the person delivering the food or beverage, and to pay any tip or gratuity for a pickup order, in its entirety, to the food facility. The bill would require a food delivery platform to disclose to the customer and the food facility a cost breakdown of each transaction, including, with certain exceptions, prescribed information. The bill would make the provisions of the act severable.

[AB 475](#) ([Muratsuchi D](#)) **GO-Biz: trade and investment desk: Japan.**

Current Text: Amended: 4/20/2021 [html](#) [pdf](#)

Last Amended: 4/20/2021

Status: 5/25/2021-Failed Deadline pursuant to Rule 61(a)(5). (Last location was APPR. SUSPENSE FILE on 5/12/2021)(May be acted upon Jan 2022)

Location: 5/25/2021-A. 2 YEAR

Summary: The Economic Revitalization Act establishes the Governor’s Office of Business and Economic Development, also known as “GO-Biz,” to, among other duties, serve the Governor as the lead entity for economic strategy and the marketing of California on issues relating to business development, private sector investment, and economic growth. Current law requires the director of GO-Biz to develop an International Trade and Investment Program for the state and authorizes the director to establish and terminate international trade and investment offices outside of the United States as the director determines is appropriate, if specific requirements are met. This bill, no later than January 1, 2024, upon appropriation of sufficient funds for this purpose, would require GO-Biz to establish under its jurisdiction an international trade and investment desk in Tokyo, Japan, and makes related findings and declarations.

[AB 569](#) ([Grayson D](#)) **Contractors: civil penalties: letters of admonishment.**

Current Text: Chaptered: 7/16/2021 [html](#) [pdf](#)

Chapter No.: 94

Status: 7/16/2021-Approved by the Governor. Chaptered by Secretary of State - Chapter 94, Statutes of 2021.

Location: 7/16/2021-A. CHAPTERED

Summary: The Contractors State License Law provides for the licensure and regulation of contractors by the Contractors State License Board in the DCA. Current law provides for related disciplinary proceedings and requires the board to promulgate regulations covering the assessment of civil penalties under those disciplinary provisions, as prescribed. Current law, except as specified, prohibits the assessment of a civil penalty in an amount greater than \$5,000. Current law, notwithstanding the administrative fine maximum, authorizes a civil penalty not to exceed \$15,000 for certain violations relating to unlicensed persons. This bill would increase the civil penalty limit from \$5,000 to \$8,000, notwithstanding the administrative fine maximum, and would increase the enhanced civil penalty limit from \$15,000 to \$30,000. The bill would expand the enhanced civil penalty limit to apply to certain violations relating to workers’ compensation insurance coverage.

[AB 676](#) ([Holden D](#)) **Franchises.**

Current Text: Introduced: 2/12/2021 [html](#) [pdf](#)

Status: 4/30/2021-Failed Deadline pursuant to Rule 61(a)(2). (Last location was B.&P. on 2/25/2021)(May be acted upon Jan 2022)

Location: 4/30/2021-A. 2 YEAR

Summary: The California Franchise Relations Act sets forth certain requirements related to the termination, nonrenewal, and transfer of franchises between a franchisor, subfranchisor, and franchisee, as those terms are defined. Existing law provides that the act applies to any franchise when either the franchisee is domiciled in this state or the franchised business is or has been operated in this state. This bill would additionally require

that any provision of a franchise agreement requiring the franchisee to waive the provisions of this chapter shall be deemed contrary to public policy and shall be void and unenforceable.

[AB 726](#) ([Garcia, Eduardo](#) D) Capital investment incentive program: qualified manufacturing facility: ad valorem property tax revenue allocation payments.

Current Text: Chaptered: 7/23/2021 [html](#) [pdf](#)

Chapter No.: 121

Last Amended: 6/21/2021

Status: 7/23/2021-Approved by the Governor. Chaptered by Secretary of State - Chapter 121, Statutes of 2021.

Location: 7/23/2021-A. CHAPTERED

Summary: Current law, until January 1, 2024, authorizes a county, city and county, or city to establish a capital investment incentive program. Current law requires a county, city and county, or city that has so elected, to pay a capital investment incentive amount to the proponent of a qualified manufacturing facility for up to 15 years, upon request by a proponent in writing. Current law defines “qualified manufacturing facility” for these purposes. This bill would add a business engaged in manufacturing of fuels, electrical parts, or components used in the field of clean transportation or the production of alternative fuel vehicles or electric vehicles to the list of business that may operate a qualified manufacturing facility.

[AB 770](#) ([Nguyen R](#)) Business.

Current Text: Introduced: 2/16/2021 [html](#) [pdf](#)

Status: 5/7/2021-Failed Deadline pursuant to Rule 61(a)(3). (Last location was PRINT on 2/16/2021)(May be acted upon Jan 2021)

Location: 5/7/2021-A. 2 YEAR

Summary: Current law provides for various regulations of business activity, including providing that every contract by which anyone is restrained from engaging in a lawful profession, trade, or business of any kind is to that extent void, except as provided in specified law. This bill would state the intent of the Legislature to enact legislation that would address businesses.

[AB 904](#) ([Grayson](#) D) Income taxes: credits: manufacturers’ machinery and equipment.

Current Text: Amended: 3/18/2021 [html](#) [pdf](#)

Last Amended: 3/18/2021

Status: 3/22/2021-Re-referred to Com. on REV. & TAX.

Location: 3/18/2021-A. REV. & TAX

Summary: The Personal Income Tax Law and the Corporation Tax Law allow various credits against the taxes imposed by those laws. Current law provides that, except as specified, the total credits allowable under those laws may not reduce the taxes imposed by those laws by more than \$5,000,000, as provided, for taxable years beginning on or after January 1, 2020, and before January 1, 2023. Current law requires any bill authorizing a new tax expenditure to contain, among other things, specific goals, purposes, and objectives the tax expenditure will achieve, detailed performance indicators, and data collection requirements. This bill would establish credits against the taxes imposed by those laws for taxable years beginning on or after January 1, 2021, and before January 1, 2032, in an amount equal to a specified percentage of the amount paid or incurred during the taxable year by a qualified taxpayer, as defined, for qualified personal tangible property, defined, in part, to include machinery and equipment, up to \$1,000,000.

[AB 1031](#) ([Villapudua](#) D) State agencies: interns and student assistants: hiring preference.

Current Text: Amended: 6/30/2021 [html](#) [pdf](#)

Last Amended: 6/30/2021

Status: 8/16/2021-Read second time. Ordered to third reading.

Location: 8/16/2021-S. THIRD READING

Calendar: 8/23/2021 #100 SENATE ASSEMBLY BILLS - THIRD READING FILE

Summary: Would require state agencies, when hiring for internships and student assistant positions, to give preference to persons who have been a victim of human trafficking, as defined.

[AB 1036](#) ([Garcia, Eduardo D](#)) California Manufacturing Emergency Preparedness Act of 2021.

Current Text: Amended: 5/24/2021 [html](#) [pdf](#)

Last Amended: 5/24/2021

Status: 8/16/2021-In committee: Referred to suspense file.

Location: 8/16/2021-S. APPR. SUSPENSE FILE

Calendar: 8/26/2021 Upon adjournment of Session - John L. Burton Hearing Room (4203) SENATE APPROPRIATIONS SUSPENSE, PORTANTINO, Chair

Summary: Would enact the California Manufacturing Emergency Preparedness Act of 2021, which would authorize I-Bank to establish the California Manufacturing Disaster Loan Program (disaster program) for the purpose of attracting, retaining, retooling, establishing, and expanding manufacturing and logistics capacity in the state, and would require I-Bank to establish guidelines for the implementation and oversight of the program. the bill would prohibit I-Bank from commencing the disaster program until it adopts a resolution finding that there is sufficient funding in the California Manufacturing Disaster Loan Program Subaccount to cover the costs of implementing the program and that the I-Bank has sufficient direction from the Director of the Office of Emergency Services, as provided.

[AB 1072](#) ([Reyes D](#)) Small businesses: technical assistance: public contracts.

Current Text: Amended: 5/24/2021 [html](#) [pdf](#)

Last Amended: 5/24/2021

Status: 8/16/2021-In committee: Set, first hearing. Hearing canceled at the request of author.

Location: 7/6/2021-S. APPR.

Summary: Would relocate the Small Business Technical Assistance Expansion Program within the Office of Small Business Advocate, under the direction of the Small Business Advocate. The bill would expand underserved business groups to be prioritized to include disadvantaged business enterprises. The bill would additionally require the use of state funds provided pursuant to the program to support a range of programs and services delivered through one or more small business technical assistance centers, as specified. The bill would also authorize the use of state funds provided pursuant to the program for certain purposes relating to small business technical assistance. The bill would extend the repeal date to January 1, 2026.

[AB 1084](#) ([Low D](#)) Gender neutral retail departments.

Current Text: Amended: 7/1/2021 [html](#) [pdf](#)

Last Amended: 7/1/2021

Status: 8/16/2021-In committee: Referred to suspense file.

Location: 8/16/2021-S. APPR. SUSPENSE FILE

Calendar: 8/26/2021 Upon adjournment of Session - John L. Burton Hearing Room (4203) SENATE APPROPRIATIONS SUSPENSE, PORTANTINO, Chair

Summary: Would require a retail department store that is physically located in California that has a total of 500 or more employees across all California retail department store locations that sells childcare items or toys to maintain a gender neutral section or area, to be labeled at the discretion of the retailer, in which a

reasonable selection of the items and toys for children that it sells shall be displayed, regardless of whether they have been traditionally marketed for either girls or for boys.

[AB 1287](#) ([Bauer-Kahan](#) D) Price discrimination: gender.

Current Text: Amended: 4/21/2021 [html](#) [pdf](#)

Last Amended: 4/21/2021

Status: 5/25/2021-Failed Deadline pursuant to Rule 61(a)(5). (Last location was APPR. SUSPENSE FILE on 5/5/2021)(May be acted upon Jan 2022)

Location: 5/25/2021-A. 2 YEAR

Summary: Would prohibit a person, firm, partnership, company, corporation, or business from charging a different price for any 2 goods that are substantially similar, as defined, if those goods are priced differently based on the gender of the individuals for whom the goods are marketed and intended. The bill would authorize the Attorney General to seek an injunction to enjoin and restrain the continuance of those violations, and would authorize the court, in addition to granting the injunction, to impose a civil penalty not to exceed \$250 for a first violation, and a civil penalty not to exceed \$500 for each subsequent violation.

[AB 1297](#) ([Holden](#) D) California Infrastructure and Economic Development Bank: public and economic development facilities: housing.

Current Text: Amended: 8/17/2021 [html](#) [pdf](#)

Last Amended: 8/17/2021

Status: 8/17/2021-From committee chair, with author's amendments: Amend, and re-refer to committee. Read second time, amended, and re-referred to Com. on APPR.

Location: 7/8/2021-S. APPR.

Calendar: 8/23/2021 9 a.m. - John L. Burton Hearing Room (4203) SENATE APPROPRIATIONS, PORTANTINO, Chair

Summary: The Bergeson-Peace Infrastructure and Economic Development Bank Act defines "public development facilities" for these purposes to mean real and personal property, structures, conveyances, equipment, thoroughfares, buildings, and supporting components thereof, excluding any housing, that are directly related to providing, among other things, housing-related infrastructure, as specified. The act defines "economic development facilities" for these purposes to mean real and personal property, structures, buildings, equipment, and supporting components thereof that are used to provide industrial, recreational, research, commercial, utility, goods movement, or service enterprise facilities, community, educational, cultural, or social welfare facilities and any parts or combinations thereof, and all necessary facilities or infrastructure, excluding any housing. This bill would authorize economic development facilities and public development facilities to include housing if the housing meets certain financing requirements and limits, as specified.

[AB 1323](#) ([Chiu](#) D) Department of Technology: modernization: state information technology contracts.

Current Text: Amended: 3/26/2021 [html](#) [pdf](#)

Last Amended: 3/26/2021

Status: 7/14/2021-Failed Deadline pursuant to Rule 61(a)(11). (Last location was G.O. on 6/9/2021)(May be acted upon Jan 2022)

Location: 7/14/2021-S. 2 YEAR

Summary: Would require the Department of Technology to identify, assess, and prioritize legacy information technology system modernization efforts across state government. The bill would require state agencies and state entities, as defined, to submit their information technology service contracts to the Department of

Technology before May 1, 2022. The bill would require the department to use this information for specified purposes, including analyzing state information technology investment in order to identify types of uses that are candidates for statewide contracts for commonly used or shared services. The bill would also require the Department of Technology and other state agencies and state entities to work with legislative staff and the Legislative Analyst's Office to evaluate potential options to modernize state government information technology project approval and oversight processes. In this regard, the bill would require the Department of Technology to submit various reports to the Legislature, as specified.

[AB 1405](#) ([Wicks D](#)) Debt settlement practices.

Current Text: Amended: 8/16/2021 [html](#) [pdf](#)

Last Amended: 8/16/2021

Status: 8/16/2021-In committee: Hearing postponed by committee. From committee chair, with author's amendments: Amend, and re-refer to committee. Read second time, amended, and re-referred to Com. on APPR.

Location: 7/14/2021-S. APPR.

Calendar: 8/23/2021 9 a.m. - John L. Burton Hearing Room (4203) SENATE APPROPRIATIONS, PORTANTINO, Chair

Summary: Would enact the Fair Debt Settlement Practices Act. The bill would define "debt settlement provider" as a person who, for compensation and on behalf of a consumer, provides debt settlement services, as defined. The bill would define a payment processor as a person who provides payment processing services, as defined.

[AB 1473](#) ([Chen R](#)) Business licenses.

Current Text: Introduced: 2/19/2021 [html](#) [pdf](#)

Status: 5/7/2021-Failed Deadline pursuant to Rule 61(a)(3). (Last location was PRINT on 2/19/2021)(May be acted upon Jan 2021)

Location: 5/7/2021-A. 2 YEAR

Summary: Current law permits the legislative body of an incorporated city, in the exercise of its police power, to license any kind of business not prohibited by law that is transacted and carried on within its jurisdiction and to fix the rates of the license fee, as specified. This bill would make nonsubstantive changes to those provisions.

[AB 1571](#) ([Committee on Jobs, Economic Development, and the Economy](#)) Administrative Procedure Act: small businesses.

Current Text: Amended: 4/6/2021 [html](#) [pdf](#)

Last Amended: 4/6/2021

Status: 5/20/2021-In committee: Held under submission.

Location: 5/12/2021-A. APPR. SUSPENSE FILE

Summary: Would require, in complying with specified requirements related to adverse economic impacts on California business enterprises and as related to the proposed adoption, amendment, or repeal of a regulation that applies to a small business, as defined, located within an area in which the Governor has declared a state of emergency, the regulation to include (1) a postponement in the application of the regulation on small businesses until the state of emergency is terminated; (2) findings that postponement is not appropriate, that the administrative regulation is necessary to address the state of emergency, as confirmed by the Office of Emergency Services, and that the regulation provides sufficient time to provide reasonable notice to affected small businesses as to the content of the regulation and the time to meet the new requirements; or (3) findings that postponement is not appropriate, that the administrative regulation is necessary to address a

serious and immediate health and safety issue, as confirmed by the State Department of Public Health or the Labor and Workforce Development Agency, and that the regulation provides sufficient time to provide reasonable notice to affected small businesses as to the content of the regulation and the time to meet the new requirements.

[AB 1572](#) (Committee on Jobs, Economic Development, and the Economy) Personal income taxes: corporation taxes: credits: California New Markets Tax Credit.

Current Text: Introduced: 3/4/2021 [html](#) [pdf](#)

Status: 4/13/2021-From committee: Do pass and re-refer to Com. on REV. & TAX. with recommendation: To Consent Calendar. (Ayes 7. Noes 0.) (April 13). Re-referred to Com. on REV. & TAX.

Location: 4/13/2021-A. REV. & TAX

Summary: Would allow a California New Markets Tax Credit under the Personal Income Tax Law and the Corporation Tax Law, in modified conformity with the federal New Markets Tax Credit, for taxable years beginning on or after January 1, 2023, and before January 1, 2028, in a specified amount for investments in low-income communities. The bill would limit the total annual amount of credit allowed pursuant to these provisions to \$100,000,000 per calendar year. The bill would impose specified duties on the Governor's Office of Business and Economic Development (GO-Biz) with regard to the application for, and allocation of, the credit.

[AB 1573](#) (Committee on Jobs, Economic Development, and the Economy) Small business technical assistance: California Business Retention Program.

Current Text: Amended: 4/20/2021 [html](#) [pdf](#)

Last Amended: 4/20/2021

Status: 8/16/2021-In committee: Referred to suspense file.

Location: 8/16/2021-S. APPR. SUSPENSE FILE

Calendar: 8/26/2021 Upon adjournment of Session - John L. Burton Hearing Room (4203) SENATE APPROPRIATIONS SUSPENSE, PORTANTINO, Chair

Summary: Current law, until January 1, 2024, establishes the California Small Business Development Technical Assistance Expansion Program of 2018 within the Governor's Office of Business and Economic Development, also known as GO-Biz, for the purpose of assisting small businesses through free or low-cost one-on-one consulting and low-cost training by entering into grant agreements with one or more federal small business technical assistance centers. This bill, among other things, would add the definition of "small business technical assistance center," which means federal small business technical assistance centers or local governments, or tax exempt nonprofit community-based organizations with a mission that includes economic or business development that operates entrepreneurial or small business development programs that provide free or low-cost services to underserved businesses and entrepreneurs, thereby expanding the scope of those entities eligible for grants under the program.

[SB 288](#) (Jones R) Corporations: conversions: foreign corporation or foreign other business entity.

Current Text: Amended: 3/11/2021 [html](#) [pdf](#)

Last Amended: 3/11/2021

Status: 7/14/2021-Failed Deadline pursuant to Rule 61(a)(11). (Last location was JUD. on 6/29/2021)(May be acted upon Jan 2022)

Location: 7/14/2021-A. 2 YEAR

Summary: Would allow for the conversion of a corporation into a foreign corporation or foreign other business entity, as specified, and would require the converting corporation to file a certificate of conversion with the Secretary of State. The bill would make the Secretary of State the agent for service of process in an

action or proceeding against a corporation that has converted to a foreign corporation or foreign other business entity in specified instances. The bill would make other conforming and nonsubstantive changes.

[SB 430](#) ([Borgeas R](#)) Small businesses: reduction or waiver of civil penalties for violation of regulations or statutes.

Current Text: Introduced: 2/12/2021 [html](#) [pdf](#)

Status: 5/25/2021-Failed Deadline pursuant to Rule 61(a)(5). (Last location was APPR. SUSPENSE FILE on 4/20/2021)(May be acted upon Jan 2022)

Location: 5/25/2021-S. 2 YEAR

Summary: Would require a state agency to establish a policy, by January 1, 2023, that provides for the reduction or waiver of civil penalties for a violation of a regulatory or statutory requirement by a small business if the violation did not involve willful or criminal conduct and did not pose a serious health, safety, or environmental threat. The bill would require the policy to include various factors the state agency would be required to consider when making a determination as to whether to reduce or waive the civil penalty. The bill would authorize the state agency to update the policy to reflect current issues and conditions affecting small businesses and the state agency.

[SB 808](#) ([Roth D](#)) GO-Biz: Made in California Program.

Current Text: Amended: 7/1/2021 [html](#) [pdf](#)

Last Amended: 7/1/2021

Status: 8/16/2021-August 19 hearing postponed by committee.

Location: 6/29/2021-A. APPR.

Summary: Current law establishes the Made in California Program within the Governor’s Office of Business and Economic Development for the purposes of encouraging consumer product awareness and fostering purchases of high-quality products made in this state. Current law requires, in order to be eligible under the program, a company to establish that the product is substantially made by an individual located in the state and that the finished product could lawfully use a “Made in U.S.A.” label, as provided. This bill would remove the requirement that a company establish that the finished product could lawfully use a “Made in U.S.A.” label in order to be eligible under the program.

Financial Services & Banking

[AB 447](#) ([Grayson D](#)) Income taxes: low-income housing tax credits.

Current Text: Amended: 6/21/2021 [html](#) [pdf](#)

Last Amended: 6/21/2021

Status: 8/16/2021-In committee: Referred to suspense file.

Location: 8/16/2021-S. APPR. SUSPENSE FILE

Calendar: 8/26/2021 Upon adjournment of Session - John L. Burton Hearing Room (4203) SENATE APPROPRIATIONS SUSPENSE, PORTANTINO, Chair

Summary: Current law, for purposes of determining the amount of low-income housing tax credit allocated to a qualified low-income housing project, defines the term “applicable percentage” depending on, among other things, whether the qualified low-income building is a new building that is not federally subsidized, a new building that is federally subsidized, or is an existing building that is at risk of conversion. Current law defines “at risk of conversion,” with respect to an existing property, to mean a property that satisfies certain criteria including, among others, that the property is a multifamily rental housing development in which at least 50%

of the units receive governmental assistance pursuant to specified programs, and that the restrictions on rent and income levels will terminate or the federally insured mortgage or rent subsidy contract on the property is eligible for prepayment or termination any time within 5 years before or after the date of application to the California Tax Credit Allocation Committee. This bill would revise and expand, for purposes of the definition of “at risk of conversion,” the types of programs that qualify as governmental assistance.

[AB 511](#) ([Muratsuchi D](#)) Securities transactions: qualification requirements, exemptions, and liability.

Current Text: Amended: 6/24/2021 [html](#) [pdf](#)

Last Amended: 6/24/2021

Status: 8/16/2021-In committee: Referred to suspense file.

Location: 8/16/2021-S. APPR. SUSPENSE FILE

Calendar: 8/26/2021 Upon adjournment of Session - John L. Burton Hearing Room (4203) SENATE APPROPRIATIONS SUSPENSE, PORTANTINO, Chair

Summary: The Corporate Securities Law of 1968 requires securities offered or sold in this state in an issuer or nonissuer transaction to be qualified through an application filed with the Commissioner of Business Oversight, unless exempt from the qualification requirements. That law exempts, among other transactions, certain transactions not involving any public offering, as prescribed. That law also makes it unlawful, for a person in connection with the offer, sale, or purchase of a security, to engage in fraudulent or misleading acts or omissions. This bill would establish a new exemption from the qualification provisions for an offer or sale of any security for which the issuer is a California or foreign corporation that is not a “blind pool” company, as defined by the commissioner, not issuing fractional undivided interests in oil or gas rights or other similar mineral rights, is not an investment company subject to the federal Investment Company Act of 1940 and is not subject to certain reporting requirements of the Securities Exchange Act of 1934.

[AB 820](#) ([Cooley D](#)) Corporation Tax Law: banks and financial corporations: exclusions: interest income.

Current Text: Amended: 3/18/2021 [html](#) [pdf](#)

Last Amended: 3/18/2021

Status: 3/22/2021-Re-referred to Com. on REV. & TAX.

Location: 3/18/2021-A. REV. & TAX

Summary: Under the Corporation Tax Law, when the income of a taxpayer subject to a tax under the Corporation Tax Law is derived from or attributable to sources both within and without the state, the tax is required to be measured by the net income derived from or attributable to sources within the state in accordance with specified procedures. In the case of an apportioning trade or business that derives more than 50% of its gross business receipts from conducting one or more qualified business activities, which includes savings and loan activities and banking or financial business activities, business income is apportioned in accordance with a 3-factor formula. Under the 3-factor formula, the specified apportioning trade or business is required to multiply business income by a fraction, the numerator of which is the property factor plus the payroll factor plus the sales factor, and the denominator of which is 3. Current law requires any bill authorizing a new tax expenditure to contain, among other things, specific goals, purposes, and objectives the tax expenditure will achieve, detailed performance indicators, and data collection requirements. This bill would require, for taxable years beginning on or after January 1, 2021, a qualified taxpayer that apportions its business income under the 3-factor formula described above to exclude the amount of qualified interest income from its calculation of the sales factor under the 3-factor formula.

[AB 1320](#) ([Bauer-Kahan D](#)) Money transmission: customer service.

Current Text: Amended: 6/10/2021 [html](#) [pdf](#)

Last Amended: 6/10/2021

Status: 7/5/2021-In committee: Referred to suspense file.

Location: 7/5/2021-S. APPR. SUSPENSE FILE

Calendar: 8/26/2021 Upon adjournment of Session - John L. Burton Hearing Room (4203) SENATE APPROPRIATIONS SUSPENSE, PORTANTINO, Chair

Summary: Current law establishes the Money Transmission Act to protect the interests of persons in this state who use money transmission services. The act prohibits a person from engaging in the business of money transmission in the state, as specified, unless the person is licensed or exempt from licensure under the act. The act places various requirements on licensees, including requiring each licensee to post a notice on their premises informing individuals where complaints relating to money transmission activities at the location may be directed. This bill would require a licensee to display on its internet website a telephone number through which a customer may contact the licensee for customer service issues, and would require the licensee to provide that telephone number in any written communication from a licensee to a customer related to money received for transmission.

[AB 1564](#) (Committee on Insurance) Small business guide to commercial insurance.

Current Text: Introduced: 3/1/2021 [html](#) [pdf](#)

Status: 5/25/2021-Failed Deadline pursuant to Rule 61(a)(5). (Last location was APPR. on 4/15/2021)(May be acted upon Jan 2022)

Location: 5/25/2021-A. 2 YEAR

Summary: Current law requires the Insurance Commissioner to develop a pamphlet to provide specified information to small business owners and others on the key features of, and suggested ways of, purchasing commercial property insurance. Current law requires the pamphlet, to the extent feasible, to be made available to persons operating small businesses, business groups, chambers of commerce, and other persons and groups. Commencing on July 1, 2023, and at least every five years thereafter, this bill would require the Insurance Commissioner to complete a revision of that pamphlet. The bill would also make technical, nonsubstantive changes to those provisions.

[SB 83](#) (Allen D) Sea Level Rise Revolving Loan Program.

Current Text: Amended: 6/29/2021 [html](#) [pdf](#)

Last Amended: 6/29/2021

Status: 7/7/2021-July 7 set for first hearing. Placed on suspense file.

Location: 7/7/2021-A. APPR. SUSPENSE FILE

Calendar: 8/26/2021 Upon adjournment of Session - State Capitol, Room 4202 ASSEMBLY APPROPRIATIONS SUSPENSE, GONZALEZ, LORENA, Chair

Summary: Current law establishes in state government the Ocean Protection Council. Current law requires the council to, among other things, establish policies to coordinate the collection, evaluation, and sharing of scientific data related to coastal and ocean resources among agencies. Current law establishes the State Coastal Conservancy with prescribed powers and responsibilities for implementing and administering various programs intended to preserve, protect, and restore the state's coastal areas. This bill would require the council, in consultation with the conservancy, to develop the Sea Level Rise Revolving Loan Program for purposes of providing low-interest loans to local jurisdictions for the purchase of coastal properties in their jurisdictions identified as vulnerable coastal property, as provided.

[AB 2](#) (Fong R) Regulations: legislative review: regulatory reform.

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

Status: 5/21/2021-Failed Deadline pursuant to Rule 61(a)(5). (Last location was APPR. SUSPENSE FILE on 5/19/2021)(May be acted upon Jan 2022)

Location: 5/21/2021-A. 2 YEAR

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.

[AB 657](#) (Cooper D) State civil service system: personal services contracts: professionals.

Current Text: Amended: 6/15/2021 [html](#) [pdf](#)

Last Amended: 6/15/2021

Status: 7/14/2021-Failed Deadline pursuant to Rule 61(a)(11). (Last location was G.O. on 6/22/2021)(May be acted upon Jan 2022)

Location: 7/14/2021-S. 2 YEAR

Summary: Current law authorizes the Governor to suspend, during a state of war emergency or a state of emergency, any regulatory statute or statute prescribing the procedure for conduct of state business, or the orders, rules, or regulations of any state agency if the Governor determines and declares that strict compliance with any statute, order, rule, or regulation would in any way prevent, hinder, or delay the mitigation of the effects of the emergency. This bill would prohibit a state agency from entering into a contract with a professional, as defined, for a period of more than 365 consecutive days or for a period of 365 nonconsecutive days in a 24-month period. The bill, however, would authorize a state agency to renew, during a state of emergency, a personal services contract with a professional beyond these time period limitations if the state agency receives approval for the renewal from the Department of Human Resources, as provided. The bill would prohibit the Department of Human Resources from approving a personal services contract renewal unless the renewal is necessary for the state agency to address the state of emergency.

[AB 915](#) (Chiu D) Small and disadvantaged business enterprises.

Current Text: Amended: 7/5/2021 [html](#) [pdf](#)

Last Amended: 7/5/2021

Status: 8/16/2021-In committee: Referred to suspense file.

Location: 8/16/2021-S. APPR. SUSPENSE FILE

Calendar: 8/26/2021 Upon adjournment of Session - John L. Burton Hearing Room (4203) SENATE APPROPRIATIONS SUSPENSE, PORTANTINO, Chair

Summary: Current law requires each state agency that significantly regulates or impacts small business to designate at least one person to serve as a small business liaison for the agency. Current law requires the small business liaison to be responsible for, among other things, receiving and responding to complaints received by the agency from small businesses and assisting in ensuring that the procurement and contracting processes of the entity are administered in order to meet or exceed the goal of 25% small business participation. This bill

would also require the small business liaison to develop an “economic equity first” action plan and policy for the agency to provide, among other things, direction, recommendations, and strategies as to how to ensure that disadvantaged business enterprises are effectively involved and benefiting from the procurement process of the agency.

[AB 983](#) ([Garcia, Eduardo](#) D) Public contracts: construction projects: community workforce agreements: battery manufacturing and lithium-based technology.

Current Text: Amended: 6/15/2021 [html](#) [pdf](#)

Last Amended: 6/15/2021

Status: 7/14/2021-Failed Deadline pursuant to Rule 61(a)(11). (Last location was GOV. & F. on 6/22/2021)(May be acted upon Jan 2022)

Location: 7/14/2021-S. 2 YEAR

Summary: Current law requires the California Workforce Development Board to report to the Legislature on the need for workforce development resources, including the use of community workforce agreements, among other things, to help industry, workers, and communities transition to economic and labor-market changes related to statewide greenhouse gas emissions reduction goals. This bill would authorize a public entity to use, enter into, or require contractors to enter into, a community workforce agreement, as defined, for construction projects related to battery manufacturing and lithium-based technology in the Salton Sea geothermal resource area.

[AB 1244](#) ([Mathis](#) R) California Disabled Veteran Business Enterprise Program.

Current Text: Introduced: 2/19/2021 [html](#) [pdf](#)

Status: 4/30/2021-Failed Deadline pursuant to Rule 61(a)(2). (Last location was J., E.D. & E. on 3/4/2021)(May be acted upon Jan 2022)

Location: 4/30/2021-A. 2 YEAR

Summary: Current law establishes the California Disabled Veteran Business Enterprise Program to address the special needs of disabled veterans seeking rehabilitation and training through entrepreneurship and to recognize the sacrifices of Californians disabled during military service. Current law requires that contracts awarded by a state agency, department, officer, or other state governmental entity for specified services have statewide participation goals of not less than 3% for disabled veteran business enterprises. Current law defines a disabled veteran for purposes of this program as a veteran of the military, naval, or air service of the United States, as specified, who has at least a 10% service-connected disability and who is domiciled in the state. This bill would expand the definition of a disabled veteran for purposes of this program by additionally including a veteran who is doing business in the state, as specified.

[AB 1365](#) ([Bonta](#) D) Public contracts: clean concrete.

Current Text: Amended: 3/25/2021 [html](#) [pdf](#)

Last Amended: 3/25/2021

Status: 5/19/2021-Assembly Rule 47.1 invoked. (Berman).

Location: 4/15/2021-A. NAT. RES.

Summary: The State Contract Act governs the bidding and award of public works contracts by specific state departments and requires an awarding department, before entering into any contract for a project, to prepare full, complete, and accurate plans and specifications and estimates of cost. This bill would require the Department of General Services, on or before January 1, 2024, to establish and publish a maximum acceptable global warming potential for concrete, as specified. The bill would, beginning January 1, 2022, require an awarding authority to require a winning bidder for an eligible project to submit an Environmental Product Declaration developed in accordance with specified standards prior to installation of any concrete products..

[AB 1369](#) (Bonta D) Buy Clean California Act: eligible materials: product-specific global warming potential emissions.

Current Text: Amended: 3/25/2021 [html](#) [pdf](#)

Last Amended: 3/25/2021

Status: 4/30/2021-Failed Deadline pursuant to Rule 61(a)(2). (Last location was NAT. RES. on 4/14/2021)(May be acted upon Jan 2022)

Location: 4/30/2021-A. 2 YEAR

Summary: The Buy Clean California Act requires the Department of General Services, by January 1, 2021, to establish and publish in the State Contracting Manual, in a department management memorandum, or on the department's internet website, a maximum acceptable global warming potential for each category of eligible materials, set at the industry average of facility-specific global warming potential emissions for that material, expressed as specified. Current law defines eligible materials for those purposes to mean carbon steel rebar, flat glass, mineral wool board insulation, or structural steel. This bill would define eligible materials to additionally include gypsum board, insulation, carpet and carpet tiles, ceiling tiles, and any other major structural, high-impact architectural, civil, or high-impact materials for which there is either a product category rule or an environmental product declaration.

[AB 1397](#) (Garcia, Eduardo D) Public contracts: California Lithium Economy Act.

Current Text: Introduced: 2/19/2021 [html](#) [pdf](#)

Status: 4/30/2021-Failed Deadline pursuant to Rule 61(a)(2). (Last location was A. & A.R. on 3/11/2021)(May be acted upon Jan 2022)

Location: 4/30/2021-A. 2 YEAR

Summary: The Buy Clean California Act, requires the Department of General Services to establish and publish a maximum acceptable global warming potential for categories of eligible materials, in accordance with specified requirements. This bill, entitled the California Lithium Economy Act, would revise the definition of "eligible materials" to include lithium, commencing January 1, 2023. The bill would require an awarding authority, by January 1, 2025, to require the successful bidder for a contract that includes electric vehicles to be provided as part of that contract, to disclose the sources of lithium used in the manufacture of the electric vehicles' batteries. The bill would also require, by January 1, 2035, that at least 35% of the lithium used in electric vehicle batteries pursuant to a contract under the act be produced in California. The bill would include related findings and declarations.

[AB 1574](#) (Committee on Jobs, Economic Development, and the Economy) Public contracts: small business liaisons and advocates and disabled veteran business enterprises: preferences.

Current Text: Amended: 6/18/2021 [html](#) [pdf](#)

Last Amended: 6/18/2021

Status: 8/19/2021-From Consent Calendar. Ordered to third reading.

Location: 8/19/2021-S. THIRD READING

Calendar: 8/23/2021 #173 SENATE ASSEMBLY BILLS - THIRD READING FILE

Summary: Would enact the Leveraging State Procurement for an Inclusive Economic Recovery Act of 2021, which would require the Director of the Office of Small Business Advocate to maintain, publicize, and distribute an annual list of persons serving as small business liaisons throughout state government. The bill would require the Director of the Office of Small Business Advocate to collaborate with the California Disabled Veteran Business Enterprise Program Advocate regarding the implementation of the California Disabled Veteran Business Enterprise Program, as provided. The bill would also require the small business advocate to identify potential certified small business and certified DVBE subcontracting opportunities, as well as assist

certified small businesses and certified DVBEs to participate in the California multiple award schedule program. The bill would define, for purposes of the Small Business Procurement and Contract Act, limited contracting small business enterprise and new small business enterprise. The bill would make conforming changes to that effect. This bill contains other related provisions and other existing laws.

[SB 600](#) ([Borgeas R](#)) **Administrative Procedure Act.**

Current Text: Introduced: 2/18/2021 [html](#) [pdf](#)

Status: 3/3/2021-Referred to Com. on RLS.

Location: 2/18/2021-S. RLS.

Summary: Current law, the Administrative Procedure Act, governs, among other things, the procedures for the adoption, amendment, or repeal of regulations by state agencies and for the review of those regulatory actions by the Office of Administrative Law. Current law specifies which code sections constitute the Administrative Procedure Act. This bill would make a nonsubstantive change to those provisions.

[SB 602](#) ([Laird D](#)) **Review of conservatorships: care plans.**

Current Text: Amended: 4/27/2021 [html](#) [pdf](#)

Last Amended: 4/27/2021

Status: 6/4/2021-Failed Deadline pursuant to Rule 61(a)(8). (Last location was INACTIVE FILE on 5/26/2021)(May be acted upon Jan 2022)

Location: 6/4/2021-S. 2 YEAR

Summary: Current law generally provides for the establishment, review, and termination of conservatorships. Current law specifies the persons who may be appointed as a conservator and requires the court to review a conservatorship 6 months after the initial appointment of the conservator, one year after the appointment of the conservator, and annually thereafter. Current law sets forth the powers and duties of a conservator for the care, custody, and control of a conservatee. This bill would require a conservator, within 30 days of appointment and within 30 days before a hearing to determine the continuation or termination of an existing conservatorship, to submit a care plan to specified persons regarding the care, custody, and control of the conservatee.

Labor & Employment

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

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

Status: 4/30/2021-Failed Deadline pursuant to Rule 61(a)(2). (Last location was L. & E. on 1/11/2021)(May be acted upon Jan 2022)

Location: 4/30/2021-A. 2 YEAR

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: 5/7/2021-Failed Deadline pursuant to Rule 61(a)(3). (Last location was PRINT on 12/7/2020)(May be acted upon Jan 2021)

Location: 5/7/2021-A. 2 YEAR

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: Amended: 3/22/2021 [html](#) [pdf](#)

Last Amended: 3/22/2021

Status: 5/25/2021-Failed Deadline pursuant to Rule 61(a)(5). (Last location was APPR. SUSPENSE FILE on 4/21/2021)(May be acted upon Jan 2022)

Location: 5/25/2021-A. 2 YEAR

Summary: Would enact the Bereavement Leave Act of 2021. The bill would require an employer with 25 or more employees to grant a request made by any employee to take 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 a request by any employee to take 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: 7/5/2021-In committee: Referred to suspense file.

Location: 7/5/2021-S. APPR. SUSPENSE FILE

Calendar: 8/26/2021 Upon adjournment of Session - John L. Burton Hearing Room (4203) SENATE APPROPRIATIONS SUSPENSE, PORTANTINO, Chair

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: 4/30/2021-Failed Deadline pursuant to Rule 61(a)(2). (Last location was L. & E. on 1/28/2021)(May be acted upon Jan 2022)

Location: 4/30/2021-A. 2 YEAR

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: 4/30/2021-Failed Deadline pursuant to Rule 61(a)(2). (Last location was L. & E. on 1/28/2021)(May be acted upon Jan 2022)

Location: 4/30/2021-A. 2 YEAR

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](#)) **Food facilities and employment.**

Current Text: Amended: 4/28/2021 [html](#) [pdf](#)

Last Amended: 4/28/2021

Status: 6/28/2021-Reconsideration granted. Ordered to inactive file at the request of Assembly Member Lorena Gonzalez.

Location: 6/28/2021-A. INACTIVE FILE

Summary: Would enact the Fast Food Accountability and Standards Recovery Act or FAST Recovery Act. The bill would establish the Fast Food Sector Council (council), to be composed of 11 members to be appointed by the Governor, the Speaker of the Assembly, and the Senate Rules Committee, and would prescribe its powers. The purpose of the council would be to establish industry-wide minimum standards on wages, working hours, and other working conditions related to the health, safety, and welfare of, and supplying the necessary cost of proper living to, fast food restaurant workers, as well as effecting interagency coordination and prompt agency responses in this regard.

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

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

Status: 4/30/2021-Failed Deadline pursuant to Rule 61(a)(2). (Last location was PRINT on 1/25/2021)(May be acted upon Jan 2022)

Location: 4/30/2021-A. 2 YEAR

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.

[AB 364](#) ([Rodriguez D](#)) Foreign labor contractor registration: agricultural workers.

Current Text: Introduced: 2/1/2021 [html](#) [pdf](#)

Status: 8/16/2021-In committee: Referred to suspense file.

Location: 8/16/2021-S. APPR. SUSPENSE FILE

Calendar: 8/26/2021 Upon adjournment of Session - John L. Burton Hearing Room (4203) SENATE APPROPRIATIONS SUSPENSE, PORTANTINO, Chair

Summary: Current law requires the Labor Commissioner to enforce and administer a program to register and supervise foreign labor contractors who perform foreign labor contracting activities to recruit or solicit foreign workers. Current law requires foreign labor contractors to register under the program, as prescribed, and imposes specific requirements relating to recruitment or solicitation for employment and relating to work contracts. Current law authorizes the commissioner to adopt regulations or policies and procedures to implement these provisions. Current law makes these provisions applicable only to nonagricultural workers, and exempts persons licensed as farm labor contractors, specified persons exempt from farm labor contractor licensing requirements, and employers of agricultural workers. This bill would delete those limitations.

[AB 385](#) ([Flora R](#)) Labor Code Private Attorneys General Act of 2004:

Current Text: Introduced: 2/2/2021 [html](#) [pdf](#)

Status: 4/30/2021-Failed Deadline pursuant to Rule 61(a)(2). (Last location was L. & E. on 2/12/2021)(May be acted upon Jan 2022)

Location: 4/30/2021-A. 2 YEAR

Summary: Would prohibit an aggrieved employee from maintaining an action on behalf of themselves or any other aggrieved employee under the Labor Code Private Attorneys General Act of 2004 if certain conditions apply, including if the aggrieved employee has brought an action under the act in conjunction with, or in addition to, claims for monetary damages or penalties for violations of the Labor Code arising out of the same period of employment that occurred between March 4, 2020, and the state of emergency termination date, as defined.

[AB 436](#) ([Fong R](#)) Wages: records: inspection and copying.

Current Text: Introduced: 2/4/2021 [html](#) [pdf](#)

Status: 4/30/2021-Failed Deadline pursuant to Rule 61(a)(2). (Last location was L. & E. on 2/12/2021)(May be acted upon Jan 2022)

Location: 4/30/2021-A. 2 YEAR

Summary: This bill would require, if an employee or their representative requests to inspect or copy records relating to the itemized statement and also requests to inspect or receive a copy of personnel records, that the deadline to comply with both requests be governed by the response deadline provisions for personnel records.

[AB 513](#) ([Bigelow R](#)) Employment: telecommuting employees.

Current Text: Amended: 3/17/2021 [html](#) [pdf](#)

Last Amended: 3/17/2021

Status: 5/7/2021-Failed Deadline pursuant to Rule 61(a)(3). (Last location was L. & E. on 2/18/2021)(May be acted upon Jan 2021)

Location: 5/7/2021-A. 2 YEAR

Summary: Would authorize an employee working from home or a remote location not at the physical location of the employer to receive legally required notices and postings electronically and sign or acknowledge certain documents electronically. The bill would also authorize an employee who works from home or a remote location to have any wages due at the time of separation of employment mailed to the employee using the address the employer has on file for the employee for sending notices. The bill would require the wages to be deemed paid on the date of mailing.

[AB 530](#) ([Fong R](#)) **Labor Code Private Attorneys General Act of 2004: filing requirements.**

Current Text: Introduced: 2/10/2021 [html](#) [pdf](#)

Status: 4/30/2021-Failed Deadline pursuant to Rule 61(a)(2). (Last location was L. & E. on 2/18/2021)(May be acted upon Jan 2022)

Location: 4/30/2021-A. 2 YEAR

Summary: The Labor Code Private Attorneys General Act of 2004 authorizes an aggrieved employee on behalf of the employee and other current or former employees to bring a civil action to recover specified civil penalties that would otherwise be assessed and collected by the Labor and Workforce Development Agency for the violation of certain provisions affecting employees. The act requires compliance with specified filing requirements by the aggrieved employee in order to bring the action, including providing notice to the agency and the employer with the specific provisions of the Labor Code alleged to have been violated, and the facts and theories that support the alleged violations. This bill would also require the aggrieved employee to inform the employer which specific violations of the code are being brought under each subdivision of the act and to inform the employer if statutory right to cure provisions apply.

[AB 572](#) ([Kalra D](#)) **California Workforce Development Board: employment policies.**

Current Text: Amended: 3/18/2021 [html](#) [pdf](#)

Last Amended: 3/18/2021

Status: 5/25/2021-Failed Deadline pursuant to Rule 61(a)(5). (Last location was APPR. SUSPENSE FILE on 5/5/2021)(May be acted upon Jan 2022)

Location: 5/25/2021-A. 2 YEAR

Summary: Current law establishes the California Workforce Development Board as the body responsible for assisting the Governor in the development, oversight, and continuous improvement of California's workforce investment system and the alignment of the education and workforce investment systems to the needs of the 21st century economy and workforce. This bill would require the board, upon appropriation of funds by the Legislature for this purpose, to establish and maintain an outreach, education, and certification program, with specified purposes, including training restaurant employees, managers, and employers to identify and address disparities in their workforce and implementing high-road employment policies that promote equity of income and career pathways for people of color, immigrants, women, and people who are transgender, nonbinary, or intersex.

[AB 612](#) ([Mayes I](#)) **Worker classification: business-to-business voluntary deposit arrangements.**

Current Text: Amended: 3/23/2021 [html](#) [pdf](#)

Last Amended: 3/23/2021

Status: 4/30/2021-Failed Deadline pursuant to Rule 61(a)(2). (Last location was L. & E. on 2/25/2021)(May be acted upon Jan 2022)

Location: 4/30/2021-A. 2 YEAR

Summary: Current law exempts specified occupations and business relationships from the application of the ABC test as specified, including, among others, a bona fide business-to-business contracting relationship,

under specified conditions. Current law, instead, provides that these exempt relationships are governed by the multifactor test previously established in the case of *S. G. Borello & Sons, Inc. v. Department of Industrial Relations* (1989) 48 Cal.3d 341. This bill would create a new exemption from the ABC test, described above, for a bona fide business-to-business arrangement that involves a voluntary deposit, as specified, under specified conditions.

[AB 650](#) ([Muratsuchi D](#)) Employer-provided benefits: health care workers: COVID-19: hazard pay retention bonuses.

Current Text: Amended: 6/1/2021 [html](#) [pdf](#)

Last Amended: 6/1/2021

Status: 6/4/2021-Failed Deadline pursuant to Rule 61(a)(8). (Last location was INACTIVE FILE on 6/3/2021)(May be acted upon Jan 2022)

Location: 6/4/2021-A. 2 YEAR

Summary: The Healthy Workplaces, Healthy Families Act of 2014 requires employers to provide an employee, who works in California for 30 or more days within a year from the commencement of employment, with paid sick days for prescribed purposes, to be accrued at a rate of no less than one hour for every 30 hours worked. Existing law authorizes an employer to limit an employee's use of paid sick days to 24 hours or 3 days in each year of employment. Current law charges the Labor Commissioner, who is the Chief of the Division of Labor Standards Enforcement, with enforcement of various labor laws. This bill, the Health Care Workers Recognition and Retention Act, would require a covered employer, as defined, to pay hazard pay retention bonuses in the prescribed amounts on January 1, 2022, April 1, 2022, July 1, 2022, and October 1, 2022, to each covered health care worker, as defined, that it employs.

[AB 701](#) ([Gonzalez, Lorena D](#)) Warehouse distribution centers.

Current Text: Amended: 7/15/2021 [html](#) [pdf](#)

Last Amended: 7/15/2021

Status: 8/16/2021-In committee: Referred to suspense file.

Location: 8/16/2021-S. APPR. SUSPENSE FILE

Calendar: 8/26/2021 Upon adjournment of Session - John L. Burton Hearing Room (4203) SENATE APPROPRIATIONS SUSPENSE, PORTANTINO, Chair

Summary: Current law relating to employment regulation and supervision imposes special provisions on certain occupations and industries. Current law charges the Labor Commissioner and the Division of Labor Standards Enforcement with the enforcement of labor laws. This bill, among other things, would require specified employers to provide to each employee, defined as a nonexempt employee who works at a warehouse distribution center, upon hire, with a written description of each quota to which the employee is subject, including the quantified number of tasks to be performed, or materials to be produced or handled, within the defined time period, and any potential adverse employment action that could result from failure to meet the quota.

[AB 755](#) ([Flora R](#)) Labor Commissioner: unlawful discrimination: report.

Current Text: Introduced: 2/16/2021 [html](#) [pdf](#)

Status: 5/7/2021-Failed Deadline pursuant to Rule 61(a)(3). (Last location was L. & E. on 2/25/2021)(May be acted upon Jan 2021)

Location: 5/7/2021-A. 2 YEAR

Summary: Current law prohibits an employer from paying any of its employees at wage rates less than the rates paid to employees of the opposite sex for substantially similar work, when viewed as a composite of skill, effort, and responsibility, and performed under similar working conditions, unless the employer demonstrates

that one or more specific factors, reasonably applied, account for the entire wage differential. Current law also similarly prohibits an employer from paying any of its employees at wage rates less than the rates paid to employees of another race or ethnicity for substantially similar work. Current law authorizes an employee paid lesser wages in violation of these prohibitions to file a complaint with the division, and authorizes the commencement of a civil action. Existing law requires the Labor Commissioner to submit an annual report to the Legislature by February 15 of each year providing specific information with respect to discrimination complaints under the above provisions for the previous calendar year. This bill would change the deadline for that report to March 15 of each year, commencing with March 15, 2022.

[AB 857](#) ([Kalra D](#)) **Employers: Labor Commissioner: required disclosures.**

Current Text: Introduced: 2/17/2021 [html](#) [pdf](#)

Status: 8/17/2021-Read second time. Ordered to third reading.

Location: 8/17/2021-S. THIRD READING

Calendar: 8/23/2021 #130 SENATE ASSEMBLY BILLS - THIRD READING FILE

Summary: Current law requires an employer to provide an employee, at the time of hiring, a written notice including specified information in the language the employer normally uses to communicate employment-related information to the employee. Current law requires the Labor Commissioner to prepare a template that includes the specified information mentioned above and to make the template available to employers in the manner as determined by the commissioner. This bill would require an employer to include in their written notice to all employees, specified information required in the event of a federal or state declared disaster or applicable to the county or counties in which the employee will be employed.

[AB 858](#) ([Jones-Sawyer D](#)) **Employment: health information technology: clinical practice guidelines: worker rights.**

Current Text: Amended: 7/15/2021 [html](#) [pdf](#)

Last Amended: 7/15/2021

Status: 8/16/2021-In committee: Referred to suspense file.

Location: 8/16/2021-S. APPR. SUSPENSE FILE

Calendar: 8/26/2021 Upon adjournment of Session - John L. Burton Hearing Room (4203) SENATE APPROPRIATIONS SUSPENSE, PORTANTINO, Chair

Summary: Would provide that the use of technology shall not limit a worker who is providing direct patient care from exercising independent clinical judgment in the assessment, evaluation, planning, and implementation of care, nor from acting as a patient advocate. The bill would define "technology" for these purposes to mean scientific hardware or software including algorithms derived from the use of health care related data, used to achieve a medical or nursing care objective at a general acute care hospital.

[AB 867](#) ([Kiley R](#)) **Family care leave: child deceased in childbirth.**

Current Text: Introduced: 2/17/2021 [html](#) [pdf](#)

Status: 4/30/2021-Failed Deadline pursuant to Rule 61(a)(2). (Last location was INS. on 2/25/2021)(May be acted upon Jan 2022)

Location: 4/30/2021-A. 2 YEAR

Summary: Would expand eligibility for benefits under the paid family leave program by expanding bonding leave relating to a child's birth to include leave for a parent who was pregnant with a child, if the child dies unexpectedly during childbirth at 37 weeks or more of pregnancy.

[AB 995](#) ([Gonzalez, Lorena D](#)) **Paid sick days: accrual and use.**

Current Text: Introduced: 2/18/2021 [html](#) [pdf](#)

Status: 6/4/2021-Failed Deadline pursuant to Rule 61(a)(8). (Last location was INACTIVE FILE on 6/3/2021)(May be acted upon Jan 2022)

Location: 6/4/2021-A. 2 YEAR

Summary: Current law authorizes an employer to use a different accrual method as long as an employee has no less than 24 hours of accrued sick leave or paid time off by the 120th calendar day of employment or each calendar year, or in each 12-month period. Current law also provides that an employer may satisfy the accrual requirements by providing not less than 24 hours or 3 days of paid sick leave that is available to the employee to use by the completion of the employee's 120th calendar day of employment. This bill would modify the employer's alternate sick leave accrual method to require that an employee have no less than 40 hours of accrued sick leave or paid time off by the 200th calendar day of employment or each calendar year, or in each 12-month period.

[AB 1003](#) ([Gonzalez, Lorena D](#)) **Wage theft: grand theft.**

Current Text: Amended: 5/4/2021 [html](#) [pdf](#)

Last Amended: 5/4/2021

Status: 8/16/2021-In committee: Referred to suspense file.

Location: 8/16/2021-S. APPR. SUSPENSE FILE

Calendar: 8/26/2021 Upon adjournment of Session - John L. Burton Hearing Room (4203) SENATE APPROPRIATIONS SUSPENSE, PORTANTINO, Chair

Summary: Current law defines the crime of grand theft as theft committed when the money, labor, or real or personal property taken is of a value exceeding \$950. Under existing law, grand theft is punishable either as a misdemeanor by imprisonment in a county jail for up to 1 year or as a felony by imprisonment in county jail for 16 months or 2 or 3 years, by a specified fine, or by a fine and that imprisonment. This bill would make the intentional theft of wages including gratuities, in an amount greater than \$950 from any one employee, or \$2,350 in the aggregate from 2 or more employees, by an employer in any consecutive 12-month period punishable as grand theft. The bill would authorize wages, gratuities, benefits, or other compensation that are the subject of a prosecution under these provisions to be recovered in a civil action by the employee or the Labor Commissioner. This bill would specify that, for the purposes of these provisions, independent contractors are included within the meaning of employee and hiring entities of independent contractors are included within the meaning of employer.

[AB 1028](#) ([Seyarto R](#)) **Telework Flexibility Act.**

Current Text: Introduced: 2/18/2021 [html](#) [pdf](#)

Status: 4/30/2021-Failed Deadline pursuant to Rule 61(a)(2). (Last location was L. & E. on 3/4/2021)(May be acted upon Jan 2022)

Location: 4/30/2021-A. 2 YEAR

Summary: Current law, with various exceptions, generally establishes 8 hours as a day's work and a 40-hour workweek and requires the payment of prescribed overtime compensation for additional hours worked. This bill would permit an individual nonexempt employee to request an employee-selected remote work 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.

[AB 1033](#) ([Bauer-Kahan D](#)) **California Family Rights Act: parent-in-law: small employer family leave mediation: pilot program.**

Current Text: Amended: 4/29/2021 [html](#) [pdf](#)

Last Amended: 4/29/2021

Status: 8/16/2021-In committee: Referred to suspense file.

Location: 8/16/2021-S. APPR. SUSPENSE FILE

Calendar: 8/26/2021 Upon adjournment of Session - John L. Burton Hearing Room (4203) SENATE APPROPRIATIONS SUSPENSE, PORTANTINO, Chair

Summary: Current law, the Moore-Brown-Roberti Family Rights Act, commonly known as the California Family Rights Act, which is a part of FEHA, makes it an unlawful employment practice for an employer, as defined, to refuse to grant a request by an eligible employee to take up to 12 workweeks of unpaid protected leave during any 12-month period for family care and medical leave, as specified. Current law defines family care and medical leave to include, among other things, leave to care for a parent. This bill would additionally include leave to care for a parent-in-law within the definition of family care and medical leave, and would make other conforming changes.

[AB 1041](#) ([Wicks D](#)) **Employment: leave.**

Current Text: Amended: 4/22/2021 [html](#) [pdf](#)

Last Amended: 4/22/2021

Status: 7/5/2021-In committee: Referred to suspense file.

Location: 7/5/2021-S. APPR. SUSPENSE FILE

Calendar: 8/26/2021 Upon adjournment of Session - John L. Burton Hearing Room (4203) SENATE APPROPRIATIONS SUSPENSE, PORTANTINO, Chair

Summary: Would expand the population that an employee can take leave to care for to include a designated person. The bill would define “designated person” to mean a person identified by the employee at the time the employee requests family care and medical leave. The bill would authorize an employer to limit designation of a person, as prescribed.

[AB 1042](#) ([Jones-Sawyer D](#)) **Skilled nursing facilities: unpaid penalties: related parties.**

Current Text: Amended: 8/16/2021 [html](#) [pdf](#)

Last Amended: 8/16/2021

Status: 8/16/2021-In committee: Hearing postponed by committee. From committee chair, with author's amendments: Amend, and re-refer to committee. Read second time, amended, and re-referred to Com. on APPR.

Location: 6/30/2021-S. APPR.

Summary: Would expressly authorize the Office of Statewide Health Planning and Development, if a licensee provider fails to pay specified penalties in full when all appeals have been exhausted and the State Department of Public Health’s position has been upheld, to give written notice to the licensee provider and related parties in which the licensee provider has an ownership or control interest of 5% or more that the department may take appropriate legal action to recover the unpaid penalty amount from the licensee provider’s financial interest in the related party. This bill also would require the department to give written notice to related parties when a citation has been issued against a facility licensee, and to advise the related parties of the potential action if the violation is not remedied and penalties are assessed.

[AB 1048](#) ([Cooper D](#)) **Alameda Health System Hospital Authority: labor negotiations.**

Current Text: Amended: 4/20/2021 [html](#) [pdf](#)

Last Amended: 4/20/2021

Status: 7/14/2021-Read second time. Ordered to Consent Calendar.

Location: 7/12/2021-S. CONSENT CALENDAR

Calendar: 8/23/2021 #189 SENATE CONSENT CALENDAR SECOND LEGISLATIVE DAY

Summary: Current law establishes an independent public agency to manage, administer, and control the Alameda Health System, which is known as the Alameda Health System Hospital Authority. The hospital authority is governed by a board that is appointed by the Board of Supervisors of the County of Alameda. Current law prescribes the characteristics of employees of the hospital authority who are and are not authorized to participate in the Alameda County Employees' Retirement Association at the time the provisions authorizing the creation of the hospital authority become effective. Current law generally prohibits a person employed by the hospital authority on or before the date these provisions became effective who was not qualified for membership in the Alameda County Employees' Retirement Association at that time from becoming qualified for membership as a result of subsequent employment with the hospital authority. This bill would repeal the above-described prohibition on certain employees of the Alameda Health System Hospital Authority qualifying for membership in the Alameda County Employees' Retirement Association.

[AB 1059](#) ([Chen R](#)) **Employment relations: cheerleaders.**

Current Text: Introduced: 2/18/2021 [html](#) [pdf](#)

Status: 5/7/2021-Failed Deadline pursuant to Rule 61(a)(3). (Last location was PRINT on 2/18/2021)(May be acted upon Jan 2021)

Location: 5/7/2021-A. 2 YEAR

Summary: Current law provides that a cheerleader, as defined, who is utilized by a California-based professional sports team, as defined, directly or through a labor contractor during its exhibitions, events, or games, is deemed to be an employee, subject to the provisions of the Unemployment Insurance Code and the California Fair Employment and Housing Act. This bill would make a nonsubstantive change to those provisions.

[AB 1074](#) ([Gonzalez, Lorena D](#)) **Employment: displaced workers.**

Current Text: Amended: 7/12/2021 [html](#) [pdf](#)

Last Amended: 7/12/2021

Status: 8/17/2021-Read second time. Ordered to third reading.

Location: 8/17/2021-S. THIRD READING

Calendar: 8/23/2021 #136 SENATE ASSEMBLY BILLS - THIRD READING FILE

Summary: Current law establishes the Displaced Janitor Opportunity Act, which requires contractors and subcontractors, as defined, that are awarded contracts or subcontracts to provide janitorial or building maintenance services at a particular jobsite or sites, to retain, for a period of 60 days, certain employees who were employed at that site by the previous contractor or subcontractor, and offered continued employment if their performance during that 60-day period is satisfactory. Existing law authorizes an employee who was not retained, or the employee's agent, to bring an enforcement action in a court of competent jurisdiction, as specified. Current law charges the Labor Commissioner, as Chief of the Division of Labor Standards Enforcement, with enforcing these provisions. This bill would rename the act the Displaced Janitor and Hotel Worker Opportunity Act and would extend the provisions of the act to hotel workers. The bill would redefine "awarding authority" under the act to include any person that awards or otherwise enters into contracts for hotel services, which include guest service, as defined, food and beverage service, or cleaning service, performed within the state, as specified.

[AB 1077](#) ([Calderon D](#)) **Inventions by employees.**

Current Text: Introduced: 2/18/2021 [html](#) [pdf](#)

Status: 5/7/2021-Failed Deadline pursuant to Rule 61(a)(3). (Last location was PRINT on 2/18/2021)(May be acted upon Jan 2021)

Location: 5/7/2021-A. 2 YEAR

Summary: Current law provides that an invention developed on an employee's own time belongs to the employee and not the employer. An employer is required to give notice, as specified, to an employee if the employment contract contains a requirement that inventions by an employee be assigned to the employer. This bill would make nonsubstantive changes to these notice provisions.

[AB 1119](#) ([Wicks D](#)) Employment discrimination.

Current Text: Amended: 4/21/2021 [html](#) [pdf](#)

Last Amended: 4/21/2021

Status: 5/25/2021-Failed Deadline pursuant to Rule 61(a)(5). (Last location was APPR. SUSPENSE FILE on 5/12/2021)(May be acted upon Jan 2022)

Location: 5/25/2021-A. 2 YEAR

Summary: The California Fair Employment and Housing Act (FEHA), protects the right to seek, obtain, and hold employment without discrimination because of prescribed characteristics. FEHA makes various employment practices unlawful and empowers the Department of Fair Employment and Housing to investigate and prosecute complaints alleging unlawful practices. This bill would expand the protected characteristics to include family responsibilities, defined to mean the obligations of an employee to provide direct and ongoing care for a minor child or a care recipient. The bill would define additional terms for this purpose.

[AB 1122](#) ([Garcia, Cristina D](#)) Employment discrimination.

Current Text: Amended: 3/11/2021 [html](#) [pdf](#)

Last Amended: 3/11/2021

Status: 4/30/2021-Failed Deadline pursuant to Rule 61(a)(2). (Last location was L. & E. on 3/11/2021)(May be acted upon Jan 2022)

Location: 4/30/2021-A. 2 YEAR

Summary: Would provide that, under FEHA, it is not a violation of the rights of any individual who is not chosen for an employer to hire or promote a member of a protected group, if the employer determines that the individual hired or promoted is qualified for the job and the individual hired or promoted is a member of a protected group that is underrepresented in the type of job in question in the relevant general workforce. Under the bill, the violation exemption would not apply if the individual hired or promoted is a member of a protected group that, prior to the selection of the individual, was overrepresented in the type of job in the employer's workforce or an individual challenging the hire or promotion decision is a member of a protected group that is underrepresented in the type of job in the relevant general workforce and there is substantial evidence that the individual's protected status was a substantial factor in the hire or promotion decision. The bill would define terms for its purpose.

[AB 1175](#) ([Aguiar-Curry D](#)) Division of Occupational Safety and Health: inspections and investigations: advance notice.

Current Text: Amended: 3/11/2021 [html](#) [pdf](#)

Last Amended: 3/11/2021

Status: 4/30/2021-Failed Deadline pursuant to Rule 61(a)(2). (Last location was L. & E. on 3/11/2021)(May be acted upon Jan 2022)

Location: 4/30/2021-A. 2 YEAR

Summary: The Occupational Safety and Health Administration (OSHA), except as provided, prohibits a person or employer from being given advance warning of an inspection or investigation by any authorized representative of the division. OSHA authorizes the Chief of the Division of Occupational Safety and Health or an authorized representative to permit advance notice of an inspection or investigation as prescribed by the Director of Industrial Relations. OSHA prohibits the authorization of advance notice when the investigation or

inspection is to be made as a result of an employee complaint, unless there is imminent danger to the health or safety of an employee or employees. OSHA makes it a crime, punishable as prescribed, for any person to give unauthorized advance notice of any inspection to be conducted. This bill would revise those advance warning provisions to prohibit any representative of the division from giving advance notice of an inspection or investigation to an employer or other person unless authorized under OSHA.

[AB 1179](#) ([Carrillo D](#)) Employer provided benefit: backup childcare.

Current Text: Introduced: 2/18/2021 [html](#) [pdf](#)

Status: 5/25/2021-Failed Deadline pursuant to Rule 61(a)(5). (Last location was APPR. SUSPENSE FILE on 5/5/2021)(May be acted upon Jan 2022)

Location: 5/25/2021-A. 2 YEAR

Summary: Would require an employer to provide an employee, on or after January 1, 2022, who works in California for the same employer for 30 or more days within a year from the commencement of employment, with up to 60 hours of paid backup childcare benefits, to be accrued and used as provided. The bill would define “backup childcare” as childcare provided by a qualified backup childcare provider to the employee’s child when the employee’s regular childcare provider cannot be utilized, and “paid backup childcare” as an employee benefit consisting of the employer paying for a qualified backup childcare provider to provide backup childcare for an employee’s child that is compensated at the state minimum wage or the federal minimum wage, whichever is higher.

[AB 1192](#) ([Kalra D](#)) Employment information: worker metrics.

Current Text: Amended: 4/5/2021 [html](#) [pdf](#)

Last Amended: 4/5/2021

Status: 6/4/2021-Failed Deadline pursuant to Rule 61(a)(8). (Last location was INACTIVE FILE on 6/3/2021)(May be acted upon Jan 2022)

Location: 6/4/2021-A. 2 YEAR

Summary: Current law establishes within the Labor and Workforce Development Agency the Department of Industrial Relations, one of the purposes of which is to foster, promote, and develop the welfare of the wage earners of California, to improve their working conditions, and to advance their opportunities for profitable employment. This bill would establish a program in, and administered by, the agency and would require employers with more than 1,000 employees in California, as provided, to submit various statistics regarding those employees to the agency. The bill would further require the agency to collect the worker-related statistics annually and, after collection, to assign each employer to one of the 24 industries in the Global Industry Classification Standard system.

[AB 1227](#) ([Levine D](#)) Worker classification: employees and independent contractors: workers in seasonal live theatre.

Current Text: Introduced: 2/19/2021 [html](#) [pdf](#)

Status: 4/30/2021-Failed Deadline pursuant to Rule 61(a)(2). (Last location was L. & E. on 3/4/2021)(May be acted upon Jan 2022)

Location: 4/30/2021-A. 2 YEAR

Summary: Under the ABC test, a person providing labor or services for remuneration is considered an employee rather than an independent contractor unless the hiring entity demonstrates that the person is free from the control and direction of the hiring entity in connection with the performance of the work, the person performs work that is outside the usual course of the hiring entity’s business, and the person is customarily engaged in an independently established trade, occupation, or business of the same nature as that involved in the work performed. Current law exempts specified occupations and business relationships from the

application of these provisions. Current law instead provides that these occupations and business relationships are governed by the test adopted in *S. G. Borello & Sons, Inc. v. Department of Industrial Relations* (1989) 48 Cal.3d 341 (Borello). Existing law charges the Labor Commissioner with the enforcement of labor laws, including worker classification. This bill would also exempt workers in seasonal live theatre.

[AB 1256](#) ([Quirk D](#)) **Employment discrimination: cannabis screening test.**

Current Text: Amended: 4/12/2021 [html](#) [pdf](#)

Last Amended: 4/12/2021

Status: 5/7/2021-Failed Deadline pursuant to Rule 61(a)(3). (Last location was L. & E. on 3/4/2021)(May be acted upon Jan 2021)

Location: 5/7/2021-A. 2 YEAR

Summary: Would prohibit an employer from discriminating against a person in hiring, termination, or any term or condition of employment because a drug screening test has found the person to have nonpsychoactive cannabis metabolites in their urine, hair, or bodily fluids. The bill would exempt from its provisions an employer that is required to conduct testing for nonpsychoactive cannabis metabolites by federal law or regulations, or that would lose a monetary or licensing-related benefit for failing to conduct testing for nonpsychoactive cannabis metabolites. The bill would also exempt employment in the building and construction trades.

[AB 1301](#) ([Gray D](#)) **Labor Code: protections, obligations, and prohibitions: Legislature.**

Current Text: Introduced: 2/19/2021 [html](#) [pdf](#)

Status: 4/30/2021-Failed Deadline pursuant to Rule 61(a)(2). (Last location was PRINT on 2/19/2021)(May be acted upon Jan 2022)

Location: 4/30/2021-A. 2 YEAR

Summary: Current law provides specified protections for employees and specified obligations and prohibitions for employers in regard to payment of wages, gratuities, working conditions, bonds and photographs required by employers, contracts and applications for employment, purchases by employees, employee working hours, agreements regarding joining or becoming a member of a labor organization or employer organization, solicitation of employees by misrepresentation, enrollment in drug and alcohol rehabilitation programs, employee political affiliations, public works, employee indemnification and contributory negligence, provision of health benefits, termination, and occupational safety and health. A violation of several of these provisions by an employer or an agent, manager, superintendent, or officer of an employer is a misdemeanor or infraction, as specified. This bill would expressly provide that these provisions apply to the Legislature and legislative employees, as specified.

[AB 1319](#) ([Gonzalez, Lorena D](#)) **The Cooperative Economy Act.**

Current Text: Amended: 4/21/2021 [html](#) [pdf](#)

Last Amended: 4/21/2021

Status: 5/25/2021-Failed Deadline pursuant to Rule 61(a)(5). (Last location was APPR. SUSPENSE FILE on 5/19/2021)(May be acted upon Jan 2022)

Location: 5/25/2021-A. 2 YEAR

Summary: Current law creates in the Department of Industrial Relations, the Division of Labor Standards Enforcement. Under current law, the Division of Labor Standards Enforcement is under the direction of the Labor Commissioner, who is authorized to investigate employee complaints and charged with the enforcement of labor laws. This bill would require the Labor Commissioner to organize, and members to maintain, a corporation under the Nonprofit Mutual Benefit Corporation Law named the "Federation of California Worker Cooperatives" (federation) or a substantially similar name. The bill would require the

federation to function as a membership organization for worker cooperatives. This bill would require the Governor to appoint the initial board of directors, to serve for one year or until the first regular meeting of the members, whichever comes later.

[AB 1385](#) ([Gonzalez, Lorena D](#)) Employee obligations: exclusivity options: music talent and actors.

Current Text: Amended: 3/18/2021 [html](#) [pdf](#)

Last Amended: 3/18/2021

Status: 4/30/2021-Failed Deadline pursuant to Rule 61(a)(2). (Last location was L. & E. on 3/18/2021)(May be acted upon Jan 2022)

Location: 4/30/2021-A. 2 YEAR

Summary: Current law, except as specified, prohibits enforcement of a personal service contract beyond 7 years from the commencement of service under the contract. Under current law, an employee who is a party to a contract to render personal services in the production of specified phonorecords is prohibited from invoking this provision without first giving written notice to the employer that the employee, from and after a specified date, will no longer render service under the contract by reason of the above provision. Current law specifies that a party to a contract to render personal services in the production of specified phonorecords may still pursue an action for certain damages. This bill would eliminate that provision requiring an employee who is a party to a contract to render personal services in the production of specified phonorecords to give written notice and would also repeal the provisions related to damages.

[AB 1396](#) ([Levine D](#)) The Multifamily Housing Program.

Current Text: Amended: 3/18/2021 [html](#) [pdf](#)

Last Amended: 3/18/2021

Status: 4/30/2021-Failed Deadline pursuant to Rule 61(a)(2). (Last location was H. & C.D. on 3/18/2021)(May be acted upon Jan 2022)

Location: 4/30/2021-A. 2 YEAR

Summary: Would require the Department of Housing and Community Development to convene a working group to advise it in its administration of the Multifamily Housing Program, as specified. The working group would be tasked with, among other things, developing and proposing consistent program requirements for determining eligibility for awarding financial resources to multifamily projects, and proposing alignment of application deadlines for multifamily housing projects.

[AB 1433](#) ([Irwin D](#)) Rapid Digital Upskilling for Displaced Workers Grant Program.

Current Text: Amended: 3/22/2021 [html](#) [pdf](#)

Last Amended: 3/22/2021

Status: 4/30/2021-Failed Deadline pursuant to Rule 61(a)(2). (Last location was L. & E. on 3/11/2021)(May be acted upon Jan 2022)

Location: 4/30/2021-A. 2 YEAR

Summary: Would establish the Rapid Digital Upskilling for Displaced Workers Grant Program, to be administered by the California Workforce Development Board. The bill would require the board to award grants to 5 counties for Rapid Digital Upskilling for Displaced Workers training programs to provide specified skills to individuals to empower them for careers in growth industries, as prescribed. The bill would establish eligible uses of training program funds and requirements for grant applications and grant awards. The bill would require the board to prepare and submit to the Legislature, by March 1, 2023, a report regarding the uses and outcomes of funds appropriated for purposes of the bill, to include, at a minimum, prescribed information relating to program participation and effectiveness.

[AB 1506](#) ([Kalra D](#)) Worker status: employees and independent contractors: newspaper distributors and carriers.

Current Text: Amended: 7/6/2021 [html](#) [pdf](#)

Last Amended: 7/6/2021

Status: 8/16/2021-In committee: Referred to suspense file.

Location: 8/16/2021-S. APPR. SUSPENSE FILE

Calendar: 8/26/2021 Upon adjournment of Session - John L. Burton Hearing Room (4203) SENATE APPROPRIATIONS SUSPENSE, PORTANTINO, Chair

Summary: Current law establishes that, for purposes of the Labor Code, the Unemployment Insurance Code, and the wage orders of the Industrial Welfare Commission, a person providing labor or services for remuneration is considered an employee rather than an independent contractor unless the hiring entity demonstrates that the person is free from the control and direction of the hiring entity in connection with the performance of the work, the person performs work that is outside the usual course of the hiring entity's business, and the person is customarily engaged in an independently established trade, occupation, or business. This test is commonly known as the "ABC" test, as described above. Current law exempts specified occupations and business relationships from the application of Dynamex and the provisions as specified. These exemptions include a temporary exemption for newspaper distributors working under contract with a newspaper publisher and newspaper carriers, as those terms are defined, until January 1, 2022. This bill would extend the exemption for newspaper distributors working under contract with a newspaper publisher and newspaper carriers from January 1, 2022, to January 1, 2025.

[AB 1510](#) ([Garcia, Eduardo D](#)) Unauthorized workers: Essential Worker and Economic Stability Act of 2021.

Current Text: Amended: 3/17/2021 [html](#) [pdf](#)

Last Amended: 3/17/2021

Status: 4/30/2021-Failed Deadline pursuant to Rule 61(a)(2). (Last location was L. & E. on 3/11/2021)(May be acted upon Jan 2022)

Location: 4/30/2021-A. 2 YEAR

Summary: Current federal law regulates immigration. Current state law establishes the Employment Development Department (department), which is administered by the Director of Employment Development who is vested with certain duties relating to, among other things, job creation and unemployment compensation. This bill would require the department to determine the extent of labor shortages in the state's essential critical infrastructure workforce sectors and provide that information to specified federal government entities. The bill would require the department to convene a working group to address the issues relating to a work permit program for unauthorized persons who are essential critical infrastructure workforce employees to work and live in the state, and to serve as liaison to the United States Department of Homeland Security and the United States Department of Justice to ensure that state departments are not taking on responsibilities in matters dealing with immigration policy that are the jurisdiction of the federal government.

[AB 1528](#) ([Santiago D](#)) Wages: final payments.

Current Text: Introduced: 2/19/2021 [html](#) [pdf](#)

Status: 5/7/2021-Failed Deadline pursuant to Rule 61(a)(3). (Last location was PRINT on 2/19/2021)(May be acted upon Jan 2021)

Location: 5/7/2021-A. 2 YEAR

Summary: Current law regulates the terms and conditions of employment and, specifically, the payment of wages. Current law generally requires that if an employer discharges an employee, the wages earned and unpaid at the time of discharge are due and payable immediately. Current law authorizes a state employee to

provide for certain amounts, including those associated with unpaid vacation, to be contributed to specified supplemental retirement plans. Current law also authorizes a state employee to defer certain payments until the next calendar year in certain circumstances. This bill would make nonsubstantive changes to these provisions

[AB 1530](#) (Wicks D) Private employment: mass layoffs.

Current Text: Introduced: 2/19/2021 [html](#) [pdf](#)

Status: 5/7/2021-Failed Deadline pursuant to Rule 61(a)(3). (Last location was PRINT on 2/19/2021)(May be acted upon Jan 2021)

Location: 5/7/2021-A. 2 YEAR

Summary: Current law prohibits an employer from ordering a mass layoff, relocation, or termination at a covered establishment, as defined, unless, 60 days before the order takes effect, the employer gives written notice to affected employees, as specified. Under current law, an employer who fails to give the necessary notice is liable to employees who were entitled to notice who lost their jobs for back pay and the value of the cost of benefits, as specified. This bill would make nonsubstantive changes in the provisions relating to employer liability described above.

[AB 1561](#) (Committee on Labor and Employment) Worker classification: employees and independent contractors.

Current Text: Amended: 5/20/2021 [html](#) [pdf](#)

Last Amended: 5/20/2021

Status: 8/17/2021-Read second time. Ordered to third reading.

Location: 8/17/2021-S. THIRD READING

Calendar: 8/23/2021 #147 SENATE ASSEMBLY BILLS - THIRD READING FILE

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 extend the inoperative date of this exemption for licensed manicurists to January 1, 2025.

[SB 46](#) (Stern D) American Rescue Plan Act funds: federal recovery funds: funded projects.

Current Text: Amended: 3/10/2021 [html](#) [pdf](#)

Last Amended: 3/10/2021

Status: 4/30/2021-Failed Deadline pursuant to Rule 61(a)(2). (Last location was G.O. on 3/18/2021)(May be acted upon Jan 2022)

Location: 4/30/2021-S. 2 YEAR

Summary: Would require, to the extent authorized by federal law, a state agency that receives and disburses ARP funds or other federal recovery funds to consider projects' potential impact on specified goals, including, among other things, restoring frontline communities and rapidly accelerating achievement of environmental justice and climate goals, including, but not limited to, climate, environmental, and biodiversity protection and stimulating growth. The bill would require state agencies to document how proposed projects meet or align with the goals and require the Labor and Workforce Development Agency to establish an internet website where the public can track the expenditure of federal ARP funds by the state and how funded projects meet the goals.

SB 62 (Durazo D) Employment: garment manufacturing.

Current Text: Amended: 4/8/2021 [html](#) [pdf](#)

Last Amended: 4/8/2021

Status: 7/14/2021-July 14 set for first hearing. Placed on suspense file.

Location: 7/14/2021-A. APPR. SUSPENSE FILE

Calendar: 8/26/2021 Upon adjournment of Session - State Capitol, Room 4202 ASSEMBLY APPROPRIATIONS SUSPENSE, GONZALEZ, LORENA, Chair

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: Amended: 3/11/2021 [html](#) [pdf](#)

Last Amended: 3/11/2021

Status: 3/11/2021-Set for hearing April 19. April 19 set for first hearing canceled at the request of author. From committee with author's amendments. Read second time and amended. Re-referred to Com. on B., P. & E.D.

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

Summary: Current law establishes the Office of Small Business Advocate within the Governor's Office of Business and Economic Development for the purpose of advocating for the causes of small business and to provide small businesses with the information they need to survive in the marketplace. This bill, 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, as specified, to small businesses and nonprofit entities that meet specified criteria, including that the entity has experienced economic hardship resulting from the COVID-19 pandemic

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

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

Status: 2/3/2021-Referred to Com. on RLS.

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.

SB 321 (Durazo D) Employment safety standards: advisory committee: household domestic services.

Current Text: Amended: 7/8/2021 [html](#) [pdf](#)

Last Amended: 7/8/2021

Status: 8/19/2021-August 19 set for first hearing. Placed on suspense file.

Location: 8/19/2021-A. APPR. SUSPENSE FILE

Calendar: 8/26/2021 Upon adjournment of Session - State Capitol, Room 4202 ASSEMBLY APPROPRIATIONS SUSPENSE, GONZALEZ, LORENA, Chair

Summary: The California Occupational Safety and Health Act of 1973 requires employers to comply with certain standards ensuring healthy and safe working conditions, as specified. Current law charges the Division of Occupational Safety and Health within the Department of Industrial Relations with enforcement of the act, subject to oversight by the Chief of the Division of Occupational Safety and Health (chief). The bill would require the chief or a representative of the chief to convene an advisory committee to make recommendations to the department or Legislature to ensure the health and safety of household domestic service employees, and develop voluntary industry-specific occupational health and safety guidance for the purpose of educating household domestic service employees and employers, as specified. The bill would require the Division of Occupational Safety and Health to post the report to its internet website and submit a copy to the Legislature, as specified, no later than January 1, 2023.

[SB 331](#) ([Leyva D](#)) Settlement and nondisparagement agreements.

Current Text: Amended: 8/16/2021 [html](#) [pdf](#)

Last Amended: 8/16/2021

Status: 8/16/2021-Read third time and amended. Ordered to third reading.

Location: 6/24/2021-A. THIRD READING

Calendar: 8/23/2021 #74 ASSEMBLY THIRD READING FILE - SENATE BILLS

Summary: Current law prohibits a settlement agreement from preventing the disclosure of factual information regarding specified acts related to a claim filed in a civil action or a complaint filed in an administrative action. These acts include sexual assault, as defined; sexual harassment, as defined; an act of workplace harassment or discrimination based on sex, failure to prevent such an act, or retaliation against a person for reporting such an act; and an act of harassment or discrimination based on sex by the owner of a housing accommodation, as defined, or retaliation against a person for reporting such an act. This bill would clarify that this prohibition includes provisions which restrict the disclosure of the information described above. For purposes of agreements entered into on or after January 1, 2022, the bill would also expand the prohibition to include acts of workplace harassment or discrimination not based on sex and an act of harassment or discrimination not based on sex by the owner of a housing accommodation.

[SB 410](#) ([Leyva D](#)) Occupational safety and health: regulations.

Current Text: Amended: 6/30/2021 [html](#) [pdf](#)

Last Amended: 6/30/2021

Status: 7/8/2021-Read second time. Ordered to third reading.

Location: 7/8/2021-A. THIRD READING

Calendar: 8/23/2021 #84 ASSEMBLY THIRD READING FILE - SENATE BILLS

Summary: Current law generally requires the adoption, amendment, or repeal of standards and orders by the Occupational Safety and Health Standards Board to comply with the rulemaking provisions of the Administrative Procedure Act (APA), but exempts from provisions of the APA relating to public participation and review of proposed regulations a standard or amendment to any standard adopted by the standards board that is substantially the same as a federal standard, including existing APA requirements, for a proposed nonmajor regulation, to prepare a prescribed economic impact assessment and, for a proposed major regulation, to prepare a standardized regulatory impact analysis in a manner prescribed by the Department of Finance. This bill would exempt any occupational safety and health standard and order from the standardized regulatory impact analysis requirement.

[SB 505](#) ([Hertzberg D](#)) Wages: withholdings: written authorizations.

Current Text: Amended: 4/12/2021 [html](#) [pdf](#)

Last Amended: 4/12/2021

Status: 6/17/2021-Re-referred to Com. on RLS. pursuant to Assembly Rule 96.

Location: 6/17/2021-A. RLS.

Summary: Under current law, it is not unlawful for an employer to withhold or divert a portion of an employee's wages when the employer is required or empowered to do so by state or federal law or in other specified cases. Under current law, the Division of Labor Standards Enforcement is charged with investigating and enforcing violations of the wage laws. This bill would require, except as provided, a public employer, as defined, absent fraud, misrepresentation, or theft, to make a good faith effort to consult with an employee to obtain a written authorization to resolve a monetary obligation before utilizing third-party collection services or commencing a civil action.

[SB 550](#) ([Dahle R](#)) **Legislature: employment.**

Current Text: Introduced: 2/18/2021 [html](#) [pdf](#)

Status: 5/25/2021-Failed Deadline pursuant to Rule 61(a)(5). (Last location was APPR. SUSPENSE FILE on 5/10/2021)(May be acted upon Jan 2022)

Location: 5/25/2021-S. 2 YEAR

Summary: Current law regulates the employment practices of employers in the state. Certain of these provisions do not apply to state agencies, including the Legislature. This bill would apply the state's laws regulating the employment practices of private employers to the Legislature. Because the violation of various employment laws is a crime, this bill would impose a state-mandated local program.

[SB 572](#) ([Hertzberg D](#)) **Labor Commissioner: enforcement: lien on real property.**

Current Text: Amended: 7/6/2021 [html](#) [pdf](#)

Last Amended: 7/6/2021

Status: 7/15/2021-Read second time. Ordered to third reading.

Location: 7/15/2021-A. THIRD READING

Calendar: 8/23/2021 #98 ASSEMBLY THIRD READING FILE - SENATE BILLS

Summary: Current law vests with the Labor Commissioner the authority to hear employee complaints regarding the payment of wages and other employment-related issues. Current law imposes various civil penalties for violations of state law, including on employers for failure to pay minimum wage, on successors to judgment debtors, on persons who do not hold a valid state contractor's license and employ workers to perform services for which a license is required, and on persons who violate provisions relating to minor employees. Current law permits the commissioner to, as an alternative to a judgment lien, create a lien on real property to recover amounts due under final orders in favor of an employee named in the order. This bill would authorize the Labor Commissioner to create, as an alternative to a judgment lien, a lien on real property to secure amounts due to the commissioner under any final citation, findings, or decision, as provided.

[SB 606](#) ([Gonzalez D](#)) **Workplace safety: violations of statutes: enterprise-wide violations: employer retaliation.**

Current Text: Amended: 6/14/2021 [html](#) [pdf](#)

Last Amended: 6/14/2021

Status: 8/19/2021-August 19 set for first hearing. Placed on suspense file.

Location: 8/19/2021-A. APPR. SUSPENSE FILE

Calendar: 8/26/2021 Upon adjournment of Session - State Capitol, Room 4202 ASSEMBLY APPROPRIATIONS SUSPENSE, GONZALEZ, LORENA, Chair

Summary: Current law requires the Division of Occupational Safety and Health to issue a citation for a violation of provisions relating to the spraying of asbestos, or any standard, rule, order, or regulation

established pursuant to specified provisions of the California Occupational Safety and Health Act of 1973 if, upon inspection or investigation, the division believes that an employer has committed a violation. Existing law imposes penalties of certain maximum amounts depending on whether the violation is serious, uncorrected, or willful or repeated. Current law authorizes the division to seek an injunction restraining certain uses or operations of employment that constitute a serious menace to the lives or safety of persons, as specified. This bill, instead, would require the division to issue a citation for a violation of provisions relating to the spraying of asbestos, certain employment safety related provisions of the Labor Code, or any standard, rule, order or regulation established pursuant to specified provisions of the California Occupational Safety and Health Act of 1973 or other safety related provisions of the Labor Code if, upon inspection or investigation, the division believes that an employer has committed a violation.

[SB 639](#) ([Durazo D](#)) **Minimum wages: persons with disabilities.**

Current Text: Amended: 7/5/2021 [html](#) [pdf](#)

Last Amended: 7/5/2021

Status: 8/19/2021-August 19 set for first hearing. Placed on suspense file.

Location: 8/19/2021-A. APPR. SUSPENSE FILE

Calendar: 8/26/2021 Upon adjournment of Session - State Capitol, Room 4202 ASSEMBLY APPROPRIATIONS SUSPENSE, GONZALEZ, LORENA, Chair

Summary: Current law establishes a minimum wage for all industries and makes it a crime to pay an employee less than the minimum wage fixed by the Industrial Welfare Commission. Current law, however, permits the commission to issue an employee who is mentally or physically disabled, or both, a special license authorizing the employment of the licensee for a period not to exceed one year from date of issue, at a wage less than the minimum wage. Current law requires the commission to fix a special minimum wage for the licensee, which may be renewed on a yearly basis. This bill would prohibit new special licenses from being issued after January 1, 2022. The bill would permit a license to only be renewed for existing licenseholders who meet requisite benchmarks.

[SB 657](#) ([Ochoa Bogh R](#)) **Employment: electronic documents.**

Current Text: Chaptered: 7/16/2021 [html](#) [pdf](#)

Chapter No.: 109

Last Amended: 4/22/2021

Status: 7/16/2021-Approved by the Governor. Chaptered by Secretary of State. Chapter 109, Statutes of 2021.

Location: 7/16/2021-S. CHAPTERED

Summary: Current law regulates the wages, hours, and working conditions of any worker employed in any occupation, trade, or industry, whether compensation is measured by time, piece, or otherwise, except as specified. This bill would provide that, in any instance in which an employer is required to physically post information, an employer may also distribute that information to employees by email with the document or documents attached. The bill would specify that this does not alter the employer's obligation to physically display the required posting.

[SB 665](#) ([Umberg D](#)) **Employment policy: voluntary veterans' preference.**

Current Text: Amended: 6/24/2021 [html](#) [pdf](#)

Last Amended: 6/24/2021

Status: 8/19/2021-August 19 set for first hearing. Placed on suspense file.

Location: 8/19/2021-A. APPR. SUSPENSE FILE

Calendar: 8/26/2021 Upon adjournment of Session - State Capitol, Room 4202 ASSEMBLY APPROPRIATIONS SUSPENSE, GONZALEZ, LORENA, Chair

Summary: The California Fair Employment and Housing Act (FEHA) provides that nothing in that act relating to discrimination on account of sex affects the right of an employer to use veteran status as a factor in employee selection or to give special consideration to Vietnam-era veterans. This bill would enact the Voluntary Veterans' Preference Employment Policy Act to authorize a private employer to establish and maintain a written veterans' preference employment policy, to be applied uniformly to hiring decisions, to give a voluntary preference for hiring or retaining a veteran over another qualified applicant or employee. The bill would require a private employer with a veterans' preference employment policy to annually report to the Department of Fair Employment and Housing the number of veterans hired or retained under the preference policy and any demographic information about those veterans that the employer is already required to report, as specified. The bill would require the department to report that information, in addition to the number of discrimination claims received based on an employer's veterans' preference employment policy, to specified legislative policy committees by July 1, 2025, and July 1, 2027.

[SB 704](#) ([Gonzalez D](#)) Occupational safety and health.

Current Text: Introduced: 2/19/2021 [html](#) [pdf](#)

Status: 3/3/2021-Referred to Com. on RLS.

Location: 2/19/2021-S. RLS.

Summary: Current law requires every employer to furnish and use safety devices and safeguards, and to adopt and use practices that are reasonably adequate to render the employment and place of employment safe and healthful. This bill would make nonsubstantive changes to this provision.

[SB 805](#) ([Rubio D](#)) Small nonprofit performing arts organizations: payroll and paymaster services grants: employment grants.

Current Text: Amended: 6/24/2021 [html](#) [pdf](#)

Last Amended: 6/24/2021

Status: 8/19/2021-August 19 set for first hearing. Placed on suspense file.

Location: 8/19/2021-A. APPR. SUSPENSE FILE

Calendar: 8/26/2021 Upon adjournment of Session - State Capitol, Room 4202 ASSEMBLY APPROPRIATIONS SUSPENSE, GONZALEZ, LORENA, Chair

Summary: The Dixon-Zenovich-Maddy California Arts Act of 1975 establishes the Arts Council, consisting of 11 appointed members. Current law specifies the duties of the council, including, among others, encouraging artistic awareness, participation, and expression, helping independent local groups develop their own art programs, promoting the employment of artists and those skilled in crafts in both the public and private sector, awarding prizes or directing grants to individuals or organizations, as specified, and establishing grant application criteria and procedure. This bill would, upon appropriation by the Legislature, require the council to establish and administer the California Nonprofit Performing Arts Paymaster program. The bill would require the council to issue a request for proposals and award contracts to be a California nonprofit performing arts paymaster on a competitive basis to 2 or more nonprofit contractors to provide payroll and paymaster services to small nonprofit performing arts organizations, as defined.

Privacy / Consumer Protection

[AB 13](#) ([Chau D](#)) Public contracts: automated decision systems.

Current Text: Amended: 7/15/2021 [html](#) [pdf](#)

Last Amended: 7/15/2021

Status: 8/16/2021-In committee: Referred to suspense file.

Location: 8/16/2021-S. APPR. SUSPENSE FILE

Calendar: 8/26/2021 Upon adjournment of Session - John L. Burton Hearing Room (4203) SENATE APPROPRIATIONS SUSPENSE, PORTANTINO, Chair

Summary: Would enact the Automated Decision Systems Accountability Act and state the intent of the Legislature that state agencies use an acquisition method that minimizes the risk of adverse and discriminatory impacts resulting from the design and application of automated decision systems. The bill would define “automated decision system” to mean a computational process, derived from machine learning, statistical modeling, data analytics, or artificial intelligence, that issues simplified output, including a score, classification, or recommendation, that is used to substantially assist or replace human discretionary decisionmaking and materially impacts natural persons.

[AB 327](#) ([Kiley R](#)) COVID-19 vaccination status: prohibition on required disclosure.

Current Text: Amended: 4/14/2021 [html](#) [pdf](#)

Last Amended: 4/14/2021

Status: 4/30/2021-Failed Deadline pursuant to Rule 61(a)(2). (Last location was HEALTH on 4/15/2021)(May be acted upon Jan 2022)

Location: 4/30/2021-A. 2 YEAR

Summary: Would prohibit state agencies, local governments, and any other state governmental authority from adopting or enforcing any order, ordinance, policy, regulation, rule, or similar measure that requires an individual to provide, as a condition of receiving any service or entering any place, documentation regarding the individual’s vaccination status for any COVID-19 vaccine administered under an emergency use authorization. By prohibiting local governments from adopting or enforcing such measures, this bill would impose a state-mandated local program.

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

Current Text: Amended: 3/26/2021 [html](#) [pdf](#)

Last Amended: 3/26/2021

Status: 6/22/2021-Read second time. Ordered to third reading.

Location: 6/22/2021-S. THIRD READING

Calendar: 8/23/2021 #41 SENATE ASSEMBLY BILLS - THIRD READING FILE

Summary: The California Consumer Privacy Act of 2018 grants a consumer various rights with regard to personal information relating to that consumer that is held by a business, including the right to direct a business not to sell, as defined, personal information about the consumer to third parties, as defined. This right is known as the right to opt out. The California Privacy Rights Act of 2020, approved by the voters as Proposition 24 at the November 3, 2020, statewide general election, amended, added to, and reenacted the CCPA. This bill 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.

[AB 346](#) ([Seyarto R](#)) Privacy: breach.

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

Status: 4/30/2021-Failed Deadline pursuant to Rule 61(a)(2). (Last location was P. & C.P. on 2/12/2021)(May be acted upon Jan 2022)

Location: 4/30/2021-A. 2 YEAR

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.

[AB 790](#) ([Quirk-Silva D](#)) Consumer Legal Remedies Act

Current Text: Amended: 4/26/2021 [html](#) [pdf](#)

Last Amended: 4/26/2021

Status: 7/5/2021-In committee: Referred to suspense file.

Location: 7/5/2021-S. APPR. SUSPENSE FILE

Calendar: 8/26/2021 Upon adjournment of Session - John L. Burton Hearing Room (4203) SENATE APPROPRIATIONS SUSPENSE, PORTANTINO, Chair

Summary: The California Financing Law (CFL) provides for the licensing and regulation of PACE program administrators by the Commissioner of Financial Protection and Innovation and prohibits a person from engaging in the business of a PACE solicitor unless that person is enrolled with a program administrator, as specified. Current law prohibits a program administrator from executing an assessment contract, and generally prohibits work under a home improvement contract that is financed by a PACE assessment contract unless specified criteria are satisfied and the program administrator makes a reasonable good faith determination that the property owner has a reasonable ability to pay the annual payment obligations for the PACE assessment. This bill would extend the above-described provisions of the Consumer Legal Remedies Act relating to home solicitations of a senior citizen where a loan encumbers the primary residence of the consumer for purposes of paying for home improvement to also apply to assessments.

[AB 825](#) ([Levine D](#)) Personal information: data breaches: genetic data.

Current Text: Amended: 3/26/2021 [html](#) [pdf](#)

Last Amended: 3/26/2021

Status: 7/5/2021-In committee: Referred to suspense file.

Location: 7/5/2021-S. APPR. SUSPENSE FILE

Calendar: 8/26/2021 Upon adjournment of Session - John L. Burton Hearing Room (4203) SENATE APPROPRIATIONS SUSPENSE, PORTANTINO, Chair

Summary: Current law requires a business that owns, licenses, or maintains personal information about a California resident to implement and maintain reasonable security procedures and practices. Current law requires a person or business that conducts business in California, and that owns or licenses computerized data that includes personal information, to disclose a breach of the security of the system following discovery or notification of the breach. This bill would specify that personal information for these purposes includes genetic data, and would define genetic data to mean any data, regardless of its format, that results from the analysis of a biological sample of an individual, or other source, and concerns genetic material, as specified.

Because this bill would establish new requirements on local agencies, the bill would impose a state-mandated local program.

[AB 859](#) ([Irwin D](#)) **Mobility devices: personal information.**

Current Text: Introduced: 2/17/2021 [html](#) [pdf](#)

Status: 5/25/2021-Failed Deadline pursuant to Rule 61(a)(5). (Last location was APPR. SUSPENSE FILE on 4/21/2021)(May be acted upon Jan 2022)

Location: 5/25/2021-A. 2 YEAR

Summary: Would authorize a public agency, defined as a state or local public entity that issues a permit to an operator for mobility services or that otherwise regulates an operator, to require an operator to periodically submit to the public agency anonymized trip data and the operator's mobility devices operating in the geographic area under the public agency's jurisdiction and provide specified notice of that requirement to the operator. The bill would authorize a public agency to share anonymized trip data with a contractor, agent, or other public agency only if specified conditions are met, including that the purpose of the sharing is to assist the public agency in the promotion and protection of transportation planning, integration of mobility options, and road safety.

[AB 1252](#) ([Chau D](#)) **Information privacy: digital health feedback systems.**

Current Text: Amended: 4/12/2021 [html](#) [pdf](#)

Last Amended: 4/12/2021

Status: 6/4/2021-Failed Deadline pursuant to Rule 61(a)(8). (Last location was INACTIVE FILE on 6/2/2021)(May be acted upon Jan 2022)

Location: 6/4/2021-A. 2 YEAR

Summary: Would define "personal health record information" for purposes of the Confidentiality of Medical Information Act to mean individually identifiable information, in electronic or physical form, about an individual's mental or physical condition that is collected by a commercial internet website, online service, or product that is used by an individual and that collects the individual's personal health record information through a direct measurement of an individual's mental or physical condition or through user input regarding an individual's mental or physical condition. The bill would provide that a business that offers personal health record software or hardware to a consumer, in order to make information available to an individual or provider of health care at the request of the individual or provider of health care, for purposes of allowing the individual to manage their information, or for the diagnosis, treatment, or management of a medical condition of the individual, shall be deemed to be a provider of health care subject to the requirements of the Confidentiality of Medical Information Act.

[AB 1262](#) ([Cunningham R](#)) **Information privacy: other connected device with a voice recognition feature.**

Current Text: Amended: 6/29/2021 [html](#) [pdf](#)

Last Amended: 6/29/2021

Status: 7/14/2021-Failed Deadline pursuant to Rule 61(a)(11). (Last location was JUD. on 5/19/2021)(May be acted upon Jan 2022)

Location: 7/14/2021-S. 2 YEAR

Summary: Current law limits the liability of a manufacturer to functionality provided at the time of the original sale of a connected television and specifically excludes liability for functionality provided by applications the user chooses to use in the cloud or that are downloaded and installed by a user. Existing law prohibits a waiver of these prohibitions and authorizes their enforcement by injunction or civil penalty in a court of competent

jurisdiction by the Attorney General or a district attorney. Existing law defines terms for these purposes. This bill would include smart speaker devices, as defined, within the scope of those provisions.

[AB 1490](#) ([Chau D](#)) California Privacy Rights Act of 2020: California Privacy Protection Agency.

Current Text: Amended: 5/6/2021 [html](#) [pdf](#)

Last Amended: 5/6/2021

Status: 6/4/2021-Failed Deadline pursuant to Rule 61(a)(8). (Last location was INACTIVE FILE on 6/1/2021)(May be acted upon Jan 2022)

Location: 6/4/2021-A. 2 YEAR

Summary: The California Privacy Rights Act of 2020, approved by the voters as Proposition 24 at the November 3, 2020, statewide general election, establishes the California Privacy Protection Agency and vests it with full administrative power, authority, and jurisdiction to implement and enforce the California Consumer Privacy Act of 2018 (CCPA). Proposition 24 requires the agency to be governed by a 5-member board appointed, as specified, and provides that those appointments should be made from among Californians with expertise in the areas of privacy, technology, and consumer rights. This bill would require those appointments to be made from among Californians with expertise in the areas of privacy, technology, and consumer rights.

[SB 41](#) ([Umberg D](#)) Privacy: genetic testing companies.

Current Text: Amended: 6/17/2021 [html](#) [pdf](#)

Last Amended: 6/17/2021

Status: 8/19/2021-August 19 set for first hearing. Placed on suspense file.

Location: 8/19/2021-A. APPR. SUSPENSE FILE

Calendar: 8/26/2021 Upon adjournment of Session - State Capitol, Room 4202 ASSEMBLY APPROPRIATIONS SUSPENSE, GONZALEZ, LORENA, Chair

Summary: Current law prohibits the disclosure by a health care service plan of the results of a test for a genetic characteristic to a third party in a manner that identifies or provides identifying characteristics of the person to whom the test results apply, except pursuant to a written authorization to do so. This bill would establish the Genetic Information Privacy Act, which would require a direct-to-consumer genetic testing company, as defined, 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.

[SB 711](#) ([Borgeas R](#)) Patient access to health records.

Current Text: Introduced: 2/19/2021 [html](#) [pdf](#)

Status: 3/3/2021-Referred to Com. on RLS.

Location: 2/19/2021-S. RLS.

Summary: Current law generally governs a patient's access to the patient's own health records. Current law establishes procedures for providing access to health care records or summaries of those records by patients and by those persons who have responsibility for decisions regarding the health care of others, as described. Current law sets forth the Legislature's findings and declarations regarding the right of access to that information, as specified. This bill would make technical, nonsubstantive changes to those findings and declarations.

[SB 746](#) ([Skinner D](#)) California Consumer Privacy Act of 2018: personal information: political purpose.

Current Text: Amended: 5/20/2021 [html](#) [pdf](#)

Last Amended: 5/20/2021

Status: 6/4/2021-Failed Deadline pursuant to Rule 61(a)(8). (Last location was INACTIVE FILE on 6/1/2021)(May be acted upon Jan 2022)

Location: 6/4/2021-S. 2 YEAR

Summary: Would grant a consumer the right to request that a business disclose to the consumer whether or not the business uses personal information collected about the consumer for a political purpose, as defined. The bill would require a business that collects personal information about a consumer and uses that information for a political purpose to disclose to the consumer specified information upon receipt of a verifiable consumer request from the consumer, including the name of any candidate or committee for which the consumer's personal information was used for a political purpose. The bill would also require the business to disclose that information to the California Privacy Protection Agency or the Attorney General, as specified. The bill would also make conforming changes.

Taxation

[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: 3/22/2021-In committee: Hearing postponed by committee.

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

Summary: Would, 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.

[AB 593](#) ([Petrie-Norris D](#)) Income taxes: net operating losses: tax credits: research, development, and testing for diseases.

Current Text: Amended: 4/20/2021 [html](#) [pdf](#)

Last Amended: 4/20/2021

Status: 5/20/2021-In committee: Held under submission.

Location: 5/5/2021-A. APPR. SUSPENSE FILE

Summary: The Personal Income Tax Law and Corporation Tax Law generally authorize various credits against the taxes imposed by those laws. Current law provides that, except as specified, the total credits allowable under those laws may not reduce the taxes imposed by those laws by more than \$5,000,000, as provided, for taxable years beginning on or after January 1, 2020, and before January 1, 2023. This bill, the Golden State Innovation Act of 2021, would, for taxable years beginning on or after January 1, 2021, and before January 1, 2023, exclude a taxpayer that performs research and development in biotechnology, as described, from the above-described suspension of the deduction for net operating losses and the above-described limitation on the total credits allowable.

[AB 632](#) ([Ramos D](#)) Minimum franchise tax: small business fees.

Current Text: Introduced: 2/12/2021 [html](#) [pdf](#)

Status: 3/22/2021-In committee: Hearing postponed by committee.

Location: 2/25/2021-A. REV. & TAX

Summary: Would, for taxable years beginning on or after January 1, 2022, and before January 1, 2027, reduce the minimum franchise tax, as provided, based on the gross receipts during the taxable year of the corporation but would continue to impose the current amount of the annual tax on corporations described above whose gross receipts exceed \$15,000,000 and on every limited partnership, limited liability partnership, and limited liability company doing business in this state. This bill would make findings specifying the goal, purpose, and objective of the tax expenditure provided by this bill and the performance indicator to be used and would require, on or before January 1, 2023, the Franchise Tax Board to submit an annual report to the Legislature on the effect of tax reduction on corporations that are small businesses in the state, as specified.

[AB 664](#) ([Bigelow R](#)) Taxation: Corporation Tax Law: annual tax: small businesses.

Current Text: Introduced: 2/12/2021 [html](#) [pdf](#)

Status: 3/22/2021-In committee: Hearing postponed by committee.

Location: 2/25/2021-A. REV. & TAX

Summary: Would, for taxable years beginning on or after January 1, 2020, suspend the payment requirement of the taxes imposed under the Corporation Tax Law and the annual tax for small businesses, as defined, until the state of emergency declared by the Governor on March 4, 2020, related to the COVID-19 virus, has ended. The bill would also suspend the accrual of any penalties or interest related to the payment of those taxes for the specified taxable years for small businesses.

[AB 722](#) ([Kiley R](#)) Sales and use taxes.

Current Text: Introduced: 2/16/2021 [html](#) [pdf](#)

Status: 5/7/2021-Failed Deadline pursuant to Rule 61(a)(3). (Last location was PRINT on 2/16/2021)(May be acted upon Jan 2021)

Location: 5/7/2021-A. 2 YEAR

Summary: Current sales and use tax laws impose a tax on retailers measured by the gross receipts from the sale in this state of, or the storage, use, or other consumption in this state of, tangible personal property and punishes a violation of those laws with a fine of not less than \$1,000 and not more than \$5,000, imprisonment not exceeding one year in the county jail, or both. This bill would make nonsubstantive changes to those provisions.

[AB 727](#) ([Choi R](#)) Income tax: health savings accounts.

Current Text: Introduced: 2/16/2021 [html](#) [pdf](#)

Status: 2/25/2021-Referred to Com. on REV. & TAX.

Location: 2/25/2021-A. REV. & TAX

Summary: Would, for taxable years beginning on or after January 1, 2021, and before January 1, 2026, would allow a deduction in computing adjusted gross income in connection with health savings accounts in conformity with federal law. In general, the deduction would be an amount equal to the aggregate amount paid in cash during the taxable year by, or on behalf of, an eligible individual, as defined, to a health savings account of that individual, as provided. The bill, for taxable years beginning on or after January 1, 2021, and before January 1, 2026, would also provide related conformity to that federal law with respect to the allowance of rollovers from Archer Medical Savings Accounts, health flexible spending arrangements, or health reimbursement accounts to a health savings account, and penalties in connection therewith.

[AB 806](#) ([Chen R](#)) Taxation: corporations: minimum franchise tax: limited liability companies: annual tax: suspension.

Current Text: Introduced: 2/16/2021 [html](#) [pdf](#)

Status: 3/22/2021-In committee: Hearing postponed by committee.

Location: 2/25/2021-A. REV. & TAX

Summary: Current law imposes an annual minimum franchise tax of \$800, except as provided, on every corporation incorporated in this state, qualified to transact intrastate business in this state, or doing business in this state. Current law also imposes an annual tax in an amount equal to the minimum franchise tax on every limited partnership, limited liability partnership, and limited liability company doing business in this state, as specified. This bill would suspend the minimum franchise tax and the annual tax for taxable years beginning on or after January 1, 2020, and before January 1, 2023. This bill would also include additional information required for any bill authorizing a new tax expenditure.

[AB 879](#) ([Rubio, Blanca D](#)) **Personal income tax: corporation tax: sales and use taxes: California Tax Amnesty and Revenue Recovery Act.**

Current Text: Amended: 5/3/2021 [html](#) [pdf](#)

Last Amended: 5/3/2021

Status: 5/25/2021-Failed Deadline pursuant to Rule 61(a)(5). (Last location was APPR. SUSPENSE FILE on 5/19/2021)(May be acted upon Jan 2022)

Location: 5/25/2021-A. 2 YEAR

Summary: Would require the California Department of Tax and Fee Administration and the Franchise Tax Board to administer the California Tax Amnesty and Revenue Recovery Act, a tax amnesty program, as applicable, during the period beginning on September 1, 2022, and ending October 31, 2022, inclusive, for specified taxpayers with respect to penalties and fees for tax reporting periods beginning on or after January 1, 2020, and before January 1, 2021. The bill would require the applicant to the amnesty program to file the application under the penalty of perjury. By expanding the crime of perjury, the bill would impose a state-mandated local program.

[AB 936](#) ([Chen R](#)) **Personal Income Taxes: Corporation Taxes: gross income: Federal Consolidated Appropriations Act, 2021.**

Current Text: Introduced: 2/17/2021 [html](#) [pdf](#)

Status: 2/25/2021-Referred to Com. on REV. & TAX.

Location: 2/25/2021-A. REV. & TAX

Summary: The Consolidated Appropriations Act, 2021 prohibits reductions in tax deductions, denials of basis adjustments, and reductions in tax attributes for federal income tax purposes based on the exclusion from gross income provided in the federal CARES Act and its subsequent amendments. This bill would adopt the provisions of the Consolidated Appropriations Act, 2021, prohibiting any reduction in tax deductions, denials of basis adjustments, and reductions in tax attributes based on the exclusion from gross income provided for any loan amount forgiven in conformity with the federal CARES Act and its subsequent amendments.

[AB 946](#) ([Lee D](#)) **Home Purchase Assistance Fund: personal income taxation: mortgage interest deduction.**

Current Text: Introduced: 2/17/2021 [html](#) [pdf](#)

Status: 4/12/2021-In committee: Set, first hearing. Hearing canceled at the request of author.

Location: 3/4/2021-A. REV. & TAX

Summary: The Personal Income Tax Law allows various deductions in computing the income that is subject to the taxes imposed by that law, including, in modified conformity with federal income tax laws, a deduction for a limited amount of interest paid on acquisition indebtedness, as defined, with respect to a qualified residence of the taxpayer. Current law limits the aggregate amount treated as acquisition indebtedness for these purposes to \$1,000,000, or \$500,000 in the case of a married individual filing a separate return. Current law specifies for these purposes that a qualified residence includes the taxpayer's principal residence and one

other residence selected by the taxpayer, as provided. This bill, for taxable years beginning on or after January 1, 2022, would disallow the deduction of acquisition indebtedness with respect to a qualified residence of a taxpayer other than the principal residence.

[AB 994](#) ([Patterson R](#)) Income taxation: exclusion: California Small Business COVID-19 Relief Grant Program.

Current Text: Introduced: 2/18/2021 [html](#) [pdf](#)

Status: 3/4/2021-Referred to Com. on REV. & TAX.

Location: 3/4/2021-A. REV. & TAX

Summary: for taxable years beginning on or after January 1, 2021, and before January 1, 2026, would exclude, under both the Personal Income Tax Law and the Corporation Tax Law, from gross income the amount of a grant awarded pursuant to the California Small Business COVID-19 Relief Grant Program.

[AB 1065](#) ([Maienschein D](#)) Personal income taxes: voluntary contributions: Mental Health Crisis Prevention Voluntary Tax Contribution Fund.

Current Text: Chaptered: 7/9/2021 [html](#) [pdf](#)

Chapter No.: 61

Last Amended: 4/29/2021

Status: 7/9/2021-Approved by the Governor. Chaptered by Secretary of State - Chapter 61, Statutes of 2021.

Location: 7/9/2021-A. CHAPTERED

Summary: Current law authorizes an individual to contribute amounts in excess of personal income tax liability for the support of specified funds. Under current law, there are general administrative provisions applicable to these voluntary contributions, which, among other things, provide for the disbursement of contributions following the repeal of the fund provisions and require undesignated funds to be transferred to the General Fund. This bill would allow an individual to designate on their tax return that a specified amount in excess of the taxpayer's personal income tax liability be transferred to the Mental Health Crisis Prevention Voluntary Tax Contribution Fund, which would be created by this bill.

[AB 1424](#) ([Nguyen R](#)) Sales and use taxes: public hearings.

Current Text: Amended: 3/18/2021 [html](#) [pdf](#)

Last Amended: 3/18/2021

Status: 4/30/2021-Failed Deadline pursuant to Rule 61(a)(2). (Last location was REV. & TAX on 3/18/2021)(May be acted upon Jan 2022)

Location: 4/30/2021-A. 2 YEAR

Summary: The Sales and Use Tax Law, administered and enforced by the California Department of Tax and Fee Administration, requires the department to perform annually a systematic identification of areas of recurrent taxpayer noncompliance and to report these findings in its specified annual report to the Governor. Current law requires the department, in order to prepare the report, to conduct an annual hearing where taxpayers are allowed to present their proposals on changes to the Sales and Use Tax Law. This bill would require the department to ensure participation in the annual hearing may be virtual or remote.

[SB 313](#) ([Durazo D](#)) California Competes tax credit: refunds.

Current Text: Introduced: 2/4/2021 [html](#) [pdf](#)

Status: 2/22/2021-Art. IV. Sec. 8(a) of the Constitution dispensed with. (Ayes 32. Noes 4.) Joint Rule 55 suspended. (Ayes 32. Noes 4.)

Location: 2/17/2021-S. GOV. & F.

Summary: Would, for taxable years beginning on or after January 1, 2022, allow a qualified taxpayer, to the extent a CalCompetes tax credit amount exceeds a qualified taxpayer’s tax liability for the taxable year, as specified, to elect to be paid a refund from the Tax Relief and Refund Account, not to exceed the amount of total taxes imposed by the state and paid by the qualified taxpayer during the taxable year. The bill would define a “qualified taxpayer” as a taxpayer that has created at least 5,000 prevailing wage, full-time or full-time equivalent jobs in the state each year for a period of 10 years. The bill would require a qualified taxpayer that receives a refund to reinvest the refund into immobile capital equipment that supports infrastructure improvements, expansion, or developments for media production facilities in the state, as provided.

[SB 408](#) ([Min D](#)) **Income and corporation taxes: credits: restaurants, bars, and hotels.**

Current Text: Amended: 4/29/2021 [html](#) [pdf](#)

Last Amended: 4/29/2021

Status: 5/20/2021-May 20 hearing: Held in committee and under submission.

Location: 5/17/2021-S. APPR. SUSPENSE FILE

Summary: The Personal Income Tax Law and the Corporation Tax Law allow various credits against the taxes imposed by those laws. Current law requires any bill authorizing a new tax credit to contain, among other things, specific goals, purposes, and objectives that the tax credit will achieve, detailed performance indicators, and data collection requirements. This bill, for taxable years beginning on or after January 1, 2021, and before January 1, 2027, would allow a credit against those taxes to a qualified taxpayer in the amount of \$10,000. The bill would define a qualified taxpayer as a taxpayer that owns and operates a bar, hotel, or restaurant that meets specified requirements, including that the taxpayer temporarily ceased business operations for the bar, hotel, or restaurant for at least 30 consecutive days during the 2020 or 2021 taxable year in response to an emergency order, as defined.

[SB 444](#) ([Hertzberg D](#)) **Personal income tax: exclusions from gross income.**

Current Text: Amended: 5/20/2021 [html](#) [pdf](#)

Last Amended: 5/20/2021

Status: 6/3/2021-Ordered to inactive file on request of Senator Hertzberg.

Location: 6/3/2021-S. INACTIVE FILE

Summary: Current federal law, known as the National and Community Service State Grant Program, gives educational awards to individuals based on the individual’s participation in an approved national service position. That law also provides grants to states, subdivisions of states, and other public and private organizations to carry out national service programs, as defined, including grants to the California Volunteers program administered by the office of the Governor. California Volunteers, through the California For All Education Award program, offers educational awards using funds granted pursuant to the National and Community Service State Grant Program. This bill, for taxable years beginning on or after January 1, 2021, and before January 1, 2032, would exclude from gross income those educational awards received by a taxpayer based on the taxpayer’s participation in the California For All Education Award program.

[SB 610](#) ([Grove R](#)) **Personal income tax: credit: virtual learning costs: dependent of the taxpayer.**

Current Text: Amended: 4/5/2021 [html](#) [pdf](#)

Last Amended: 4/5/2021

Status: 5/20/2021-May 20 hearing: Held in committee and under submission.

Location: 5/17/2021-S. APPR. SUSPENSE FILE

Summary: The Personal Income Tax Law allows various credits against the taxes imposed by that law. Current law requires any bill authorizing a new tax expenditure to contain, among other things, specific goals, purposes, and objectives that the tax expenditure will achieve, detailed performance indicators, and data

collection requirements. This bill would allow a credit against those taxes for each taxable year beginning on or after January 1, 2021, and before January 1, 2026, in an amount equal to 50% of the amount paid or incurred by a qualified taxpayer, as defined, during the taxable year for qualified costs, as defined, related to virtual learning for a qualified dependent, as defined, not to exceed \$2,250 per qualified dependent for any taxable year. This bill would also state the intent of the Legislature to comply with the additional information requirement for any bill authorizing a new income tax expenditure.

[SB 691](#) ([Rubio D](#)) **Personal Income Tax Law: Earned Income Tax Credit: Young Child Tax Credit.**

Current Text: Amended: 4/15/2021 [html](#) [pdf](#)

Last Amended: 4/15/2021

Status: 5/20/2021-May 20 hearing: Held in committee and under submission.

Location: 5/3/2021-S. APPR. SUSPENSE FILE

Summary: Would, for taxable years beginning on or after January 1, 2021, increase the earned income tax credit available to eligible individuals using a federal individual taxpayer identification number.

Unemployment

[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: 4/29/2021-In committee: Set, first hearing. Hearing canceled at the request of author.

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: Amended: 2/18/2021 [html](#) [pdf](#)

Last Amended: 2/18/2021

Status: 4/30/2021-Failed Deadline pursuant to Rule 61(a)(2). (Last location was INS. on 2/18/2021)(May be acted upon Jan 2022)

Location: 4/30/2021-A. 2 YEAR

Summary: Would require the Employment Development Department to establish, upon appropriation by the Legislature, an advisory committee to advise the department on matters within the department's jurisdiction, including, but not limited to, unemployment insurance. The bill would require the committee to include members representing a diverse spectrum of private and public employers and employees impacted by programs overseen by the department, as provided. The bill would require the committee to hold open and public meetings in compliance with the Bagley-Keene Open Meeting Act at least once a quarter. The bill would require, commencing on January 1, 2023, the committee to prepare and publicly publish an annual report describing its activities, including, but not limited to, recommendations made by the advisory committee and the department's response to those recommendations.

[AB 74](#) ([Gonzalez, Lorena D](#)) Communications: universal service: lifeline program.

Current Text: Amended: 7/15/2021 [html](#) [pdf](#)

Last Amended: 7/15/2021

Status: 8/16/2021-In committee: Referred to suspense file.

Location: 8/16/2021-S. APPR. SUSPENSE FILE

Calendar: 8/26/2021 Upon adjournment of Session - John L. Burton Hearing Room (4203) SENATE APPROPRIATIONS SUSPENSE, PORTANTINO, Chair

Summary: Under the California Constitution and the Public Utilities Act, the Public Utilities Commission has regulatory authority over public utilities, including telephone corporations. The act establishes the Universal Lifeline Telephone Service program (lifeline program) in order to provide low-income households with access to affordable basic residential telephone service. This bill would require the commission, before March 1, 2022, to adopt updated rules for the lifeline program establishing a modified recertification process that minimizes barriers to lifeline subscriber recertification and reduces the burden and cost of recertification on

the lifeline program, as specified. The bill would require the commission, in consultation with lifeline service providers, the Federal Communications Commission, and the Universal Service Administrative Company, before January 1, 2023, to adopt updated rules for the lifeline program with the goal of achieving participation and recertification rates at least equivalent to those rates achieved for the federal lifeline program.

[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: 5/7/2021-Failed Deadline pursuant to Rule 61(a)(3). (Last location was PRINT on 1/27/2021)(May be acted upon Jan 2021)

Location: 5/7/2021-A. 2 YEAR

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.

[AB 360](#) ([Patterson R](#)) Employment Development Department: Unemployment Insurance Reform Project.

Current Text: Amended: 3/4/2021 [html](#) [pdf](#)

Last Amended: 3/4/2021

Status: 3/8/2021-Re-referred to Com. on INS.

Location: 3/4/2021-A. INS.

Summary: Would establish the Unemployment Insurance Reform Project to be administered by the Director of Employment Development. Under the bill, the Employment Development Department would be required to comply with various reporting and review processes. In this regard, the bill would require the department to report specified information regarding overpayments at least once every 6 months on its internet website, to immediately perform a risk assessment of its deferred workloads, and to develop a workload plan that prioritizes its deferred workloads based on that risk assessment. The bill would require the department to develop a recession plan so that it is well prepared to provide services during future economic downturns, as specified. The bill would require the department to, by March 1, 2021, revise its public dashboards with regard to the number of backlogged claims, as specified.

[AB 397](#) ([Mayes I](#)) Unemployment insurance: benefits: disqualification: notice.

Current Text: Introduced: 2/3/2021 [html](#) [pdf](#)

Status: 7/15/2021-In committee: Referred to suspense file.

Location: 7/15/2021-S. APPR. SUSPENSE FILE

Calendar: 8/26/2021 Upon adjournment of Session - John L. Burton Hearing Room (4203) SENATE APPROPRIATIONS SUSPENSE, PORTANTINO, Chair

Summary: Current law requires that an individual is disqualified for unemployment compensation benefits if the individual willfully, for the purpose of obtaining unemployment compensation benefits, either made a false statement or representation, including, but not limited to, using a false name, false social security number, or other false identification, with actual knowledge of the falsity of it, or withheld a material fact in order to obtain unemployment compensation benefits. An individual disqualified from unemployment compensation benefits for making a false statement or representation or withholding material facts is ineligible to receive unemployment compensation benefits for certain periods of time, as provided. This bill, among other things, would require the Employment Development Department, prior to disqualifying an individual and subjecting that person to a period of ineligibility, to provide notice to the individual of the proposed determination.

[AB 400](#) ([Petrie-Norris D](#)) Unemployment insurance: Unemployment Insurance Oversight Advisory Board.

Current Text: Amended: 4/21/2021 [html](#) [pdf](#)

Last Amended: 4/21/2021

Status: 5/25/2021-Failed Deadline pursuant to Rule 61(a)(5). (Last location was APPR. SUSPENSE FILE on 5/12/2021)(May be acted upon Jan 2022)

Location: 5/25/2021-A. 2 YEAR

Summary: Would establish the Unemployment Insurance Oversight Advisory Board (board) in the Labor and Workforce Development Agency as an advisory body to review the operations of the Employment Development Department (department) under the state unemployment and disability compensation programs and make recommendations to the department, the Governor, and the Legislature to, among other things, enhance the efficiency of those operations and ensure equitable access to benefits administered by the department.

[AB 980](#) ([Dahle, Megan R](#)) Employment Development Department: claim information.

Current Text: Amended: 4/19/2021 [html](#) [pdf](#)

Last Amended: 4/19/2021

Status: 5/25/2021-Failed Deadline pursuant to Rule 61(a)(5). (Last location was APPR. SUSPENSE FILE on 5/12/2021)(May be acted upon Jan 2022)

Location: 5/25/2021-A. 2 YEAR

Summary: Would require the Employment Development Department, using the online portals provided via the department's internet website, to make available to an employer and update a list, as provided, of claimants approved to receive benefits from that employer.

[AB 1008](#) ([Grayson D](#)) Unemployment insurance: employee status: definition.

Current Text: Introduced: 2/18/2021 [html](#) [pdf](#)

Status: 4/30/2021-Failed Deadline pursuant to Rule 61(a)(2). (Last location was L. & E. on 4/5/2021)(May be acted upon Jan 2022)

Location: 4/30/2021-A. 2 YEAR

Summary: Current law governing unemployment insurance defines "employment" for those purposes, and exempts from this definition the services performed by certain persons, including various types of brokers or salespersons meeting specified conditions, including that the sale or demonstration of the product takes place in the buyer's home. Current law limits the exemption to sales that take place in other than a retail or wholesale establishment. This bill, among other things, would also exempt from the definition of employment,

a seller that sells or demonstrates products in the buyer's business. The bill would also specify that certain types of vehicles used to sell specified tools do not qualify as a retail or wholesale establishment for purposes of these provisions.

[AB 1159](#) ([Daly D](#)) **Employment Development Department: reports.**

Current Text: Introduced: 2/18/2021 [html](#) [pdf](#)

Status: 4/30/2021-Failed Deadline pursuant to Rule 61(a)(2). (Last location was INS. on 3/4/2021)(May be acted upon Jan 2022)

Location: 4/30/2021-A. 2 YEAR

Summary: Current law creates the Employment Development Department within the Labor and Workforce Development Agency, which is vested with the duties, purposes, responsibilities, and jurisdiction regarding job creation activities. Current law requires the Director of Employment Development to prepare a biennial report to the Legislature on the department's automation plans, including recommendations for improvements, as specified, and transmit the report to specified individuals and legislative entities on or before February 1 of each even-numbered year. This bill would instead require the report to be prepared and transmitted annually on or before March 31 of each year.

[SB 390](#) ([Laird D](#)) **Employment Development Department: recession plan.**

Current Text: Amended: 6/17/2021 [html](#) [pdf](#)

Last Amended: 6/17/2021

Status: 7/7/2021-July 7 set for first hearing. Placed on suspense file.

Location: 7/7/2021-A. APPR. SUSPENSE FILE

Calendar: 8/26/2021 Upon adjournment of Session - State Capitol, Room 4202 ASSEMBLY APPROPRIATIONS SUSPENSE, GONZALEZ, LORENA, Chair

Summary: Would require the Employment Development Department to develop and, upon appropriation by the Legislature, implement a recession plan to prepare for an increase in unemployment insurance compensation benefits claims due to an economic recession. The bill would require the plan to detail how to respond to economic downturns with a predetermined strategy that has considered the full effect on the department's operations, and include, but not be limited to, identifying the lessons learned from previous economic downturns, identifying ways to improve self-serve services to avoid long wait times to speak to staff, and enhancing claims processing tools to ensure that the department's identity verification processes are as robust as possible.

[SB 420](#) ([Umberg D](#)) **Unemployment insurance: Unemployment Insurance Integrity Enforcement Act.**

Current Text: Amended: 7/6/2021 [html](#) [pdf](#)

Last Amended: 7/6/2021

Status: 8/19/2021-August 19 set for first hearing. Placed on suspense file.

Location: 8/19/2021-A. APPR. SUSPENSE FILE

Calendar: 8/26/2021 Upon adjournment of Session - State Capitol, Room 4202 ASSEMBLY APPROPRIATIONS SUSPENSE, GONZALEZ, LORENA, Chair

Summary: Would establish the Unemployment Insurance Integrity Enforcement Program within the Department of Justice, administered by the Attorney General. The bill would require the Attorney General to establish a task force consisting of the Director of Employment Development and 5 members appointed by the Attorney General. The bill would require the task force to coordinate with local district attorneys and, when available and necessary, with the United States Attorney's Office to pursue available methods to recover improper benefit payments made from the department. The bill would require the task force, prior to pursuing any civil or criminal action, to prepare a cost-benefit analysis, as specified. The bill would make an

appropriation by depositing funds recovered pursuant to the program into the continuously appropriated Unemployment Fund.

Water

[AB 1434](#) ([Friedman D](#)) **Urban water use objectives: indoor residential water use.**

Current Text: Amended: 4/19/2021 [html](#) [pdf](#)

Last Amended: 4/19/2021

Status: 5/25/2021-Failed Deadline pursuant to Rule 61(a)(5). (Last location was APPR. on 4/27/2021)(May be acted upon Jan 2022)

Location: 5/25/2021-A. 2 YEAR

Summary: Would establish, beginning January 1, 2023, until January 1, 2025, the standard for indoor residential water use as 48 gallons per capita daily. The bill would establish, beginning January 1, 2025, the standard as 44 gallons per capita daily and, beginning January 1, 2030, 40 gallons per capita daily.

Workers' Compensation

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

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

Status: 8/16/2021-Read second time. Ordered to third reading.

Location: 8/16/2021-S. THIRD READING

Calendar: 8/23/2021 #84 SENATE ASSEMBLY BILLS - THIRD READING FILE

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.

[AB 399](#) ([Salas D](#)) **Workers' compensation.**

Current Text: Introduced: 2/3/2021 [html](#) [pdf](#)

Status: 4/30/2021-Failed Deadline pursuant to Rule 61(a)(2). (Last location was INS. on 2/12/2021)(May be acted upon Jan 2022)

Location: 4/30/2021-A. 2 YEAR

Summary: Would impose new requirements on a medical provider network, including, among other things, requiring a participating provider to participate at each location at which they treat patients for 8 or more hours per week, on a monthly average. The bill would also prohibit authorizations or certifications issued by a carrier, claims administrator, medical provider network, or utilization review entity from providing instruction or imposing a requirement as to the location of where a treatment takes place or the provider who will perform the treatment. The bill would prohibit a vendor, provider, or group within the medical provider from being preferentially cited on an authorization or certification and would require the administrative director to impose a fine of \$10,000 per authorization or certification that preferentially directs care within a medical provider network.

[AB 404](#) ([Salas D](#)) **Workers' compensation: medical-legal expenses: fee schedule.**

Current Text: Amended: 4/22/2021 [html](#) [pdf](#)

Last Amended: 4/22/2021

Status: 7/5/2021-In committee: Referred to suspense file.

Location: 7/5/2021-S. APPR. SUSPENSE FILE

Calendar: 8/26/2021 Upon adjournment of Session - John L. Burton Hearing Room (4203) SENATE APPROPRIATIONS SUSPENSE, PORTANTINO, Chair

Summary: Under current law, fees for medical-legal evaluations are charged at a rate not to exceed a physician's regular fee, or the fee schedule set by the administrative director of the Division of Workers' Compensation, whichever is lower. Current law requires that the schedule set fees for procedures according to relative values and a conversion factor, allowing for modifiers, as specified. Current law requires the medical-legal fee schedule to be revised at the same time the fee schedule for medical treatment is revised. This bill would require that the medical-legal fee schedule be reviewed every 2 years, and updated if necessary, to increase the conversion factor by the percentage increase in the most recent federal Medicare Economic Index.

[AB 415](#) ([Rivas, Robert D](#)) **Employment: workers' compensation.**

Current Text: Amended: 2/12/2021 [html](#) [pdf](#)

Last Amended: 2/12/2021

Status: 5/7/2021-Failed Deadline pursuant to Rule 61(a)(3). (Last location was INS. on 2/12/2021)(May be acted upon Jan 2021)

Location: 5/7/2021-A. 2 YEAR

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 the employee's employment. This bill would define "injury," for certain employees of a city, county, city and county, district, or other municipal corporation or political subdivision regularly exposed to active fires or health hazards directly resulting from firefighting operations, to include cancer that develops or manifests during a period in which the individual demonstrates that they were exposed to a known carcinogen while in the employment of the city, county, city and county, district, or other municipal corporation or political subdivision. The bill would establish a presumption that the cancer in those cases arose out of, and in the course of, employment, unless the presumption is controverted by evidence that the primary site of the cancer has been established and that the carcinogen to which the person has demonstrated exposure is not reasonably linked to the disabling cancer.

[AB 772](#) ([Ramos D](#)) **Workers' compensation: domestic terrorism.**

Current Text: Amended: 3/25/2021 [html](#) [pdf](#)

Last Amended: 3/25/2021

Status: 4/30/2021-Failed Deadline pursuant to Rule 61(a)(2). (Last location was INS. on 3/25/2021)(May be acted upon Jan 2022)

Location: 4/30/2021-A. 2 YEAR

Summary: Current law establishes a system of workers' compensation in which an employer is required to provide medical treatment and compensation, among other benefits, in the event an employee is injured as a result of their employment. Current law prescribes the ways in which an employer, except the State, is required to secure compensation for their injured employees. This bill would clarify that an employer is not limited in its ability to insure against an act of domestic terrorism or to provide benefits in excess of those required by existing law following an act of terrorism.

[AB 991](#) ([Ward D](#)) Workers' compensation: presumed injuries.

Current Text: Amended: 3/11/2021 [html](#) [pdf](#)

Last Amended: 3/11/2021

Status: 4/30/2021-Failed Deadline pursuant to Rule 61(a)(2). (Last location was INS. on 3/11/2021)(May be acted upon Jan 2022)

Location: 4/30/2021-A. 2 YEAR

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. This bill would expand presumptions for hernia, pneumonia, heart trouble, cancer, tuberculosis, bloodborne infectious disease, methicillin-resistant Staphylococcus aureus skin infection, and meningitis-related illnesses and injuries to a lifeguard employed on a year-round, full-time basis by the City of San Diego. The bill would increase the period of time after termination of employment that a lifeguard employed on a year-round, full-time basis by the City of San Diego can file a claim for skin cancer. The bill would expand the presumptions for illness or injury related to post-traumatic stress disorder or exposure to biochemical substances, as defined, to a lifeguard employed by the City of San Diego Fire-Rescue Department.

[AB 1148](#) ([Daly D](#)) Workers' compensation insurance reporting.

Current Text: Introduced: 2/18/2021 [html](#) [pdf](#)

Status: 7/14/2021-Failed Deadline pursuant to Rule 61(a)(11). (Last location was L., P.E. & R. on 5/19/2021)(May be acted upon Jan 2022)

Location: 7/14/2021-S. 2 YEAR

Summary: Current law generally regulates classes of insurance, including workers' compensation insurance. Current law requires a licensed rating organization to establish and maintain an internet website to assist a person in determining if an employer is insured for workers' compensation. Current law required the Insurance Commissioner to review and evaluate the establishment and operation of the internet website, assess whether the internet website is achieving its purpose, and report the findings to specified legislative and executive entities no later than July 1, 2013. This bill would require the commissioner to review and evaluate the operation of a licensed rating organization's internet website and assess whether the internet website is achieving its purpose at least every 5 years, beginning in 2023.

[AB 1393](#) ([Cooley D](#)) Personal liability insurance.

Current Text: Amended: 3/25/2021 [html](#) [pdf](#)

Last Amended: 3/25/2021

Status: 5/7/2021-Failed Deadline pursuant to Rule 61(a)(3). (Last location was INS. on 3/25/2021)(May be acted upon Jan 2021)

Location: 5/7/2021-A. 2 YEAR

Summary: Current law regulates each insurer admitted to do business in this state, and authorizes a surplus line broker to solicit and place insurance for an insured with a nonadmitted insurer if certain requirements are met. Existing law generally requires an insurance policy providing comprehensive personal liability insurance that is issued or renewed in California to contain a provision for coverage against liability for the payment of workers' compensation to household employees. This bill would exempt a policy of comprehensive personal liability insurance written by a nonadmitted insurer from that requirement.

[AB 1465](#) ([Reyes D](#)) Workers' compensation: medical provider networks study.

Current Text: Amended: 4/26/2021 [html](#) [pdf](#)

Last Amended: 4/26/2021

Status: 7/14/2021-Failed Deadline pursuant to Rule 61(a)(11). (Last location was L., P.E. & R. on 6/16/2021)(May be acted upon Jan 2022)

Location: 7/14/2021-S. 2 YEAR

Summary: Would require the Commission on Health and Safety and Workers' Compensation, on or before January 1, 2023, to submit a study to the Legislature, the committees of the Senate and Assembly with jurisdiction over workers' compensation, and the Division of Workers' Compensation on delays and access to care issues in medical provider networks. The bill would require the study to compare specified data for injury claims in which a worker was treated by a medical provider network to that data for injury claims in which a worker was treated by a provider who is not part of a medical provider network.

[AB 1562](#) (Committee on Insurance) Workers' compensation: reports.

Current Text: Introduced: 3/1/2021 [html](#) [pdf](#)

Status: 5/25/2021-Failed Deadline pursuant to Rule 61(a)(5). (Last location was APPR. on 4/15/2021)(May be acted upon Jan 2022)

Location: 5/25/2021-A. 2 YEAR

Summary: Current law requires the Commission on Health and Safety and Workers' Compensation to issue an annual report on the state of the workers' compensation system, including recommendations for modifications that would improve the operation of the system. Current law requires the report to be made available to the Governor, the Legislature, and the public on request. Current law also requires the commission to periodically issue a report and recommendations on the improvement and simplification of notices required to be provided by insurers and self-insured employers, as it deems necessary. This bill would require the annual report on the workers' compensation system to be made available on the commission's internet website and to specifically be made available to the Assembly Committee on Insurance and the Senate Committee on Labor, Public Employment and Retirement rather than to the Legislature generally.

[SB 213](#) (Cortese D) Workers' compensation: hospital employees.

Current Text: Amended: 3/4/2021 [html](#) [pdf](#)

Last Amended: 3/4/2021

Status: 6/4/2021-Failed Deadline pursuant to Rule 61(a)(8). (Last location was INACTIVE FILE on 6/3/2021)(May be acted upon Jan 2022)

Location: 6/4/2021-S. 2 YEAR

Summary: Current law, until January 1, 2023, creates a rebuttable presumption of injury for various employees, including an employee who works at a health facility, as defined, to include an illness or death resulting from COVID-19, if specified circumstances apply. This bill 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. Beginning January 1, 2023, the bill would include COVID-19 in the definitions of infectious and respiratory diseases.

[SB 216](#) (Dodd D) Contractors: workers' compensation insurance: mandatory coverage.

Current Text: Amended: 3/15/2021 [html](#) [pdf](#)

Last Amended: 3/15/2021

Status: 6/4/2021-Failed Deadline pursuant to Rule 61(a)(8). (Last location was INACTIVE FILE on 5/26/2021)(May be acted upon Jan 2022)

Location: 6/4/2021-S. 2 YEAR

Summary: Would, until January 1, 2025, would 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.

[SB 284](#) ([Stern D](#)) **Workers' compensation: firefighters and peace officers: post-traumatic stress.**

Current Text: Amended: 6/28/2021 [html](#) [pdf](#)

Last Amended: 6/28/2021

Status: 8/19/2021-August 19 set for first hearing. Placed on suspense file.

Location: 8/19/2021-A. APPR. SUSPENSE FILE

Calendar: 8/26/2021 Upon adjournment of Session - State Capitol, Room 4202 ASSEMBLY APPROPRIATIONS SUSPENSE, GONZALEZ, LORENA, Chair

Summary: Current law, under the workers' compensation system, provides, only until January 1, 2025, that, for certain state and local firefighting personnel and peace officers, the term "injury" includes post-traumatic stress that develops or manifests during a period in which the injured person is in the service of the department or unit, but applies only to injuries occurring on or after January 1, 2020. Existing law requires the compensation awarded pursuant to this provision to include full hospital, surgical, medical treatment, disability indemnity, and death benefits. This bill would make that provision applicable to active firefighting members of the State Department of State Hospitals, the State Department of Developmental Services, the Military Department, and the Department of Veterans Affairs, and to additional peace officers, including security officers of the Department of Justice when performing assigned duties as security officers and the officers of a state hospital under the jurisdiction of the State Department of State Hospitals or the State Department of Developmental Services, among other officers.

[SB 335](#) ([Cortese D](#)) **Workers' compensation: liability.**

Current Text: Amended: 3/10/2021 [html](#) [pdf](#)

Last Amended: 3/10/2021

Status: 7/14/2021-Failed Deadline pursuant to Rule 61(a)(11). (Last location was INS. on 6/10/2021)(May be acted upon Jan 2022)

Location: 7/14/2021-A. 2 YEAR

Summary: Current law prohibits a claim for workers' compensation from being maintained unless within 30 days after the occurrence of the injury, the injured person, or in case of the death, a dependent, or someone on the injured person's or dependent's behalf, serves notice of the injury upon the employer. Current law also requires an injured employee, or in the case of death, a dependent, or an agent of the employee or dependent, to file a claim form with the employer. Under current law, except for specified injuries, if liability is not rejected within 90 days after the date the claim form is filed with the employer, the injury is presumed compensable and the presumption is rebuttable only by evidence discovered subsequent to the 90-day period. This bill would reduce those 90-day time periods to 45 days and, for certain injuries or illnesses, including hernia, heart trouble, pneumonia, or tuberculosis, among others, sustained in the course of employment of a specified member of law enforcement or a specified first responder, would reduce those time periods to 30 days.

[SB 788](#) ([Bradford D](#)) **Workers' compensation: risk factors.**

Current Text: Amended: 6/17/2021 [html](#) [pdf](#)

Last Amended: 6/17/2021

Status: 7/1/2021-Read third time. Passed. (Ayes 75. Noes 0.) Ordered to the Senate. In Senate. Concurrence in Assembly amendments pending.

Location: 7/1/2021-S. CONCURRENCE

Calendar: 8/23/2021 #21 SENATE UNFINISHED BUSINESS

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 requires a physician who prepares a report addressing the issue of permanent disability due to an industrial injury to address the cause of the permanent disability in the report, including what approximate percentage of the permanent disability was caused by other factors before and after the industrial injury, if the physician is able to make an apportionment determination. This bill would prohibit consideration of race, religious creed, color, national origin, gender, marital status, sex, sexual identity, or sexual orientation to determine the approximate percentage of the permanent disability caused by other factors. The bill would also express the Legislature's intent to eliminate bias and discrimination in the workers' compensation system.

Workforce Development

[AB 548](#) ([Carrillo D](#)) Unemployment compensation benefits: overpayments.

Current Text: Amended: 4/22/2021 [html](#) [pdf](#)

Last Amended: 4/22/2021

Status: 4/30/2021-Failed Deadline pursuant to Rule 61(a)(2). (Last location was INS. on 4/26/2021)(May be acted upon Jan 2022)

Location: 4/30/2021-A. 2 YEAR

Summary: Under current law, except as specified, any person who receives an overpayment of unemployment compensation benefits is liable for the amount overpaid. Exceptions to liability include if the overpayment was not due to fraud, misrepresentation, or willful nondisclosure on the part of the recipient, the overpayment was received without fault on the part of the recipient, and its recovery would be against equity and good conscience. Under current law, if the Director of Employment Development finds that an individual has been overpaid unemployment compensation benefits because the individual, for the purpose of obtaining those benefits, either made a false statement or representation with actual knowledge of the falsity or withheld a material fact, then the director is required to assess against the individual an amount equal to 30% of the overpayment amount. Current law requires 50% of the overpayment assessment amount to be deposited into the Unemployment Trust Fund and 50% into the Employment Development Department Benefit Audit Fund, both of which are continuously appropriated funds, and requires that all interest collected is deposited into the Employment Development Department Benefit Audit Fund. This bill would modify the 30% penalty assessment to be a one-time penalty, to the extent required by federal law.

[AB 628](#) ([Garcia, Eduardo D](#)) Breaking Barriers to Employment Initiative.

Current Text: Amended: 6/30/2021 [html](#) [pdf](#)

Last Amended: 6/30/2021

Status: 7/15/2021-In committee: Referred to suspense file.

Location: 7/15/2021-S. APPR. SUSPENSE FILE

Calendar: 8/26/2021 Upon adjournment of Session - John L. Burton Hearing Room (4203) SENATE APPROPRIATIONS SUSPENSE, PORTANTINO, Chair

Summary: Current law establishes the Breaking Barriers to Employment Initiative, which includes a grant program administered by the board to support prescribed education and training activities. Current law specifies that the initiative is not intended to duplicate or replicate existing programs or to create new workforce and education programs, but rather to provide supplemental funding and services to ensure the success of individuals either preparing to enter or already enrolled in workforce and education programs operating under the policy vision of this division and the state plan under this division. This bill would instead provide that the initiative is intended to focus on innovative approaches to, and proven practices for, addressing racial, ethnic, and socioeconomic disparities in the labor market. The bill would require the chair of the board to appoint a subcommittee, as prescribed, to review and provide programmatic suggestions to the board staff about the types of vulnerable communities populations that need assistance regarding grant proposals and to build awareness and interest in the grant program among community-based organizations.

[AB 630](#) ([Arambula D](#)) Online Jobs and Economic Support Resource Grant Program.

Current Text: Amended: 5/3/2021 [html](#) [pdf](#)

Last Amended: 5/3/2021

Status: 5/25/2021-Failed Deadline pursuant to Rule 61(a)(5). (Last location was APPR. SUSPENSE FILE on 5/12/2021)(May be acted upon Jan 2022)

Location: 5/25/2021-A. 2 YEAR

Summary: Would establish the Online Jobs and Economic Support Resource Grant Program within GO-Biz for the purpose of supporting inclusive, cross-jurisdictional, and innovative online platforms that support job and earning opportunities and economic recovery with a strong focus on underserved and economically challenged communities.

[AB 637](#) ([Lackey R](#)) Enabling Youth to Access Workforce Training Grant Program.

Current Text: Introduced: 2/12/2021 [html](#) [pdf](#)

Status: 5/25/2021-Failed Deadline pursuant to Rule 61(a)(5). (Last location was APPR. SUSPENSE FILE on 4/21/2021)(May be acted upon Jan 2022)

Location: 5/25/2021-A. 2 YEAR

Summary: Would create the Enabling Youth to Access Workforce Training Grant Program. Upon appropriation by the Legislature, the bill would require the California Workforce Development Board to create the program, which would fund supportive services, as specified, that are necessary for homeless youth and current or former foster youth to enable their participation in the workforce development program, as defined. Under the bill, grants would be awarded on a competitive basis. The bill would require the board to conduct outreach activities and to provide technical assistance to eligible applicants to ensure that grants are awarded to qualified applicants providing a broad spectrum of supportive services.

[AB 666](#) ([Chiu D](#)) Substance use disorder workforce development.

Current Text: Amended: 5/24/2021 [html](#) [pdf](#)

Last Amended: 5/24/2021

Status: 7/5/2021-In committee: Referred to suspense file.

Location: 7/5/2021-S. APPR. SUSPENSE FILE

Calendar: 8/26/2021 Upon adjournment of Session - John L. Burton Hearing Room (4203) SENATE APPROPRIATIONS SUSPENSE, PORTANTINO, Chair

Summary: Current, law imposes various requirements on the State Department of Health Care Services relating to the administration of alcohol and drug programs, including, but not limited to, providing funds to counties for planning and implementing local programs to alleviate problems related to alcohol and other drug use, reviewing and certifying alcohol and other drug programs that meet state standards, developing and

maintaining a centralized data collection system to gather and obtain information on the status of the alcohol and other drug abuse problems in the state, and licensing and regulating alcoholism or drug abuse recovery or treatment facilities. This bill, the Combating the Overdose and Addiction Epidemic by Building the Substance Use Disorder Workforce (CODE W) Act, would require the department, on or before July 1, 2022, to issue a statewide substance use disorder (SUD) workforce needs assessment report that evaluates the current state of the SUD workforce, determines barriers to entry into the SUD workforce, and assesses the state's systems for regulating and supporting the SUD workforce.

[AB 1106](#) ([Cervantes D](#)) **Employment Training Panel: pilot program: employment training needs.**

Current Text: Amended: 6/28/2021 [html](#) [pdf](#)

Last Amended: 6/28/2021

Status: 7/15/2021-In committee: Referred to suspense file.

Location: 7/15/2021-S. APPR. SUSPENSE FILE

Calendar: 8/26/2021 Upon adjournment of Session - John L. Burton Hearing Room (4203) SENATE APPROPRIATIONS SUSPENSE, PORTANTINO, Chair

Summary: Current law establishes the California Community Colleges Economic and Workforce Development Program with the purpose of, among other things, using labor market information to advise the Chancellor's Office of the California Community Colleges and regional community college bodies on the workforce needs of the state's competitive and emerging industry sectors, and collaborating and coordinating investment with other state, regional, or local agencies involved in education and workforce training in California. This bill, upon appropriation by the Legislature, would require the Employment Training Panel to establish a pilot program to serve the employment training needs of small businesses. The bill would require the program to leverage the capacity of the existing statewide network of community college contract education centers operating with multiple employer contracts. The bill would require the Employment Training Panel to develop the pilot program to achieve specified purposes, including strengthening the linkages between higher education institutions and employers.

[AB 1153](#) ([Boerner Horvath D](#)) **Cooperative Education Reskilling and Training Pilot Program.**

Current Text: Amended: 3/11/2021 [html](#) [pdf](#)

Last Amended: 3/11/2021

Status: 4/30/2021-Failed Deadline pursuant to Rule 61(a)(2). (Last location was HIGHER ED. on 3/11/2021)(May be acted upon Jan 2022)

Location: 4/30/2021-A. 2 YEAR

Summary: Would establish the Cooperative Education Reskilling and Training Pilot Program at MiraCosta Community College. The bill would require the pilot program to include 11 not-for-credit work skill training courses that can be completed in 3 to 6 months, inclusive, and the design and implementation of not-for-credit career readiness training offered in conjunction with or before enrollment in the work skill training courses. The bill would require the chancellor to report to the Legislature on the implementation of the pilot program no later than January 1, 2024. The bill would appropriate \$5,000,000 from the General Fund to the chancellor for allocation to MiraCosta College for the development and implementation of the program. The bill would repeal these provisions on January 1, 2025.

[AB 1273](#) ([Rodriguez D](#)) **Interagency Advisory Committee on Apprenticeship: the Director of Consumer Affairs and the State Public Health Officer.**

Current Text: Amended: 6/28/2021 [html](#) [pdf](#)

Last Amended: 6/28/2021

Status: 8/16/2021-Read second time. Ordered to third reading.

Location: 8/16/2021-S. THIRD READING

Calendar: 8/23/2021 #103 SENATE ASSEMBLY BILLS - THIRD READING FILE

Summary: Current law provides for apprenticeship programs within the Division of Apprenticeship Standards within the Department of Industrial Relations, sponsored by specific entities and employers, and requires the Chief of the Division of Apprenticeship Standards to perform various functions with respect to apprenticeship programs and the welfare of apprentices. Under current law, the Director of Industrial Relations is the Administrator of Apprenticeship and is authorized to appoint assistants necessary to effectuate the purposes of state law governing apprenticeships. This bill would make the State Public Health Officer and the Director of Consumer Affairs ex officio members of the Interagency Advisory Committee on Apprenticeship.

[SB 61](#) ([Hurtado D](#)) Workforce training programs: supportive services.

Current Text: Amended: 5/20/2021 [html](#) [pdf](#)

Last Amended: 5/20/2021

Status: 6/4/2021-Failed Deadline pursuant to Rule 61(a)(8). (Last location was INACTIVE FILE on 6/3/2021)(May be acted upon Jan 2022)

Location: 6/4/2021-S. 2 YEAR

Summary: Would, upon appropriation by the Legislature, 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 applicants, including local workforce development boards, labor organizations, K-12 educational entities, community colleges, adult schools, county social service agencies, community-based organizations, business-related nonprofit organizations, and workforce intermediaries who work directly with the individuals experiencing employment barriers to ensure those individuals receive needed training, that apply for funding to provide supportive services, as defined, and are approved in accordance with the bill.

[SB 553](#) ([Limón D](#)) Income taxes: California Work Opportunity Tax Credit.

Current Text: Amended: 5/11/2021 [html](#) [pdf](#)

Last Amended: 5/11/2021

Status: 5/20/2021-May 20 hearing: Held in committee and under submission.

Location: 5/17/2021-S. APPR. SUSPENSE FILE

Summary: The Personal Income Tax Law and the Corporation Tax Law allow various credits against the taxes imposed by those laws. This bill, for each taxable year beginning on or after January 1, 2021, and before January 1, 2025, would allow a credit against the taxes imposed under both laws to a qualified employer, as defined, in an amount equal to that allowed under the federal Work Opportunity Tax Credit, as modified. The bill would prohibit the credit from exceeding \$2,400 per qualified employee per taxable year, and would require the Employment Development Department to issue certification of qualified individuals, as specified. By expanding the crime of perjury, this bill would create a state-mandated local program.

[SB 753](#) ([Roth D](#)) Unemployment information: California Workforce Development Board: program outcomes.

Current Text: Amended: 4/6/2021 [html](#) [pdf](#)

Last Amended: 4/6/2021

Status: 8/19/2021-From committee: Do pass. Ordered to consent calendar. (Ayes 16. Noes 0.) (August 19).

Location: 8/19/2021-A. CONSENT CALENDAR

Calendar: 8/23/2021 #36 ASSEMBLY SECOND READING FILE -- SENATE BILLS

Summary: Under current law, the information obtained in the administration of the Unemployment Insurance Code is for the exclusive use and information of the Director of Employment Development in the discharge of

the director's duties and is not open to the public. Current law makes it a crime for any person to knowingly access, use, or disclose this confidential information without authorization. Current law requires the Director of Employment Development to permit the use of information in the director's possession for, among other purposes, to enable specified state agencies to access relevant quarterly wage data for the evaluation and reporting of their respective program performance outcomes as required and permitted by various local, state, and federal laws pertaining to performance measurement and program evaluation. This bill would also require the director, in the above-described circumstances, to permit the use of this data to evaluate and report program performance outcomes pertaining to specified Unemployment Insurance Code and Streets and Highways Code provisions concerning workforce training and investment.

[SB 779](#) ([Becker D](#)) California Workforce Innovation Opportunity Act: earn and learn programs.

Current Text: Amended: 8/19/2021 [html](#) [pdf](#)

Last Amended: 8/19/2021

Status: 8/19/2021-Read third time and amended. Ordered to third reading.

Location: 7/12/2021-A. THIRD READING

Calendar: 8/23/2021 #88 ASSEMBLY THIRD READING FILE - SENATE BILLS

Summary: Current law requires, as part of the California Workforce Innovation and Opportunity Act, the board to, among other things, identify opportunities for "earn and learn" job training opportunities that meet the industry's workforce demands and that are in high-wage, high-demand jobs. Under existing law, "earn and learn" programs include, but are not limited to, transitional and subsidized employment particularly for individuals with barriers to employment. This bill would amend the list of "earn and learn" programs by specifying that an "earn and learn" program includes transitional jobs, as described in the federal Workforce Innovation and Opportunity Act, and subsidized employment with an employer of record, which may include, but not be limited to, an employment social enterprise, as defined, or a worker cooperative, as defined, particularly for individuals with barriers to employment.

COVID

[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: 4/30/2021-Failed Deadline pursuant to Rule 61(a)(2). (Last location was H. & C.D. on 1/11/2021)(May be acted upon Jan 2022)

Location: 4/30/2021-A. 2 YEAR

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: Amended: 4/5/2021 [html](#) [pdf](#)

Last Amended: 4/5/2021

Status: 4/13/2021-In committee: Set, first hearing. Failed passage.

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

Summary: Would prohibit the Department of Consumer Affairs, a board within the Department of Consumer Affairs, except within the healing arts, 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: 3/22/2021-In committee: Hearing postponed by committee.

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: 4/30/2021-Failed Deadline pursuant to Rule 61(a)(2). (Last location was EMERGENCY MANAGEMENT on 1/11/2021)(May be acted upon Jan 2022)

Location: 4/30/2021-A. 2 YEAR

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 80](#) ([Burke D](#)) Taxation: Coronavirus Aid, Relief, and Economic Security Act: Federal Consolidated Appropriations Act, 2021.

Current Text: Chaptered: 4/29/2021 [html](#) [pdf](#)

Chapter No.: 17

Last Amended: 4/15/2021

Status: 4/29/2021-Approved by the Governor. Chaptered by Secretary of State - Chapter 17, Statutes of 2021.

Location: 4/29/2021-A. CHAPTERED

Summary: Would exclude, for taxable years beginning on or after January 1, 2019, from gross income any advance grant amount, as defined, issued pursuant to specified provisions of the CARES Act or the Consolidated Appropriations Act, 2021, and covered loan amounts forgiven pursuant to the Consolidated Appropriations Act, 2021.

[AB 81](#) ([Ting D](#)) COVID-19 relief.

Current Text: Chaptered: 2/23/2021 [html](#) [pdf](#)

Chapter No.: 5

Last Amended: 2/17/2021

Status: 2/23/2021-Approved by the Governor. Chaptered by Secretary of State - Chapter 5, Statutes of 2021.

Location: 2/23/2021-A. CHAPTERED

Summary: Current law makes an ordinance, resolution, regulation, or administrative action adopted by a city, county, or city and county in response to the COVID-19 pandemic to protect tenants from eviction subject to certain restrictions, including that the specified period of time during which a tenant is permitted to repay COVID-19 rental debt may not extend beyond the period that was in effect on August 19, 2020, and a provision may not permit a tenant a period of time that extends beyond August 31, 2021, to repay COVID-19 rental debt. This bill would instead, among other things, prohibit an ordinance, resolution, regulation, or administrative action adopted by a city, county, or city and county from permitting a tenant a period of time that extends beyond August 31, 2022, to repay COVID-19 rental debt.

[AB 82](#) ([Ting D](#)) COVID-19 pandemic emergency: contact tracing: childcare.

Current Text: Chaptered: 2/23/2021 [html](#) [pdf](#)

Chapter No.: 6

Last Amended: 2/17/2021

Status: 2/23/2021-Approved by the Governor. Chaptered by Secretary of State - Chapter 6, Statutes of 2021.

Location: 2/23/2021-A. CHAPTERED

Summary: Current law provides that the Legislature finds and declares that the federal Coronavirus Aid, Relief, and Economic Security (CARES) Act (Public Law 116-136) Child Care and Development Block Grant supplemental payment awarded funds to California to address the impact of the COVID-19 pandemic on childcare providers and the families they serve, including to prevent, prepare for, and respond to the pandemic emergency, to provide assistance to childcare providers in the case of decreased enrollment or closures, and to provide childcare assistance to essential workers during the response to the pandemic. Current law provides that it is the intent of the Legislature to allocate funds to restore amounts either directly or through reimbursement for obligations incurred relating to childcare and the pandemic. Current law requires the Controller to transfer, on July 1, 2020, \$152,314,000 from the Federal Trust Fund, and consistent with the federal Coronavirus Aid, Relief, and Economic Security (CARES) Act Child Care and Development Block

Grant supplemental payment requirements, to the General Fund to offset the state costs incurred in the 2019–20 fiscal year. For the 2020–2021 fiscal year, current law appropriates \$198,000,000 from the Federal Trust Fund to the Superintendent of Public Instruction for COVID-19 pandemic-related relief and assistance for childcare providers, the families those childcare providers serve, and essential workers, as prescribed. This bill would instead require \$42,014,000 to be transferred on July 1, 2020, and would instead appropriate \$308,000,000 for the 2020–2021 fiscal year thereby making an appropriation.

[AB 84](#) (Committee on Budget) Employment: rehiring and retention: displaced workers.

Current Text: Amended: 4/8/2021 [html](#) [pdf](#)

Last Amended: 4/8/2021

Status: 5/18/2021-Re-referred to Com. on B. & F.R.

Location: 5/18/2021-S. BUDGET & F.R.

Summary: Would, until December 31, 2024, require an employer, as defined, to offer its laid-off employees specified information about job positions that become available for which the laid-off employees are qualified, and to offer positions to those laid-off employees based on a preference system, in accordance with specified timelines and procedures. The bill would define the term “laid-off employee” to mean any employee who was employed by the employer for 6 months or more in the 12 months preceding January 1, 2020, and whose most recent separation from active service was due to a reason related to the COVID-19 pandemic, including a public health directive, government shutdown order, lack of business, a reduction in force, or other economic, nondisciplinary reason related to the COVID-19 pandemic. The bill would require an employer to keep records for 3 years, including records of communications regarding the offers.

[AB 86](#) (Committee on Budget) COVID-19 relief and school reopening, reporting, and public health requirements.

Current Text: Chaptered: 3/5/2021 [html](#) [pdf](#)

Chapter No.: 10

Last Amended: 3/1/2021

Status: 3/5/2021-Approved by the Governor. Chaptered by Secretary of State - Chapter 10, Statutes of 2020.

Location: 3/5/2021-A. CHAPTERED

Summary: Current law, for purposes of calculating apportionments for the 2020–21 fiscal year, requires a local educational agency to offer in-person instruction and authorizes these agencies to offer distance learning, as specified. This bill would require the school administrator or other person in charge of a public or private school campus maintaining kindergarten or any of grades 1 to 12, inclusive, upon learning that a school employee or pupil at the public or private school campus has tested positive for COVID-19 and was present on campus while infectious, to immediately, and in no case later than 24 hours after learning of the positive COVID-19 case, notify the local health officer or the local health officer’s representative about the positive case, as specified.

[AB 88](#) (Committee on Budget) One-time stimulus and grant payments: garnishment: exclusion from gross income.

Current Text: Chaptered: 3/17/2021 [html](#) [pdf](#)

Chapter No.: 12

Last Amended: 3/3/2021

Status: 3/17/2021-Approved by the Governor. Chaptered by Secretary of State - Chapter 12, Statutes of 2021.

Location: 3/17/2021-A. CHAPTERED

Summary: Current law requires the Controller to make a one-time Golden State Stimulus payment to each qualified recipient, as defined, of an applicable amount, as specified, and authorizes the Controller to make

the payment in a form and manner determined by the Franchise Tax Board, as specified. Current law also requires the State Department of Social Services to make a one-time grant payment (Golden State Grant payment) to qualified grant recipients, as defined, of \$600, as specified. This bill would, except as provided, make both payments automatically exempt from a garnishment order, as defined, and would require a financial institution to employ a certain procedure to identify a deposit exempt pursuant to that provision. The bill would prohibit a financial institution that attempts to comply with those provisions in good faith from being subject to liability, as specified. The bill would also further clarify the definition of “qualified recipient” for purposes of the Golden State Stimulus payment and a “grant recipient” eligible to receive a Golden State Grant payment.

[AB 93](#) ([Garcia, Eduardo D](#)) **Pandemic response practices.**

Current Text: Amended: 3/25/2021 [html](#) [pdf](#)

Last Amended: 3/25/2021

Status: 4/30/2021-Failed Deadline pursuant to Rule 61(a)(2). (Last location was HEALTH on 3/25/2021)(May be acted upon Jan 2022)

Location: 4/30/2021-A. 2 YEAR

Summary: Would require the Legislative Analyst’s Office to conduct a comprehensive review and analysis of issues related to the state’s response to the COVID-19 pandemic, including, among others, whether local public health departments were sufficiently staffed and funded to handle specified pandemic-related responsibilities, and what specific measures of accountability the state applied to monitor and confirm that local public health departments were following state directives related to any dedicated COVID-19 funds allocated to counties. The bill would require the office to report to the Joint Legislative Audit Committee and the health committees of the Legislature by June 30, 2022. This bill contains other related provisions.

[AB 104](#) ([Gonzalez, Lorena D](#)) **Pupil instruction: retention, grade changes, and exemptions.**

Current Text: Chaptered: 7/1/2021 [html](#) [pdf](#)

Chapter No.: 41

Last Amended: 6/2/2021

Status: 7/1/2021-Approved by the Governor. Chaptered by Secretary of State - Chapter 41, Statutes of 2021.

Location: 7/1/2021-A. CHAPTERED

Summary: Would, for the 2021–22 academic year, require a school district, county office of education, or charter school to implement a supplemental policy regarding the retention of pupils who, in the 2020–21 academic year, received deficient grades, as specified, for at least 1/2 of the pupil’s coursework, except for pupils enrolled in grade 12 during the 2020–21 academic year. The bill would require a school district, county office of education, or charter school, as part of that policy and within 30 calendar days of receiving a written retention consultation request from a parent, to conduct the consultation with the parent, the pupil, the administrator, and a teacher, and would require the consultation to include a discussion of all available learning recovery options, research on the effects of retention and the benefits of particular interventions and supports, and consideration of the pupil’s academic data and any other information relevant to whether retention is in the pupil’s best interests, academically and socially. The bill would require a retention decision to be consistent with a pupil’s individualized education program

[AB 108](#) ([Cunningham R](#)) **Governor’s emergency orders and regulations: approval by the Legislature.**

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

Status: 4/30/2021-Failed Deadline pursuant to Rule 61(a)(2). (Last location was EMERGENCY MANAGEMENT on 1/11/2021)(May be acted upon Jan 2022)

Location: 4/30/2021-A. 2 YEAR

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) COVID-19 Emergency Small Business Eviction Relief Act.

Current Text: Amended: 6/1/2021 [html](#) [pdf](#)

Last Amended: 6/1/2021

Status: 6/4/2021-Failed Deadline pursuant to Rule 61(a)(8). (Last location was INACTIVE FILE on 6/3/2021)(May be acted upon Jan 2022)

Location: 6/4/2021-A. 2 YEAR

Summary: Current law provides that a tenant is guilty of unlawful detainer if the tenant continues to possess the property without permission of the landlord in specified circumstances, including when the tenant has violated the lease or rental agreement by defaulting on rent, and requires the tenant be served a 3 days' notice in writing to cure the default, as specified. Current law provides that an unlawful detainer action is subject to the COVID-19 Tenant Relief Act of 2020, which provides tenants with specified temporary protections from eviction, if the default in the payment of rent is based upon COVID-19 rental debt, as defined. This bill, the COVID-19 Emergency Small Business Eviction Relief Act, would, until July 1, 2025, require a landlord, who receives a statement signed by a commercial tenant, as defined, and supported by documentary evidence that evidences that the tenant requests emergency rent relief because the business of the commercial tenant has experienced a decrease in average monthly gross revenue of at least 50%, which is reasonably attributable to public health regulations adopted to address the COVID-19 pandemic, during the qualifying time period, as defined, as compared with the 12 months immediately preceding the qualifying time period, to conduct a good faith negotiation to form a plan to allow the commercial tenant a reasonable opportunity to repay COVID-19 lease debt while minimizing the hardship to the landlord.

[AB 281](#) ([Burke](#) D) Personal income taxes: corporation taxes: gross income.

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

Status: 5/7/2021-Failed Deadline pursuant to Rule 61(a)(3). (Last location was PRINT on 1/21/2021)(May be acted upon Jan 2021)

Location: 5/7/2021-A. 2 YEAR

Summary: Would state the intent of the Legislature to enact legislation that would bring California's tax treatment of covered Paycheck Protection Program loans into conformity with federal tax laws.

[AB 369](#) ([Kamlager](#) D) Medi-Cal services: persons experiencing homelessness.

Current Text: Amended: 6/15/2021 [html](#) [pdf](#)

Last Amended: 6/15/2021

Status: 8/16/2021-In committee: Referred to suspense file.

Location: 8/16/2021-S. APPR. SUSPENSE FILE

Calendar: 8/26/2021 Upon adjournment of Session - John L. Burton Hearing Room (4203) SENATE APPROPRIATIONS SUSPENSE, PORTANTINO, Chair

Summary: Would require the State Department of Health Care Services to implement a program of presumptive eligibility for persons experiencing homelessness, under which a person would receive full-scope Medi-Cal benefits without a share of cost. The bill would require the department to authorize an enrolled Medi-Cal provider to issue a temporary Medi-Cal benefits identification card to a person experiencing homelessness, and would prohibit the department from requiring a person experiencing homelessness to present a valid California driver's license or identification card issued by the Department of Motor Vehicles to receive Medi-Cal services if the provider verifies the person's eligibility.

[AB 420](#) ([Quirk-Silva D](#)) **Public health: amusement parks and COVID-19.**

Current Text: Amended: 2/25/2021 [html](#) [pdf](#)

Last Amended: 2/25/2021

Status: 3/1/2021-Re-referred to Com. on A.,E.,S.,T., & I.M.

Location: 2/25/2021-A. A.,E.,S.,T., & I.M.

Summary: On August 28, 2020, the executive branch implemented a 4-tier "Blueprint for a Safer Economy," which identifies a county's COVID-19 risk level for business operations on a scale from widespread risk to minimal risk. On October 20, 2020, the State Department of Public Health and the Division of Occupational Safety and Health issued a guidance document, "COVID-19 INDUSTRY GUIDANCE: Amusement Parks and Theme Parks," which authorizes a small amusement park to operate at limited capacity when its county is in the moderate tier, and authorizes any other amusement park to operate at 25% capacity when its county is in the minimal tier. This bill would express the intent of the Legislature that the executive branch adjust the "COVID-19 INDUSTRY GUIDANCE: Amusement Parks and Theme Parks" document and place all amusement parks, regardless of size, within the moderate risk tier, rather than the minimal risk tier.

[AB 449](#) ([Voepel R](#)) **COVID-19: death data: hospital reporting.**

Current Text: Introduced: 2/8/2021 [html](#) [pdf](#)

Status: 5/7/2021-Failed Deadline pursuant to Rule 61(a)(3). (Last location was PRINT on 2/8/2021)(May be acted upon Jan 2021)

Location: 5/7/2021-A. 2 YEAR

Summary: Current law requires a health facility, which includes a hospital, to designate an infection control officer who is responsible for implementing testing and reporting of infections and other hospital infection control efforts. Under existing law, a violation of this provision and provisions regulating health facilities is a crime. It is the intent of the Legislature to enact legislation to require hospitals to submit an annual report to the Legislature commencing in 2022 that includes the number of patient deaths from COVID-19 in the hospital, the reimbursement that the hospital has received from treating COVID-19 patients from 2020 to 2021, inclusive, and the gender demographic data for patients who have died due to COVID-19.

[AB 654](#) ([Reyes D](#)) **COVID-19: exposure: notification.**

Current Text: Amended: 7/15/2021 [html](#) [pdf](#)

Last Amended: 7/15/2021

Status: 7/15/2021-Reconsideration granted. Ordered to third reading. Read third time and amended. Ordered to third reading.

Location: 7/15/2021-A. THIRD READING

Calendar: 8/23/2021 #59 ASSEMBLY THIRD READING FILE - ASSEMBLY BILLS

Summary: The California Occupational Safety and Health Act of 1973 authorizes the Division of Occupational Safety and Health to prohibit the performance of an operation or process, or entry into that place of employment when, in its opinion, a place of employment, operation, or process, or any part thereof, exposes workers to the risk of infection with COVID-19, so as to constitute an imminent hazard to employees. Current

law requires that the prohibition be issued in a manner so as not to materially interrupt the performance of critical governmental functions essential to ensuring public health and safety functions or the delivery of electrical power or water. Current law requires that these provisions not prevent the entry or use, with the division's knowledge and permission, for the sole purpose of eliminating the dangerous conditions. This bill would add the delivery of renewable natural gas to the list of utilities that the division's prohibitions are not allowed to materially interrupt.

[AB 708](#) ([Garcia, Eduardo](#) D) Personal Income Taxes: Corporation Taxes: gross income: Federal Consolidated Appropriations Act, 2021.

Current Text: Introduced: 2/16/2021 [html](#) [pdf](#)

Status: 2/25/2021-Referred to Com. on REV. & TAX.

Location: 2/25/2021-A. REV. & TAX

Summary: Would adopt the provisions of the Consolidated Appropriations Act, 2021, prohibiting any reduction in tax deductions, denials of basis adjustments, and reductions in tax attributes based on the exclusion from gross income provided for any loan amount forgiven in conformity with the federal CARES Act and its subsequent amendments. The bill would provide findings to comply with the additional information requirement for any bill authorizing a new tax expenditure.

[AB 738](#) ([Nguyen](#) R) Community mental health services: mental health boards.

Current Text: Amended: 3/25/2021 [html](#) [pdf](#)

Last Amended: 3/25/2021

Status: 5/7/2021-Failed Deadline pursuant to Rule 61(a)(3). (Last location was HEALTH on 3/25/2021)(May be acted upon Jan 2021)

Location: 5/7/2021-A. 2 YEAR

Summary: The Bronzan-McCorquodale Act governs the organization and financing of community mental health services for persons with mental disorders in every county through locally administered and locally controlled community mental health programs. Current law generally requires each community mental health service to have a mental health board consisting of 10 to 15 members who are appointed by the governing body, and encourages counties to appoint individuals who have experience with and knowledge of the mental health system. Current law specifies the duties of mental health boards, including acting in an advisory role to the governing body. This bill would instead require the board to have 10 to 17 members.

[AB 743](#) ([Ramos](#) D) Insurance: business interruption: coverage for COVID-19.

Current Text: Introduced: 2/16/2021 [html](#) [pdf](#)

Status: 2/25/2021-Referred to Com. on INS.

Location: 2/25/2021-A. INS.

Summary: The California Emergency Services Act authorizes the Governor to declare a state of emergency during conditions of disaster or extreme peril to persons or property, including epidemics. Pursuant to this authority, on March 4, 2020, the Governor declared a state of emergency relating to the coronavirus 2019 (COVID-19) pandemic. This bill, with respect to a policy of insurance that provides coverage for business interruption, would create specified rebuttable presumptions affecting the burden of proof in a case in which the insured alleges that the business interruption was due to the COVID-19 pandemic and occurred during the period of the state of emergency declared by the Governor due to the COVID-19 pandemic. Specifically, the bill would create certain rebuttable presumptions that COVID-19 was present on specified property and caused physical loss or damage to that property which was the direct cause of the business interruption.

[AB 757](#) ([Davies](#) R) Private employment: COVID-19: positive test or diagnosis: documentation.

Current Text: Introduced: 2/16/2021 [html](#) [pdf](#)

Status: 2/25/2021-Referred to Com. on L. & E.

Location: 2/25/2021-A. L. & E.

Summary: Would authorize a private employer to request prescribed documentation of a positive COVID-19 test or diagnosis if an employee reports that the employee has been diagnosed or tested positive for COVID-19 and is unable to work and the employer determines that an employee may be subject to a 14-day exclusion from the workplace as required under certain law or regulations. The bill would require an employer, in requesting documentation pursuant to the bill and in receiving information in response to that request, to comply with existing privacy protections.

[AB 805](#) ([Maienschein D](#)) Personal protective equipment: distribution reports.

Current Text: Introduced: 2/16/2021 [html](#) [pdf](#)

Status: 5/25/2021-Failed Deadline pursuant to Rule 61(a)(5). (Last location was APPR. SUSPENSE FILE on 4/21/2021)(May be acted upon Jan 2022)

Location: 5/25/2021-A. 2 YEAR

Summary: Current law authorizes the county health officer and the local Emergency Medical Services (EMS) agency administrator in each operational area to act jointly as the medical health operational area coordinator (MHOAC) or to jointly appoint another person to fulfill those responsibilities. This bill would require, during a health-related state of emergency in California proclaimed by the President of the United States or by the Governor, the MHOAC to report specified information relating to the distribution of personal protective equipment, as defined, to the Office of Emergency Services on a weekly basis. The bill would require, at all other times, the MHOAC to report that information on a monthly basis. The bill would require the medical and health disaster plan to include this reporting, as specified.

[AB 814](#) ([Levine D](#)) Personal information: contact tracing.

Current Text: Amended: 7/8/2021 [html](#) [pdf](#)

Last Amended: 7/8/2021

Status: 8/16/2021-In committee: Referred to suspense file.

Location: 8/16/2021-S. APPR. SUSPENSE FILE

Calendar: 8/26/2021 Upon adjournment of Session - John L. Burton Hearing Room (4203) SENATE APPROPRIATIONS SUSPENSE, PORTANTINO, Chair

Summary: The California Consumer Privacy Act of 2018 (CCPA) grants a consumer various rights with respect to personal information, as defined, that is collected or sold by a business, as defined, including the right to direct a business that sells personal information about the consumer to third parties not to sell the consumer's personal information. This bill would, except as prescribed, prohibit data collected, received, or prepared for purposes of contact tracing from being used, maintained, or disclosed for any purpose other than facilitating contact tracing efforts. The bill would authorize a state or local health department to disclose, to the University of California or a nonprofit education institution conducting scientific research, data collected, received, or prepared for purposes of contact tracing only if certain requirements are met, including that the request for information is approved by the Committee for the Protection of Human Subjects for the California Health and Human Services Agency or an institutional review board.

[AB 845](#) ([Rodriguez D](#)) Disability retirement: COVID-19: presumption.

Current Text: Chaptered: 7/23/2021 [html](#) [pdf](#)

Chapter No.: 122

Last Amended: 3/30/2021

Status: 7/23/2021-Approved by the Governor. Chaptered by Secretary of State - Chapter 122, Statutes of 2021.

Location: 7/23/2021-A. CHAPTERED

Summary: Current law prescribes various requirements for the organization and administration of public retirement systems, which typically provide pension, disability, and death benefits to their members. Current law provides that participants in certain membership categories may be entitled to special benefits if death or disability arises in the course of employment. The California Public Employees' Pension Reform Act of 2013 (PEPRA) generally requires a public retirement system, as defined, to modify its plan or plans to comply with that act and establishes, among other things, limits on defined benefit formulas and caps on pensionable compensation. This bill, until January 1, 2023, would create a presumption, applicable to the retirement systems that PEPRA regulates and to specified members in those systems, that would be applied to disability retirements on the basis, in whole or in part, of a COVID-19-related illness. In this circumstance, the bill would require that it be presumed the disability arose out of, or in the course of, the member's employment. The bill would authorize the presumption to be rebutted by evidence to the contrary, but unless controverted, the applicable governing board of a public retirement system would be required to find in accordance with the presumption.

[AB 893](#) ([Davies R](#)) Emergency regulations: Division of Occupational Safety and Health: State Department of Public Health.

Current Text: Introduced: 2/17/2021 [html](#) [pdf](#)

Status: 2/25/2021-Referred to Com. on A. & A.R.

Location: 2/25/2021-A. A. & A.R.

Summary: Would require the Division of Occupational Safety and Health or the State Department of Public Health, within 14 calendar days of the release of a federal recommendation that conflicts with an emergency regulation related to COVID-19 issued by the division or the department, to review the conflicting emergency regulation and make a determination to either amend the regulation or submit a report to the Legislature on the decision not to amend the regulation, as specified. The bill would require the division or department, before determining whether to amend the emergency regulation, to provide public notice and an opportunity for public comment. The bill would repeal these provisions 90 days after the termination of the state of emergency related to the COVID-19 pandemic declared by the Governor.

[AB 1044](#) ([Rodriguez D](#)) Office of Emergency Services: COVID-19 Pandemic after-action report.

Current Text: Amended: 3/30/2021 [html](#) [pdf](#)

Last Amended: 3/30/2021

Status: 4/5/2021-Re-referred to Com. on E.M.

Location: 3/4/2021-A. EMERGENCY MANAGEMENT

Summary: Would require the Office of Emergency Services, on or before September 30, 2021, to review, and make recommendations to the Legislature and the California congressional delegation on, how to enhance the effectiveness of the Strategic National Stockpile, the federal Defense Production Act of 1950, the California stockpile of personal protection equipment, and the procurement of personal protective equipment as part of its COVID-19 Pandemic after- action report. This bill would declare that it is to take effect immediately as an urgency statute.

[AB 1105](#) ([Rodriguez D](#)) Hospital workers: COVID-19 testing.

Current Text: Amended: 6/30/2021 [html](#) [pdf](#)

Last Amended: 6/30/2021

Status: 7/15/2021-In committee: Referred to suspense file.

Location: 7/15/2021-S. APPR. SUSPENSE FILE

Calendar: 8/26/2021 Upon adjournment of Session - John L. Burton Hearing Room (4203) SENATE APPROPRIATIONS SUSPENSE, PORTANTINO, Chair

Summary: Current law sets forth safety and health requirements for employers and employees. Current law requires a public or private employer of workers in a general acute care hospital, as defined, to supply personal protective equipment, as defined, to employees who provide direct patient care or who provide services that directly support patient care. Current law provides that, except where another penalty is specifically provided, every employer and every officer, management official, or supervisor having direction, management, control, or custody of any employment, place of employment, or of any other employee, who repeatedly violates any standard, order, or special order, or any provision of specified employment safety laws so that such repeated violation creates a real and apparent hazard to employees is guilty of a misdemeanor. This bill would require the employer to supply personal protective equipment to an employee, regardless of whether or not the employee has received a vaccination for COVID-19. This bill would also require a public or private employer of workers in a general acute care hospital to develop and implement a program to offer weekly COVID-19 screening testing for health care personnel, as defined.

[AB 1207](#) ([Weber, Akilah](#) D) Pathways Through Pandemics Task Force.

Current Text: Amended: 7/6/2021 [html](#) [pdf](#)

Last Amended: 7/6/2021

Status: 8/16/2021-In committee: Referred to suspense file.

Location: 8/16/2021-S. APPR. SUSPENSE FILE

Calendar: 8/26/2021 Upon adjournment of Session - John L. Burton Hearing Room (4203) SENATE APPROPRIATIONS SUSPENSE, PORTANTINO, Chair

Summary: Would establish, in the California Health and Human Services Agency, the Pathways Through Pandemics Task Force to study lessons learned from the COVID-19 pandemic and to develop strategies to navigate future pandemics. The bill would require the task force to convene various entities to engage in discussions on the lessons learned from the COVID-19 pandemic, develop and recommend best practices for an equitable response to future pandemics, and determine the impact of state laws on coordinating the response to the COVID-19 pandemic, as specified. The bill would require the task force to report its findings to the Legislature on or before December 1, 2024, and would repeal these provisions as of January 1, 2025.

[AB 1264](#) ([Aguiar-Curry](#) D) Project ECHO (registered trademark) Grant Program.

Current Text: Amended: 3/16/2021 [html](#) [pdf](#)

Last Amended: 3/16/2021

Status: 5/25/2021-Failed Deadline pursuant to Rule 61(a)(5). (Last location was APPR. SUSPENSE FILE on 4/21/2021)(May be acted upon Jan 2022)

Location: 5/25/2021-A. 2 YEAR

Summary: Current law establishes within state government the Office of Statewide Health Planning and Development. Current law also establishes various public health programs, including grant programs, throughout the state for purposes of promoting maternal, child, and adolescent health. This bill would require the office, upon appropriation by the Legislature, to establish, develop, implement, and administer the Project ECHO (registered trademark) Grant Program. Under the grant program, the bill would require participating children's hospitals to establish yearlong pediatric behavioral health teleECHO (trademark) clinics for specified individuals, including primary care clinicians and educators, to help them develop expertise and tools to better serve the youth that they work with by addressing their mental health needs stemming from the coronavirus pandemic.

[AB 1313](#) ([Bigelow R](#)) COVID-19: immunity from civil liability.

Current Text: Introduced: 2/19/2021 [html](#) [pdf](#)

Status: 3/4/2021-Referred to Com. on JUD.

Location: 3/4/2021-A. JUD.

Summary: Would exempt a business, as defined, from liability for an injury or illness to a person due to coronavirus (COVID-19) based on a claim that the person contracted COVID-19 while at that business, or due to the actions of that business, if the business has substantially complied with all applicable state and local health laws, regulations, and protocols. The bill would define a business to include a sole proprietorship, partnership, corporation, association, or other group, including a nonprofit organization, as specified. The bill would not permit this exception to apply if the injury or illness resulted from a grossly negligent act or omission, willful or wanton misconduct, or unlawful discrimination by the business or an employee of the business. The bill would include related legislative findings.

[AB 1388](#) ([Low D](#)) COVID-19: death data.

Current Text: Amended: 4/22/2021 [html](#) [pdf](#)

Last Amended: 4/22/2021

Status: 5/25/2021-Failed Deadline pursuant to Rule 61(a)(5). (Last location was APPR. SUSPENSE FILE on 5/19/2021)(May be acted upon Jan 2022)

Location: 5/25/2021-A. 2 YEAR

Summary: Current law requires the State Department of Public Health to establish a list of reportable communicable and noncommunicable diseases and conditions and to specify the timeliness requirements related to the reporting of each disease and condition, and the mechanisms required for, and the contents to be included in, a report. This bill would require the department to report COVID-19 death data by ZIP Code on its COVID-19 dashboard and to create a uniform dashboard for county health departments to use for the purposes of reporting COVID-19 death data on their public internet websites. The bill would require the data reported to comply with federal and state privacy standards, including the deidentification of protected health information in accordance with the federal Health Insurance Portability and Accountability Act of 1996.

[SB 3](#) ([Caballero D](#)) Education finance: local control and accountability plan portal.

Current Text: Amended: 4/27/2021 [html](#) [pdf](#)

Last Amended: 4/27/2021

Status: 5/25/2021-Failed Deadline pursuant to Rule 61(a)(5). (Last location was ED. on 5/5/2021)(May be acted upon Jan 2022)

Location: 5/25/2021-S. 2 YEAR

Summary: Would require the State Department of Education to develop, on or before January 1, 2022, a local control and accountability plan portal that will allow comprehensive analysis by policymakers of actions, expenditures, and progress on metrics included within local control and accountability plans adopted by local educational agencies. The bill would require the portal to include a tracking mechanism for school districts, county offices of education, and charter schools to use to report the types of services on which they spend their supplemental and concentration grant funds. Commencing July 1, 2022, the bill would require each local educational agency, as a condition of receiving supplemental and concentration grant funds, to annually report to the department the types of services on which it spends its supplemental and concentration grant funds using the portal developed by the department.

[SB 49](#) ([Umberg D](#)) Income taxes: credits: California Fair Fees Tax Credit.

Current Text: Amended: 5/11/2021 [html](#) [pdf](#)

Last Amended: 5/11/2021

Status: 5/28/2021-Ordered to inactive file on request of Senator Umberg.

Location: 5/28/2021-S. INACTIVE FILE

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, and before January 1, 2026, to a taxpayer that meets certain criteria, including that the taxpayer temporarily ceased business operations for at least 30 consecutive days during the taxable year in response to an emergency order, as defined. The amount of credit would vary based on the number of consecutive days the qualified taxpayer has ceased business operations during the taxable year, with a maximum amount of \$6,000 if the qualified taxpayer has temporarily ceased business operations for at least 180 consecutive days, as provided.

SB 86 (Committee on Budget and Fiscal Review) Public social services.

Current Text: Chaptered: 4/16/2021 [html](#) [pdf](#)

Chapter No.: 15

Last Amended: 4/8/2021

Status: 4/16/2021-Approved by the Governor. Chaptered by Secretary of State. Chapter 15, Statutes of 2021.

Location: 4/16/2021-S. CHAPTERED

Summary: Current law establishes the State Supplementary Program for the Aged, Blind, and Disabled (SSP), which requires the State Department of Social Services to contract with the United States Secretary of Health and Human Services to make payments to SSP recipients to supplement Supplemental Security Income (SSI) payments made available pursuant to the federal Social Security Act. Current law also establishes the Golden State Grant Program, which requires the department to make a one-time grant payment of \$600 to qualified grant recipients, including recipients of benefits under the SSI/SSP program. Current law authorizes the department to determine the form and manner of these payments. This bill would instead require the one-time grant payments made under the Golden State Grant Program to individuals who are eligible for the payment because they are recipients of SSI/SSP benefits to be paid as a one-time increase of \$600 to the individual's SSP benefits.

SB 87 (Caballero D) California Small Business COVID-19 Relief Grant Program: income tax: gross income: exclusion: small business grants.

Current Text: Chaptered: 2/23/2021 [html](#) [pdf](#)

Chapter No.: 7

Last Amended: 2/17/2021

Status: 2/23/2021-Approved by the Governor. Chaptered by Secretary of State. Chapter 7, Statutes of 2021.

Location: 2/23/2021-S. CHAPTERED

Summary: Would establish the California Small Business COVID-19 Relief Grant Program within CalOSBA to assist qualified small businesses affected by COVID-19 through administration of grants. The bill would require CalOSBA to provide grants to qualified small businesses, as defined, in accordance with specified criteria, including geographic distribution based on COVID-19 restrictions, industry sectors most impacted by the pandemic, and underserved small businesses. The bill would repeal these provisions on January 1, 2024.

SB 88 (Committee on Budget and Fiscal Review) One-time stimulus payment: delinquent accounts: Earned Income Tax Credit: statements.

Current Text: Chaptered: 2/23/2021 [html](#) [pdf](#)

Chapter No.: 8

Last Amended: 2/18/2021

Status: 2/23/2021-Approved by the Governor. Chaptered by Secretary of State. Chapter 8, Statutes of 2021.

Location: 2/23/2021-S. CHAPTERED

Summary: Current law authorizes various forms of relief for low-income Californians, including certain tax benefits and public assistance programs. Current law also provides various forms of assistance to those Californians that have been impacted by the COVID-19 emergency. This bill would authorize the Controller to make a one-time Golden State Stimulus payment to each qualified recipient, as defined, of an applicable amount, as specified, in a form and manner determined by the Franchise Tax Board, in order to provide relief to low-income Californians impacted by the COVID-19 emergency. This bill would create the Golden State Stimulus Emergency Fund, a new fund in the State Treasury, for the purposes of making these one-time payments, and would continuously appropriate that fund.

[SB 92](#) (Committee on Budget and Fiscal Review) Juvenile Justice.

Current Text: Chaptered: 5/14/2021 [html](#) [pdf](#)

Chapter No.: 18

Last Amended: 4/8/2021

Status: 5/14/2021-Approved by the Governor. Chaptered by Secretary of State. Chapter 18, Statutes of 2021.

Location: 5/13/2021-S. CHAPTERED

Summary: Current law establishes the Division of Juvenile Justice within the Department of Corrections and Rehabilitation to operate facilities to house specified juvenile offenders. Current law, commencing July 1, 2021, prohibits further commitment of wards to the Division of Juvenile Justice unless the ward is otherwise eligible to be committed to the division and a motion was filed to transfer the ward from the juvenile court to a court of criminal jurisdiction. Current law requires that all wards committed to the division prior to July 1, 2021, remain within the custody of the division until the ward is discharged, released, or transferred. This bill would require a court to consider, as an alternative to commitment to the Division of Juvenile Justice, placement in local programs established as a result of the realignment of wards from the Division of Juvenile Justice to county-based custody

[SB 93](#) (Committee on Budget and Fiscal Review) Employment: rehiring and retention: displaced workers: COVID-19 pandemic.

Current Text: Chaptered: 4/16/2021 [html](#) [pdf](#)

Chapter No.: 16

Last Amended: 4/12/2021

Status: 4/16/2021-Approved by the Governor. Chaptered by Secretary of State. Chapter 16, Statutes of 2021.

Location: 4/15/2021-S. CHAPTERED

Summary: Would, until December 31, 2024, require an employer, as defined, to offer its laid-off employees specified information about job positions that become available for which the laid-off employees are qualified, and to offer positions to those laid-off employees based on a preference system, in accordance with specified timelines and procedures. The bill would define the term "laid-off employee" to mean any employee who was employed by the employer for 6 months or more in the 12 months preceding January 1, 2020, and whose most recent separation from active service was due to a reason related to the COVID-19 pandemic, including a public health directive, government shutdown order, lack of business, a reduction in force, or other economic, nondisciplinary reason related to the COVID-19 pandemic. The bill would require an employer to keep records for 3 years, including records of communications regarding the offers.

[SB 95](#) (Skinner D) Employment: COVID-19: supplemental paid sick leave.

Current Text: Chaptered: 3/19/2021 [html](#) [pdf](#)

Chapter No.: 13

Last Amended: 3/15/2021

Status: 3/19/2021-Approved by the Governor. Chaptered by Secretary of State. Chapter 13, Statutes of 2021.

Location: 3/18/2021-S. CHAPTERED

Summary: Would provide for COVID-19 supplemental paid sick leave for covered employees, as defined, who are unable to work or telework due to certain reasons related to COVID-19, including that the employee has been advised by a health care provider to self-quarantine due to concerns related to COVID-19. The bill would entitle a covered employee to 80 hours of COVID-19 supplemental paid sick leave if that employee either works full time or was scheduled to work, on average, at least 40 hours per week for the employer in the 2 weeks preceding the date the covered employee took COVID-19 supplemental paid sick leave. The bill would provide a different calculation for supplemental paid sick leave for a covered employee who is a firefighter subject to certain work schedule requirements and for a covered employee working fewer or variable hours, as specified.

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

Current Text: Amended: 3/17/2021 [html](#) [pdf](#)

Last Amended: 3/17/2021

Status: 4/5/2021-April 5 set for final hearing. Failed passage in committee. (Ayes 6. Noes 7.) Reconsideration granted.

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 that does not regulate healing arts licensees, and the Department of Alcoholic Beverage Control from revoking a license or imposing a fine or penalty for failure to comply with any COVID-19 state of emergency orders or COVID-19 stay-at-home orders, unless the board or department can prove that lack of compliance resulted in transmission of COVID-19. The bill would specify that the provisions do not preclude issuance of fines, penalties, or revoking a license for any action that is not related to the issuance of any COVID-19 state of emergency orders or COVID-19 stay-at-home order.

[SB 233](#) ([Umberg D](#)) Protective proceedings: compromise of minor's disputed claim.

Current Text: Amended: 3/1/2021 [html](#) [pdf](#)

Last Amended: 3/1/2021

Status: 6/17/2021-Re-referred to Com. on RLS. pursuant to Assembly Rule 96.

Location: 6/17/2021-A. RLS.

Summary: Current law authorizes a minor's parent to compromise, or execute a covenant not to sue or not to enforce a judgment on, a claim on behalf of the minor if the minor has a disputed claim for damages, money, or other property and does not have a guardian of the estate. This bill would require the court to schedule a hearing on a petition to compromise a minor's disputed claim within 30 days from the date of filing and, if the petition is unopposed, would require the court to enter a decision at the conclusion of the hearing.

[SB 336](#) ([Ochoa Bogh R](#)) Public health: COVID-19.

Current Text: Amended: 7/8/2021 [html](#) [pdf](#)

Last Amended: 7/8/2021

Status: 8/19/2021-August 19 set for first hearing. Placed on suspense file.

Location: 8/19/2021-A. APPR. SUSPENSE FILE

Calendar: 8/26/2021 Upon adjournment of Session - State Capitol, Room 4202 ASSEMBLY APPROPRIATIONS SUSPENSE, GONZALEZ, LORENA, Chair

Summary: Would require that before the State Department of Public Health or a local health official takes measures to prevent the spread of COVID-19, as defined, or takes measures to reopen the state, they publish the measures and the date that a change or closure would take effect on their internet website, unless there is

an immediate danger or an imminent threat to the public requiring immediate action. The bill would also require the department or local health officials to create an opportunity for organizations, communities, nonprofits, and individuals to sign up for an email distribution list relative to changes in related public health orders. By imposing these duties on local officials, the bill would create a state-mandated local program.

[SB 448](#) ([Melendez R](#)) California Emergency Services Act: emergency powers: limitation.

Current Text: Introduced: 2/16/2021 [html](#) [pdf](#)

Status: 4/30/2021-Failed Deadline pursuant to Rule 61(a)(2). (Last location was G.O. on 2/25/2021)(May be acted upon Jan 2022)

Location: 4/30/2021-S. 2 YEAR

Summary: Would enact the Emergency Power Limitation Act. The bill would require an emergency order, as defined, to be narrowly tailored to serve a compelling public health or safety purpose and limited in duration, applicability, and scope. The bill would authorize any person to bring an action to invalidate or enjoin enforcement of an emergency order that is allegedly unlawful. The bill would prohibit a state agency from issuing an emergency order that infringes on an express constitutional right, as defined, in a nontrivial manner, and would require that an emergency order issued by the Governor that infringes on an express constitutional right expire within specified time periods.

[SB 545](#) ([Wilk R](#)) Pupil retention: COVID-19 impact.

Current Text: Amended: 4/15/2021 [html](#) [pdf](#)

Last Amended: 4/15/2021

Status: 6/10/2021-Referred to Com. on ED.

Location: 6/10/2021-A. ED.

Summary: Would require school districts, upon receiving a request from a pupil's parent to retain the pupil for the 2021–22 school year, to offer to the pupil specified interventions and supports, offer to the pupil access to prior semester courses in which the pupil received a D or F letter grade or offer some other form of credit recovery, and provide to the parent information, made available by the State Department of Education, about research on the effects of pupil retention, and the types of interventions and supports that have been shown to be beneficial to pupils. The bill would require the department to compile existing research on the effects of pupil retention on future academic outcomes, and on other outcomes as determined by the department, for pupils who were retained, and on the types of interventions and supports that have been shown to be beneficial to pupils.

[SB 558](#) ([Caballero D](#)) Farmworker Disaster Relief Planning Task Force.

Current Text: Amended: 5/20/2021 [html](#) [pdf](#)

Last Amended: 5/20/2021

Status: 6/4/2021-Failed Deadline pursuant to Rule 61(a)(8). (Last location was INACTIVE FILE on 6/2/2021)(May be acted upon Jan 2022)

Location: 6/4/2021-S. 2 YEAR

Summary: The California Emergency Services Act, establishes, within the office of the Governor, the Office of Emergency Services (OES) under the supervision of the Director of Emergency Services. Current law makes OES responsible for addressing natural, technological, or manmade disasters and emergencies, including activities necessary to prevent, respond to, recover from, and mitigate the effects of emergencies and disasters to people and property. This bill, until January 1, 2024, would establish in OES the Farmworker Disaster Relief Planning Task Force, to be composed as specified, in order to examine the needs of farmworkers, their families, and communities for immediate, intermediate, and long-term sustainable and equitable access to

health care, safety net services, protections, and other social and economic relief during pandemics and disasters.

[SCR 5](#) ([Melendez R](#)) State of emergency: COVID-19: termination.

Current Text: Amended: 2/2/2021 [html](#) [pdf](#)

Last Amended: 2/2/2021

Status: 2/10/2021-Re-referred to Com. on G.O.

Location: 2/10/2021-S. G.O.

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.