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association of california school administrators

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FROM THE DESK	3
NOTABLE LEGISLATION SIGNED	4
Accountability	4
Adult Education	5
After School Programs	5
CALPADS Data	5
Charter Schools.....	6
Child Health Nutrition	6
CIF Physical Education.....	9
CTC Credentialing Induction	9
Curriculum Instruction.....	11
Early Education Preschool	12
Elections Political Reform Act.....	13
Employee/Employer Evaluations Dismissals.....	14
English Language Learners.....	20
Facilities (Class Size Reduction Bonds CEQA Green Tech Prop 39).....	20
Gun Safety.....	23
Governance (Brown Act District Org. Elections Vouchers COI, etc.)	24
Graduation Requirements Dropout Prevention	27
Higher Education	28
Homeless & Foster Youth.....	33
Immigration.....	34
Instructional Materials.....	34
Other	34
Privacy.....	34
Pupil Services (Counseling/Student Mental Health)	35
ROC/P's Workforce Preparation Career Tech Education	37
School Choice	37
School Finance LCFF Parcel Taxes	38
School Safety	39
Special Education.....	40
State Budget	41
STRs PERs Pensions.....	43
Tax Credit Tax Policy	45
Technology	45
Transportation.....	46
Worker's Compensation	46

SIGNIFICANT LEGISLATION NOT SIGNED	47
Accountability	47
Alternatives to Discipline	47
Assessment Testing.....	47
Attendance Truancy.....	48
Child Health Nutrition	48
CTC Credentialing Induction	49
Curriculum & Instruction	50
Early Education Preschool	50
Elections Political Reform	52
Employee/Employer Evaluations Dismissals	52
English Language Learners.....	58
Facilities (Class Size Reduction Bonds CEQA Green Tech Prop 39).....	58
Gun Safety.....	60
Governance (Brown Act District Org. Elections Vouchers COI, etc.)	61
Graduation Requirements Dropout Prevention	62
Higher Education	63
Homeless & Foster Youth.....	65
Pupil Services (Counseling/Student & Mental Health).....	66
School Choice	67
School Safety	68
Special Education	68
State Budget	69
STRs PERs Pensions.....	69
Tax Credit Tax Policy.....	70
Workers Compensation	71

FROM THE DESK

September 2018

Greetings ACSA Members,

The second year of the 2017-18 legislative session has concluded and the Government Relations team has been hard at work representing your interests in Sacramento. In this second year, the California State legislature introduced more than 2,600 pieces of legislation, with our team tracking nearly 1,000 legislative measures that could impact school administrators statewide. Of those bills, nearly 400 were sent to the Gov. Jerry Brown for his consideration. In this report, you will find a comprehensive summary of the notable legislation that was acted upon by the governor. Some of the highlights of ACSA's advocacy in 2018 included:

- Successfully advocated for the veto of SB 328 (Portantino) which would have created a one-size fits all mandate on schools by prohibiting middle school and high schools from the starting school year before 8:30 a.m.
- Fought for an increase of an additional \$3.67 billion in ongoing Prop. 98 funding, while securing an additional increase of \$404 million above Local Control Funding Formula (LCFF) targets in the budget. Although legislation (AB 2808) that would set new long-term aspirational targets for the LCFF was not enacted, there is discussions to renew this effort with new governor in the upcoming year.
- Reduced reporting requirements for schools by helping enact AB 716 (O'Donnell) that allows school districts to use their Local Control Accountability Plan (LCAP) to serve as their School Plan for Student Achievement (SPSA).
- Sponsored AB 2285 (O'Donnell) that was signed into law eliminates the 150-hour training required for out-of-state teachers. The legislation was a result of feedback from members who indicated that the requirement was an obstacle when recruiting teachers.

On behalf of the entire Government Relations team, I would like to reiterate that it is an extreme privilege to represent our California school administrator's voices in the policy making process. Advocacy on behalf of our members and in the benefit our state's students is a responsibility we take very seriously. Please do not hesitate to contact us if you ever have any questions, comments, or feedback. We always enjoy hearing from our members.

Sincerely,



Edgar Zazueta
Senior Director of Policy & Governmental Relations
Association of California School Administrators

NOTABLE LEGISLATION SIGNED

The following section summarizes notable legislation impacting schools that was signed by Governor Jerry Brown in 2018.

ACCOUNTABILITY

AB 716 (O'Donnell D) Public elementary and secondary schools: consolidated applications for funding: school plans for student achievement: schoolsite councils.

Status: 9/18/2018-Approved by the Governor. Chaptered by Secretary of State - Chapter 471, Statutes of 2018.

Summary: Current law authorizes school districts that apply for state funding for any of numerous specified state categorical programs to submit to the State Department of Education, for approval by the State Board of Education, a single consolidated application for approval or continuance of their funding for those programs. AB 716 (O'Donnell) aligns federal school planning requirements via the School Plan for Student Achievement (SPSA) with the Local Control and Accountability Plan (LCAP). Single school districts will be authorized to use the LCAP to serve as their SPSA, provided the LCAP meets federal requirements. AB 716 allows schools identified for comprehensive or technical assistance under the Every Students Succeeds Act (ESSA) to use the SPSA to meet federal planning requirements instead of requiring a separate school improvement plan.

Position: Support

AB 1661 (Limón D) School accountability: federal compliance with accountability requirements.

Status: 9/22/2018-Approved by the Governor. Chaptered by Secretary of State - Chapter 669, Statutes of 2018.

Summary: Would update cross-references to the federal Elementary and Secondary Education Act as amended by the federal Every Student Succeeds Act and make various conforming changes, including to provisions relating to foster youth and provisions relating to parent and family engagement programs. By imposing additional requirements on school districts and county offices of education in regards to written parent and family engagement programs, and to the extent other changes are in addition to what is required by federal law, the bill would impose a state-mandated local program.

Position: Staff - watch

AB 2878 (Chávez R) Local control and accountability plans: annual goals: state priorities: family engagement.

Status: 9/27/2018-Approved by the Governor. Chaptered by Secretary of State - Chapter 826, Statutes of 2018.

Summary: Current law requires the governing board of each school district and each county board of education to adopt a local control and accountability plan using a template adopted by the State Board of Education. Current law requires the local control and accountability plan to include a description of the annual goals to be achieved for each of certain state priorities, which include implementation of the academic content and performance standards adopted by the state board, as specified, and the specific actions that will be taken to achieve the annual goals. This bill adds to the enumerated state priorities family engagement, as specified.

Position: Disapprove

SB 816 (Committee on Education) Elementary and secondary education: omnibus revisions.

Status: 9/18/2018-Approved by the Governor. Chaptered by Secretary of State. Chapter 507, Statutes of 2018.

Summary: Current law establishes the 21st Century High School After School Safety and Enrichment for Teens program as a grant program, under the administration of the State Department of Education, for high school after school programs. Existing law authorizes not more than 15% of each annual grant amount awarded pursuant to these provisions to be used by a grantee for administrative costs. Current law requires all state funding awarded pursuant to these provisions that remains after subtracting administrative costs and other specified costs to be allocated to the high school after school program site for direct services to pupils. This bill would authorize the cost of a high school after school program site supervisor to be included as direct services, provided that at least 85% of the site supervisor's time is spent at the program site.

Position: Staff - watch

ADULT EDUCATION

AB 2098 (McCarty D) Adult Education Block Grant Program: immigration integration.

Status: 9/26/2018-Approved by the Governor. Chaptered by Secretary of State - Chapter 751, Statutes of 2018.

Summary: Current law establishes the Statewide Director of Immigrant Integration in the Governor's Office of Planning and Research, appointed by the Governor, for the purpose of developing a comprehensive statewide report on programs and services that serve immigrants and programs and services currently managed by a state agency or department to support California immigrants. This bill would require the reports prepared by the chancellor and the Superintendent to be additionally provided to the director. The bill would require those reports to also include any recommendations related to delivery of immigrant integration for adults.

Position: Support

AFTER SCHOOL PROGRAMS

AB 2622 (Dahle R) After School Education and Safety Program.

Status: 9/5/2018-Approved by the Governor. Chaptered by Secretary of State - Chapter 265, Statutes of 2018.

Summary: Current law prohibits an after school program established pursuant to the After School Education and Safety Program Act of 2002 located off school grounds from being approved unless safe transportation is provided to the pupils enrolled in the program. Current law authorizes additional funding to be provided for transportation, as specified, if a program is operated at a schoolsite located in an area that has a population density of less than 11 persons per square mile. This bill would authorize a program that operates at a schoolsite located in an area with the above-specified low population density to end operating hours not earlier than 5 p.m.

Position: Watch

SB 1428 (McGuire D) Minors: employment: work permits.

Status: 9/14/2018-Approved by the Governor. Chaptered by Secretary of State. Chapter 420, Statutes of 2018.

Summary: Current law authorizes, among others, the superintendent of a school district, a county superintendent of schools, and the chief executive officer of a charter school to issue a work permit to a minor, subject to specified requirements and conditions. Current law provides requirements and conditions for work permits on the basis of the minor's age, and relating to the type of work and the number of hours and periods of the year that a minor is authorized to work. This bill would prohibit the denial of a work permit on the basis of a pupil's grades, grade point average, or school attendance if the pupil is applying for the work permit in order to participate in a government-administered employment and training program that will occur during the regular summer recess or vacation of the school that the pupil attends.

Position: Approve

CALPADS | DATA

SB 1274 (McGuire D) Developmental services: data exchange.

Status: 9/17/2018-Approved by the Governor. Chaptered by Secretary of State. Chapter 466, Statutes of 2018.

Summary: Current law generally prohibits county welfare departments and the State Department of Social Services from disclosing records and information concerning the administration of public social services for which grants-in-aid are received from the United States government, such as CalWORKs and CalFresh, and requires that those records and information be kept confidential, except as prescribed. Current law establishes the Employment First Policy, which is the policy that opportunities for integrated, competitive employment be given the highest priority for working-age individuals with developmental disabilities, regardless of the severity of their disabilities. This bill would, notwithstanding the general prohibition above, require the State Department of Social Services to provide the eligibility and enrollment data for the CalWORKs and CalFresh programs to the State Department of Developmental Services for the purposes of monitoring and evaluating employment outcomes to determine the effectiveness of the Employment First Policy, as specified, to the extent permitted under federal law and regulations.

Position: Staff – watch

CHARTER SCHOOLS

AB 406 (McCarty D) Charter schools: operation.

Status: 9/7/2018-Approved by the Governor. Chaptered by Secretary of State - Chapter 291, Statutes of 2018.

Summary: The Charter Schools Act of 1992 provides for the establishment and operation of a charter school and authorizes a charter school to elect to operate as, or be operated by, a nonprofit public benefit corporation, as specified. This bill, on and after July 1, 2019, would prohibit a petitioner that submits a charter petition for the establishment of a charter school or a charter school that submits a charter renewal or material revision application from operating as, or being operated by, as defined, a for-profit corporation, a for-profit educational management organization, or a for-profit charter management organization.

Position: Support

AB 2601 (Weber D) Pupil instruction: sexual health education: charter schools.

Status: 9/18/2018-Approved by the Governor. Chaptered by Secretary of State - Chapter 495, Statutes of 2018.

Summary: Would require, commencing with the 2019–20 school year, charter schools to ensure that all pupils in grades 7 to 12, inclusive, receive comprehensive sexual health education and HIV prevention education, as specified. By imposing additional requirements on charter schools, this bill would impose a state-mandated local program.

Position: Support

CHILD HEALTH | NUTRITION

AB 1871 (Bonta D) Charter schools: free and reduced-price meals.

Status: 9/18/2018-Approved by the Governor. Chaptered by Secretary of State - Chapter 480, Statutes of 2018.

Summary: Would, commencing with 2019–20 school year, require a charter school to provide each needy pupil, as defined, with one nutritionally adequate free or reduced-price meal during each schoolday, except as provided for a charter school that offers nonclassroom-based instruction. For a charter school that becomes operational on or after July 1, 2019, the bill would require the charter school to implement these requirements no later than July 1 of the school year after becoming operational, and to provide written notice, as specified, of the period of time that the charter school will not provide those meals.

Position: Support

AB 1893 (Maienschein R) Maternal mental health: federal funding.

Status: 7/20/2018-Approved by the Governor. Chaptered by Secretary of State - Chapter 140, Statutes of 2018.

Summary: Current law finds and declares that prenatal care, delivery service, postpartum care, and neonatal and infant care are essential services necessary to assure maternal and infant health. Current law requires the State Department of Public Health to develop and maintain a statewide community-based comprehensive perinatal services program to, among other program objectives, ensure the appropriate level of maternal, newborn, and pediatric care services necessary to provide the healthiest outcome for mother and infant. This bill would require the department to investigate and apply for federal funding opportunities regarding maternal mental health, as specified.

Position: Staff - watch

AB 1894 (Weber D) Postsecondary education: student hunger.

Status: 9/26/2018-Approved by the Governor. Chaptered by Secretary of State - Chapter 746, Statutes of 2018.

Summary: Current law requires each public and private postsecondary educational institution that is located in a county that participates in the Restaurant Meals Program (RMP) to apply to become an approved food vendor for the program, if the institution operates any qualifying food facilities, as defined, on campus, or to provide contracting on-campus food vendors, as defined, with specified information about the program. This bill would require an approved on-campus qualifying food facility that participates in the RMP pursuant to the bill to meet all of the requirements for participation in that program.

Position: Staff - watch

AB 2271 (Quirk-Silva D) School food authorities: federal equipment assistance grants: matching state grants.

Status: 9/23/2018-Approved by the Governor. Chaptered by Secretary of State - Chapter 711, Statutes of 2018.

Summary: Would require, upon appropriation by the Legislature, and contingent upon allocations provided by the federal Consolidated Appropriations Act, the State Department of Education to provide a state matching grant of up to \$100,000 to a school food authority participating in the federal National School Lunch Program that applies for and is awarded a federal Equipment Assistance Grant for School Food Authorities from the department in its administration of the National School Lunch Program, as prescribed. The bill would authorize a school food authority to use the federal and state grants for up to 5 individual schoolsites or to combine the federal and state grants for one purpose.

Position: Staff - watch

AB 2289 (Weber D) Pupil rights: pregnant and parenting pupils.

Status: 9/30/2018-Approved by the Governor. Chaptered by Secretary of State - Chapter 942, Statutes of 2018.

Summary: Federal and state regulations prohibit an educational institution from applying any rule concerning a pupil's actual or potential parental, family, or marital status that treats pupils differently on the basis of sex. This bill would codify those regulations and related regulations in state law, as they apply to local educational agencies, defined to include a school district, a county office of education, a school operated by a school district or a county office of education, a charter school, the California Schools for the Deaf, or the California School for the Blind.

Position: Support

AB 2315 (Quirk-Silva D) Pupil health: mental and behavioral health services: telehealth technology: guidelines.

Status: 9/26/2018-Approved by the Governor. Chaptered by Secretary of State - Chapter 759, Statutes of 2018.

Summary: Would require the State Department of Education, in consultation with the State Department of Health Care Services and appropriate stakeholders, to, on or before July 1, 2020, develop guidelines, as provided, for the use of telehealth technology in public schools, including charter schools, to provide mental health and behavioral health services to pupils on school campuses. The bill would require the State Department of Education to post the guidelines on its Internet Web site on or before July 1, 2020.

Position: Watch

AB 2830 (Reyes D) County agencies: interns and student assistants: hiring preference.

Status: 9/28/2018-Approved by the Governor. Chaptered by Secretary of State - Chapter 878, Statutes of 2018.

Summary: Current law requires state agencies, when hiring for internships and student assistant positions, to give preference to a qualified applicant who is, or has been, a dependent child in foster care, a homeless youth, or a formerly incarcerated youth. Current law requires the preference to be granted to applicants up to 26 years of age and requires county welfare departments, in connection with termination of dependency proceedings, to provide dependent children with information notifying them that they may be eligible for this preference. This bill would similarly require each county to develop a hiring preference program for disadvantaged groups, as defined, when hiring for internship and student assistant positions.

Position: Staff - watch

AB 3043 (Berman D) Pupil nutrition: breakfast and lunch programs.

Status: 9/20/2018-Approved by the Governor. Chaptered by Secretary of State - Chapter 593, Statutes of 2018.

Summary: Would authorize a school district, county office of education, private nonprofit school, charter school, or residential child care institution, as defined, that participates in the federal School Breakfast Program, commencing with the 2019–20 school year, after submitting certain documentation to the State Department of Education for approval, to provide universal breakfast, to the maximum extent practicable. The bill would define “universal breakfast” to mean a nutritionally adequate breakfast that complies with, and qualifies for reimbursement under, the federal School Breakfast Program and that is provided to every pupil at no charge.

Position: Support

AB 3089 (Thurmond D) Student financial aid: Chafee grant awards.

Status: 9/20/2018-Approved by the Governor. Chaptered by Secretary of State - Chapter 594, Statutes of 2018.

Summary: Commencing with the 2018–19 award year, this bill would authorize the Student Aid Commission and the State Department of Social Services to expend up to \$80,000, of any moneys appropriated by the Legislature to expand the Chafee Educational and Training Vouchers Program age eligibility of former foster youth up to 26 years of age, for specified outreach purposes to newly eligible former foster youth who are at least 23 years of age, but are not yet 26 years of age for the 2018–19 to 2020–21, inclusive, fiscal years. By authorizing moneys previously appropriated to be expended for a different purpose, the bill would make an appropriation.

Position: Staff - watch

AB 3189 (Cooper D) Consent by minors to treatment for intimate partner violence.

Status: 9/30/2018-Approved by the Governor. Chaptered by Secretary of State - Chapter 1003, Statutes of 2018.

Summary: Would authorize a minor who is 12 years of age or older and who states he or she is injured as a result of intimate partner violence, as defined, to consent to medical care related to the diagnosis or treatment of the injury and the collection of medical evidence with regard to the alleged intimate partner violence. The bill would specify that this provision would not apply to a case in which a minor is an alleged victim of rape or is alleged to have been sexually assaulted, in which case the above-described provisions would apply.

Position: Staff - watch

SB 1041 (Leyva D) Childhood lead poisoning prevention.

Status: 9/22/2018-Approved by the Governor. Chaptered by Secretary of State. Chapter 690, Statutes of 2018.

Summary: Would make it a goal of the state that all children at risk of lead exposure receive blood lead screening tests, and would require the department to take action, and to require local agencies to take action, necessary to ensure these goals are met. By requiring local agencies to take action to meet these goals, this bill would impose a state-mandated local program.

Position: Approve

SB 1138 (Skinner D) Food options: plant-based meals.

Status: 9/18/2018-Approved by the Governor. Chaptered by Secretary of State. Chapter 512, Statutes of 2018.

Summary: Current law requires a licensed general acute care hospital, acute psychiatric hospital, skilled nursing facility, intermediate care facility, special hospital, and nursing facility to employ a dietitian. Current law imposes criminal sanctions for a violation of provisions, or willful or repeated violations of rules or regulations adopted pursuant to provisions, relating to these licensed facilities. This bill would require these licensed facilities to make available wholesome, plant-based meals of such variety as to meet the needs of patients in accordance with their physicians' orders.

Position: Staff - approve

SB 1335 (Allen D) Solid waste: food service packaging: state agencies, facilities, and property.

Status: 9/20/2018-Approved by the Governor. Chaptered by Secretary of State. Chapter 610, Statutes of 2018.

Summary: Would enact the Sustainable Packaging for the State of California Act of 2018, which would prohibit a food service facility located in a state-owned facility, operating on or acting as a concessionaire on state property, or under contract to provide food service to a state agency from dispensing prepared food using a type of food service packaging unless the type of food service packaging is on a list that the bill would require the department to publish and maintain on its Internet Web site that contains types of approved food service packaging that are reusable, recyclable, or compostable. The bill would exempt packaging acquired before its inclusion on the list, as specified.

Position: Staff – watch

CIF | PHYSICAL EDUCATION

AB 2009 (Maienschein R) Interscholastic athletic programs: school districts: written emergency action plans: automated external defibrillator.

Status: 9/21/2018-Approved by the Governor. Chaptered by Secretary of State - Chapter 646, Statutes of 2018.

Summary: Would, If a school district or charter school elects to offer any interscholastic athletic program, require the school district or charter school to (1) ensure that there is a written emergency action plan in place, and posted as specified, that describes the location and procedures to be followed in the event of sudden cardiac arrest or other medical emergencies related to the athletic program's activities or events, (2) acquire, commencing July 1, 2019, at least one AED for each school within the school district or the charter school to be available on campus, (3) encourage that the AED or AEDs are available for the purpose of rendering emergency care or treatment, as specified, (4) ensure that the AED or AEDs are available to athletic trainers and coaches and authorized persons at the athletic program's on campus activities or events, and (5) ensure that the AED or AEDs are maintained and regularly tested, as specified.

Position: Oppose UA

AB 2800 (Chu D) High school athletics: California High School Coaching Education and Training Program: heat illness.

Status: 6/1/2018-Approved by the Governor. Chaptered by Secretary of State - Chapter 21, Statutes of 2018.

Summary: Current law states the intent of the Legislature to establish a California High School Coaching Education and Training Program, administered by school districts, that emphasizes specified components, including, among other things, training, which is described as certification in cardiopulmonary resuscitation and first aid, including, but not limited to, a basic understanding of the signs and symptoms of concussions and the appropriate response to concussions. Current law authorizes concussion training to be fulfilled through entities offering free, online, or other types of training courses. This bill would also include a basic understanding of the signs and symptoms of heat illness, as defined, and the appropriate response to heat illness within that description of training.

Position: Support

SCR 103 (Fuller R) California Physical Education Week.

Status: 5/3/2018-Chaptered by Secretary of State- Chapter 60, Statutes of 2018

Summary: Would declare May 1, 2018, to May 7, 2018, inclusive, as California Physical Education Week, to coincide with National Physical Education and Sport Week, in an effort to promote high-quality physical education instruction for all pupils in California. The measure also would encourage teachers, school policymakers, and school leaders to provide the highest quality physical education instruction in their schools for all pupils and provide that the week serve as an opportunity for those persons to collaboratively review current instructional practices in physical education and make needed recommendations.

Position: Staff – watch

CTC | CREDENTIALING | INDUCTION

AB 2285 (O'Donnell D) Teacher credentialing: out-of-state prepared teachers: clear credential.

Status: 7/20/2018-Approved by the Governor. Chaptered by Secretary of State - Chapter 143, Statutes of 2018.

Summary: Current law requires the Commission on Teacher Credentialing to issue a clear multiple subject, single subject, or education specialist teaching credential to an out-of-state applicant who satisfies specified requirements, including documenting, in a manner prescribed by the commission, that he or she has completed 150 clock hours of activities that contribute to his or her competence, performance, and effectiveness in the education profession, or that he or she has earned a master's degree or higher in a field related to the credential, or the equivalent semester units, from a regionally accredited institution of higher education. This bill would eliminate that requirement as a condition for an out-of-state applicant to be issued a clear multiple subject, single subject, or education specialist teaching credential.

Position: Co-Sponsor

AB 3205 (O'Donnell D) School facilities: modernization projects: door locks.

Status: 9/14/2018-Approved by the Governor. Chaptered by Secretary of State - Chapter 401, Statutes of 2018.

Summary: Would require the governing board of a school district, if the governing board of the school district applies for state funding pursuant to the Greene Act for a school modernization project for a school facility constructed before January 1, 2012, to include, as part of the modernization project, locks that allow doors to classrooms and any room with an occupancy of 5 or more persons to be locked from the inside of the room, except as provided. The bill would provide that these provisions apply only to those projects seeking funding on or after January 1, 2019, and that were submitted to the Division of the State Architect for approval on or after January 1, 2019.

Position: Approve

SB 577 (Dodd D) Public postsecondary education: California Community College Teacher Credentialing Partnership Pilot Program.

Status: 9/20/2018-Approved by the Governor. Chaptered by Secretary of State. Chapter 603, Statutes of 2018.

Summary: Would establish the California Community College Teacher Credentialing Partnership Pilot Program under which the Commission on Teacher Credentialing, in coordination with the chancellor, would award up to 3 grants, in the amount of \$500,000 each, to collaboratives, that would be comprised of at least one accredited degree-granting institution of higher education with a physical presence in this state and at least one community college, for the purpose of offering teacher credential coursework remotely at participating community college or colleges.

Position: Neutral

SB 695 (Lara D) Professions and vocations: applications and renewals: individual tax identification number.

Status: 9/27/2018-Approved by the Governor. Chaptered by Secretary of State. Chapter 838, Statutes of 2018.

Summary: Current law governs professions and vocations that are regulated by various boards within the Department of Consumer Affairs. Current law requires those boards, the State Bar of California, and the Department of Real Estate to require a licensee, at the time of issuance of a license, to provide specified information, including his or her social security number or individual taxpayer identification number. Current law provides that the applicant's social security number or individual taxpayer identification number information is not a public record and is not open to the public for inspection. This bill would prohibit a licensing board from requiring an individual to disclose either citizenship status or immigration status for purposes of licensure, or from denying licensure to an otherwise qualified and eligible individual based solely on his or her citizenship status or immigration status.

Position: Staff - watch

SB 1383 (Fuller R) Teacher credentialing: Committee of Credentials: membership.

Status: 9/11/2018-Approved by the Governor. Chaptered by Secretary of State. Chapter 360, Statutes of 2018.

Summary:

Current law requires the Commission on Teacher Credentialing to appoint a Committee of Credentials and requires each allegation of an act or omission by an applicant for, or holder of, a credential for which he or she may be subject to an adverse action to be presented to the committee. Current law requires the committee to consist of 7 persons for terms fixed by the commission but not to exceed 2 years, as specified. This bill would authorize the commission to establish an alternate list of qualified individuals for the purpose of filling an unanticipated vacancy on the committee, as provided

Position: Staff – watch

CURRICULUM | INSTRUCTION

AB 1868 (Cunningham R) Pupil instruction: sexual health education: sexually suggestive or sexually explicit materials.

Status: 9/17/2018-Approved by the Governor. Chaptered by Secretary of State - Chapter 428, Statutes of 2018.

Summary: Would explicitly authorize a school district to provide optional instruction, as part of comprehensive sexual health education and HIV prevention education, regarding the potential risks and consequences of creating and sharing sexually suggestive or sexually explicit materials through cellular telephones, social networking Internet Web sites, computer networks, or other digital media.

Position: Watch

AB 2015 (Reyes D) Pupil instruction: information about completion of applications for student financial aid.

Status: 9/19/2018-Approved by the Governor. Chaptered by Secretary of State - Chapter 533, Statutes of 2018.

Summary: Would require, commencing with the 2020–21 school year, the governing board of a school district and the governing body of a charter school, as appropriate, to ensure that each of its pupils receives information on how to properly complete and submit the Free Application for Federal Student Aid (FAFSA) or the California Dream Act Application, as appropriate, at least once before the pupil enters grade 12. The bill would provide that the manner in which information is provided pursuant to the bill would be at the discretion of the governing board of the school district or the governing body of the charter school, as appropriate.

Position: Support if amended

AB 2109 (O'Donnell D) Pupils: pupils with a temporary disability: individual instruction: pupils who are terminally ill: honorary diplomas.

Status: 8/20/2018-Approved by the Governor. Chaptered by Secretary of State - Chapter 167, Statutes of 2018.

Summary: Would require a pupil with a temporary disability to receive either individual instruction at home provided by the school district in which the pupil is deemed to reside, or individual instruction in a hospital or other residential health facility, excluding state hospitals, provided by the school district in which the hospital or other residential health facility is located. The bill would authorize a school district or charter school to continue to enroll a pupil with a temporary disability who is receiving individual instruction in a hospital or other residential health facility in order to facilitate the timely reentry of the pupil in his or her prior school after the hospitalization has ended, or in order to provide a partial week of instruction to the pupil, as provided.

Position: Support

AB 2239 (Garcia, Eduardo D) Pupil instruction: world language courses: A–G course certification.

Status: 8/24/2018-Approved by the Governor. Chaptered by Secretary of State - Chapter 188, Statutes of 2018.

Summary: Would require the State Department of Education to encourage the governing board of each school district, and the governing body of each charter school, whose schools offer world language courses that are specifically designed for native speakers that are not approved as “A–G” courses, to support their respective schools in submitting those courses to the University of California for certification and addition to the schools’ “A–G” course list.

Position: Staff - watch

AB 2319 (Nazarian D) Foreign language education: world language.

Status: 9/28/2018-Approved by the Governor. Chaptered by Secretary of State - Chapter 865, Statutes of 2018.

Summary: Current law refers to the study of a language other than English by pupils as the study of a foreign language. Current law refers to the term “foreign language” in various provisions of the Education Code. This bill would delete references in the Education Code to the term “foreign language” and would instead substitute the term “world language.” The bill would provide that the bill shall not be constructed to require local educational agencies to make modifications to their language programs. The bill would also make nonsubstantive changes.

Position: Support

SB 720 (Allen D) Environmental education: environmental principles and concepts.

Status: 9/13/2018-Approved by the Governor. Chaptered by Secretary of State. Chapter 374, Statutes of 2018.

Summary: Would express the findings and declarations of the Legislature that the state's environmental principles and concepts have been approved by specified authorities and have been embedded in specified curriculum frameworks adopted by the State Board of Education. The bill would also express the intent of the Legislature that the Superintendent of Public Instruction use the resources at his or her disposal to provide leadership to further specified goals of environmental literacy.

Position: Staff - watch

SB 830 (Dodd D) Pupil instruction: media literacy: resources.

Status: 9/17/2018-Approved by the Governor. Chaptered by Secretary of State. Chapter 448, Statutes of 2018.

Summary: Current law requires the adopted course of study for grades 1 to 6, inclusive, and for grades 7 to 12, inclusive, to offer courses in specified areas of study, including social sciences. This bill would require, on or before July 1, 2019, the State Department of Education to make available to school districts on its Internet Web site a list of resources and instructional materials on media literacy, as defined, including media literacy professional development programs for teachers.

Position: Support

SB 895 (Nguyen R) Pupil instruction: model curricula: Vietnamese American refugee experience, the Cambodian genocide, and Hmong history and cultural studies.

Status: 9/22/2018-Approved by the Governor. Chaptered by Secretary of State. Chapter 686, Statutes of 2018.

Summary: Would require the Instructional Quality Commission to develop and submit to the State Board of Education, on or before December 31, 2022, and the state board to adopt, modify, or revise, on or before March 31, 2023, a model curriculum relative to the Vietnamese American refugee experience and a model curriculum relative to the Cambodian genocide, as specified, for use in elementary schools, middle schools, and high schools.

Position: Disapprove

EARLY EDUCATION | PRESCHOOL

AB 605 (Mullin D) Child day care facilities: infant to schoolage license.

Status: 9/20/2018-Approved by the Governor. Chaptered by Secretary of State - Chapter 574, Statutes of 2018.

Summary: Would require the State Department of Social Services, in consultation with stakeholders, to adopt regulations on or before January 1, 2021, to create a child care center license to serve infant, toddler, preschool, and schoolage children and would require, before January 1, 2024, all day care centers to be licensed as child care centers. The bill would require the regulations to include components for infant, toddler, preschool, and schoolage children, health and safety standards for children in care, and enhanced ability to transition children from one age group to the next.

Position: Watch

AB 2370 (Holden D) Lead exposure: child day care facilities: family day care homes.

Status: 9/22/2018-Approved by the Governor. Chaptered by Secretary of State - Chapter 676, Statutes of 2018.

Summary: The California Child Day Care Facilities Act requires that, as a condition of licensure and in addition to any other required training, at least one director or teacher at each day care center, and each family day care home licensee who provides care, have at least 15 hours of health and safety training, covering specified components. This bill would require, as a condition of licensure for licenses issued on or after July 1, 2020, the health and safety training to include instruction in the prevention of lead exposure as a part of the preventive health practices course or courses component.

Position: Staff - watch

AB 2626 (Mullin D) Child care services.

Status: 9/30/2018-Approved by the Governor. Chaptered by Secretary of State - Chapter 945, Statutes of 2018.

Summary: The Child Care and Development Services Act requires the Superintendent of Public Instruction to adopt rules and regulations on eligibility, enrollment, and priority of services needed to implement the act. The act provides that a family, upon establishing initial eligibility or ongoing eligibility for services, shall receive those services for not less than 12 months. The act provides, as an exception to the above provision relating to receiving services for 12 months, that a family that establishes initial eligibility or ongoing eligibility on the basis of seeking employment shall receive services for not less than 6 months. This bill would delete the 6-month exception for families establishing initial eligibility or ongoing eligibility on the basis of seeking employment.

Position: Staff - watch

AB 2698 (Rubio D) California state preschool programs: general child care and development programs: mental health consultation services: adjustment factors.

Status: 9/30/2018-Approved by the Governor. Chaptered by Secretary of State - Chapter 946, Statutes of 2018.

Summary: Current law, under the Child Care and Development Services Act, provides for an adjustment factor to be applied to units of average daily enrollment if a provider agency serves children who meet specified criteria. This bill would require the application of an adjustment factor of 1.05 for children who are served in a California state preschool program, infants and toddlers who are 0 to 36 months of age and are served in general child care and development programs, or children who are 0 to 5 years of age and are served in a family child care home education network setting funded by a general child care and development program, where early childhood mental health consultation services, as defined, are provided, pursuant to specified requirements.

Position: Staff - watch

AB 2960 (Thurmond D) Child care and development services: online portal.

Status: 9/27/2018-Approved by the Governor. Chaptered by Secretary of State - Chapter 829, Statutes of 2018.

Summary: Current law designates the State Department of Education as the single state agency responsible for the promotion, development, and provision of care of children in the absence of their parents during the workday or while engaged in other activities that require assistance of a third party. Current law requires the Superintendent of Public Instruction to administer general child care and development programs. This bill would require the Superintendent, subject to the availability of public or private funding for these purposes, on or before June 30, 2022, to develop and post on the department's Internet Web site, for use by the general public, an online portal for the state's comprehensive child care and development services, as provided.

Position: Watch

ELECTIONS | POLITICAL REFORM ACT

AB 2188 (Mullin D) Political Reform Act of 1974: campaign disclosures: advertisements.

Status: 9/26/2018-Approved by the Governor. Chaptered by Secretary of State - Chapter 754, Statutes of 2018.

Summary: The Political Reform Act of 1974, requires specified disclosures in advertisements regarding the source of the advertisement. The act defines "advertisement" for this purpose as a general or public communication that is authorized and paid for by a committee for the purpose of supporting or opposing a candidate or candidates for elective office or a ballot measure or ballot measures. This bill would modify the disclosures required for electronic media advertisements.

Position: Staff - watch

SB 1018 (Allen D) Elections: state and local reapportionment.

Status: 9/17/2018-Approved by the Governor. Chaptered by Secretary of State. Chapter 462, Statutes of 2018.

Summary: Would authorize a local jurisdiction to establish a commission by charter amendment. The bill would authorize a local jurisdiction to establish a hybrid redistricting commission, as defined. The bill would, for an advisory redistricting commission, authorize a local jurisdiction to impose additional qualifications and restrictions on the commission, members of the commission, or applicants to the commission in excess of those as specified.

The bill would eliminate the requirement that an advisory redistricting commission submit a report on its findings and recommended changes within a specified time after the federal decennial census.

Position: Staff - watch

SB 1153 (Stern D) Local initiatives: review.

Status: 7/20/2018-Approved by the Governor. Chaptered by Secretary of State. Chapter 155, Statutes of 2018.

Summary: Would authorize the proponent of a county, municipal, or district initiative to withdraw an initiative at any time before the 88th day before the election, whether or not the petition has already been found sufficient by the elections official. Because the exercise of this authority would impose associated duties on local elections officials, this bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws.

Position: Staff – watch

EMPLOYEE/EMPLOYER | EVALUATIONS | DISMISSALS

AB 306 (Gonzalez Fletcher D) Vote by mail ballots.

Status: 8/27/2018-Approved by the Governor. Chaptered by Secretary of State - Chapter 203, Statutes of 2018.

Summary: Would require a person designated to return a voter's vote by mail ballot to return the ballot or put it in the mail no later than three days after receiving it from the voter or before the close of the polls on election day, whichever time period is shorter. However, the bill would prohibit disqualifying a ballot from being counted solely because it was returned or mailed more than three days after the designated person received it from the voter, provided that the ballot is returned by the designated person before the close of polls on election day.

Position: Neutral

AB 710 (Wood D) Cannabidiol.

Status: 7/9/2018-Approved by the Governor. Chaptered by Secretary of State - Chapter 62, Statutes of 2018.

Summary: Current law restricts the prescription, furnishing, possession, sale, and use of controlled substances, including cannabis and synthetic cannabinoid compounds, and makes a violation of those laws a crime, except as specified. This bill, if one of specified changes in federal law regarding the controlled substance cannabidiol occurs, would deem a physician, pharmacist, or other authorized healing arts licensee who prescribes, furnishes, or dispenses a product composed of cannabidiol, in accordance with federal law, to be in compliance with state law governing those acts.

Position: Staff - watch

AB 1771 (Bloom D) Planning and zoning: regional housing needs assessment.

Status: 9/30/2018-Approved by the Governor. Chaptered by Secretary of State - Chapter 989, Statutes of 2018.

Summary: The Planning and Zoning Law requires the appropriate council of governments, or, for cities and counties without a council of governments, the Department of Housing and Community Development, to adopt a final regional housing need allocation plan that allocates a share of the regional housing need to each city, county, or city and county and is consistent with specified objectives, including that the plan increase the housing supply and the mix of housing types, tenure, and affordability in all cities and counties within the region in an equitable manner. Current law defines the term "household income levels" for purposes of these provisions. This bill would revise the objectives required to be addressed in the regional housing needs allocation plan and additionally require the plan to include an objective to increase access to areas of high opportunity for lower-income residents, while avoiding displacement and affirmatively furthering fair housing.

Position: Staff - watch

AB 1976 (Limón D) Employment: lactation accommodation.

Status: 9/30/2018-Approved by the Governor. Chaptered by Secretary of State - Chapter 940, Statutes of 2018.

Summary: Current law requires every employer to provide a reasonable amount of break time to accommodate an employee desiring to express breast milk for the employee's infant child and requires an employer to make reasonable efforts to provide the employee with the use of a room or other location, other than a toilet stall, in close proximity to the employee's work area for the employee to express milk in private. Current law

makes a violation of these provisions subject to a civil penalty and makes the Labor Commissioner responsible for enforcement. This bill would instead require an employer to make reasonable efforts to provide an employee with use of a room or other location, other than a bathroom, for these purposes.

Position: Staff - watch

AB 2012 (Medina D) School and community college employees: parental leave.

Status: 9/30/2018-Approved by the Governor. Chaptered by Secretary of State - Chapter 994, Statutes of 2018.

Summary:

Would require, regardless of the type of differential pay system used by the school district or community college district, a person employed in a position requiring certification qualifications and a person employed in an academic position to receive no less than 50% of his or her regular salary for the remaining portion of the 12-workweek period of parental leave.

Position: Staff - watch

AB 2035 (Mullin D) Affordable housing authorities.

Status: 9/28/2018-Approved by the Governor. Chaptered by Secretary of State - Chapter 862, Statutes of 2018.

Summary: Current law authorizes a city, county, or city and county to adopt a resolution creating an affordable housing authority with powers limited to providing low- and moderate-income housing and affordable workforce housing, as provided, by means of tax increment financing. Current law defines various terms for these purposes. This bill would additionally define the terms “authorizing resolution” and “property tax increment” for these purposes. The bill would additionally revise these provisions to limit the authority to providing low- and moderate-income housing and affordable housing, as specified.

Position: Staff - watch

AB 2128 (Kiley R) School employees: dismissal or suspension: hearings: evidence.

Status: 9/27/2018-Approved by the Governor. Chaptered by Secretary of State - Chapter 816, Statutes of 2018.

Summary: Current law establishes procedures for the dismissal and suspension of school employees. Current law prohibits, for certain dismissal or suspension proceedings, testimony or evidence relating to matters that occurred more than 4 years before the date of the filing of the notice of the governing board of the school district to an employee of its intention to dismiss or suspend him or her. This bill would also exempt from those provisions testimony, evidence, or a dismissal or suspension decision regarding allegations of behavior or communication of a sexual nature with a pupil that is beyond the scope or requirements of the educational program, for purposes of a disciplinary proceeding based on similar conduct, as specified, and testimony, evidence, or a dismissal or suspension decision regarding allegations of specified offenses involving lewd and lascivious acts and certain types of contact or communication with minors, for purposes of any disciplinary proceeding.

Position: Support

AB 2160 (Thurmond D) Classified employees: school and community college districts: part-time playground positions.

Status: 9/18/2018-Approved by the Governor. Chaptered by Secretary of State - Chapter 488, Statutes of 2018.

Summary: In a community college district not incorporating the merit system, current law requires the governing board of the community college district to employ persons for positions that are not academic positions, which are known as the classified service. Current law, for purposes of this provision, exempts part-time playground positions from the classified service. This bill would delete the above-described provisions exempting part-time playground positions from the classified service, thereby making those positions part of the classified service.

Position: Disapprove

AB 2234 (Jones-Sawyer D) School districts: employees: dismissal or suspension administrative proceedings: testimony of minor witnesses: pupil contact information.

Status: 9/30/2018-Approved by the Governor. Chaptered by Secretary of State - Chapter 996, Statutes of 2018.

Summary: Current law establishes procedures to be followed in the event that a school proposes to dismiss or suspend a certificated employee. Current law also authorizes hearings and investigations of the conduct of classified personnel to be conducted by personnel commissions in school districts that have adopted a merit system.

This bill would enact a comprehensive set of requirements for the presentation of testimony by minor witnesses at certain dismissal or suspension administrative proceedings relating to certificated employees and in hearings relating to classified employees conducted by school district governing boards in school districts that have not adopted a merit system or by personnel commissions in school districts that have adopted a merit system.

Position: Support

AB 2261 (Friedman D) School employees: merit system: classified service: community representatives.

Status: 9/7/2018-Approved by the Governor. Chaptered by Secretary of State - Chapter 297, Statutes of 2018.

Summary: Current law requires a school district that adopts a merit system to appoint a personnel commission and requires the commission to classify all employees and positions within the jurisdiction of the governing board of the school district or of the commission, except for specified positions that are exempt from the classified service. Current law requires positions established for the employment of community representatives in advisory or consulting capacities for not more than 90 working days, or a total of 720 hours, in a fiscal year to be exempt from the classified service as provided. This bill would instead require positions established for the employment of community representatives in advisory or consulting capacities to be considered part of the classified service.

Position: Neutral

AB 2282 (Eggman D) Salary history information.

Status: 7/18/2018-Approved by the Governor. Chaptered by Secretary of State - Chapter 127, Statutes of 2018.

Summary: Current law prohibits an employer from relying on the salary history information of an applicant for employment as a factor in determining whether to offer an applicant employment or what salary to offer an applicant, except in specified circumstances. Current law requires an employer, upon reasonable request, to provide the pay scale for a position to an applicant applying for employment. This bill would define “pay scale,” “reasonable request,” and “applicant” for purposes of these provisions.

Position: Staff - watch

AB 2302 (Baker R) Child abuse: sexual assault: mandated reporters: statute of limitations.

Status: 9/30/2018-Approved by the Governor. Chaptered by Secretary of State - Chapter 943, Statutes of 2018.

Summary: Under current law, mandated reporters are required to report whenever the mandated reporter, in his or her professional capacity or within the scope of his or her employment, has knowledge of or observes a child whom the mandated reporter knows or reasonably suspects has been the victim of child abuse or neglect. Failure by a mandated reporter to report an incident of known or reasonably suspected child abuse or neglect is a misdemeanor. This bill would allow a case involving the failure to report an incident known or reasonably suspected by the mandated reporter to be sexual assault, as defined, to be filed at any time within 5 years from the date of occurrence of the offense.

Position: Staff - watch

AB 2327 (Quirk D) Peace officers: misconduct: employment.

Status: 9/30/2018-Approved by the Governor. Chaptered by Secretary of State - Chapter 966, Statutes of 2018.

Summary: Would require each department or agency in this state that employs peace officers to make and retain a record of any investigations of misconduct involving a peace officer in his or her general personnel file or separate file designated by the department or agency. The bill would require a peace officer seeking employment with a department or agency to give written permission for the hiring department or agency to view his or her general personnel file or separate file. Because this bill would increase the duties of local law enforcement agencies, it would impose a state-mandated local program.

Position: Staff - watch

AB 2334 (Thurmond D) Occupational injuries and illness: employer reporting requirements: electronic submission.

Status: 9/19/2018-Approved by the Governor. Chaptered by Secretary of State - Chapter 538, Statutes of 2018.

Summary: Would permit the Office of Self-Insurance Plans of the Department of Industrial Relations to use individually identifiable information as necessary to carry out its duties, as specified.

Position: Staff – watch

AB 2587 (Levine D) Disability compensation: paid family leave.

Status: 7/9/2018-Approved by the Governor. Chaptered by Secretary of State - Chapter 80, Statutes of 2018.

Summary: Current law, before January 1, 2018, deemed an individual to be eligible for family temporary disability benefits if, among other things, the individual was unable to perform his or her regular or customary work for a 7-day waiting period during each disability benefit period, and prohibited payments for benefits during this waiting period. Current law, on and after January 1, 2018, removes the 7-day waiting period for these benefits. Current law authorizes an employer to require an employee to take up to 2 weeks of earned but unused vacation before, and as a condition of, the employee's initial receipt of these benefits during any 12-month period in which the employee is eligible for these benefits. Existing law specifies that if an employer so requires an employee to take vacation leave, that portion of the vacation leave that does not exceed one week is to be applied to the waiting period. This bill would delete that application of vacation leave to the waiting period, consistent with the removal of the 7-day waiting period for these benefits on and after January 1, 2018.

Position: Staff - watch

AB 2610 (Aguiar-Curry D) Employees: meal periods.

Status: 7/20/2018-Approved by the Governor. Chaptered by Secretary of State - Chapter 148, Statutes of 2018.

Summary: Would authorize a commercial driver employed by a motor carrier transporting nutrients and byproducts from a licensed commercial feed manufacturer to a customer located in a remote rural location to commence a meal period after 6 hours of work, if the regular rate of pay of the driver is no less than one and one-half times the state minimum wage and the driver receives overtime compensation in accordance with specific provisions of existing law.

Position: Staff - watch

AB 2770 (Irwin D) Privileged communications: communications by former employer: sexual harassment.

Status: 7/9/2018-Approved by the Governor. Chaptered by Secretary of State - Chapter 82, Statutes of 2018.

Summary: Current law makes certain publications and communications privileged and therefore protected from civil action, including certain communications concerning the job performance or qualifications of an applicant for employment that are made without malice by a current or former employer to a prospective employer. This bill would include among those privileged communications complaints of sexual harassment by an employee, without malice, to an employer based on credible evidence and communications between the employer and interested persons regarding a complaint of sexual harassment and would authorize an employer to answer, without malice, whether the employer would rehire an employee and whether or not a decision to not rehire is based on the employer's determination that the former employee engaged in sexual harassment.

Position: Approve

SB 820 (Leyva D) Settlement agreements: confidentiality.

Status: 9/30/2018-Approved by the Governor. Chaptered by Secretary of State. Chapter 953, Statutes of 2018.

Summary: Would prohibit a provision in a settlement agreement that prevents the disclosure of factual information relating to certain claims of sexual assault, sexual harassment, or harassment or discrimination based on sex, that are filed in a civil or administrative action. The bill would make a provision in a settlement agreement that prevents the disclosure of factual information related to the claim, as described in the bill, entered into on or after January 1, 2019, void as a matter of law and against public policy.

Position: Watch

SB 828 (Wiener D) Land use: housing element.

Status: 9/30/2018-Approved by the Governor. Chaptered by Secretary of State. Chapter 974, Statutes of 2018.

Summary: Current law requires the appropriate council of governments, or the department for a city and county that does not have a council of governments, to adopt a final regional housing need plan that allocates a share of the regional housing need to each city, county, or city and county in accordance with certain requirements and procedures, including that a specified type of ordinance or policy that limits the number of residential building permits issued by a city or county may not be used as a justification for a determination or reduction in a jurisdiction's share of the regional housing need. This bill would prohibit the prior underproduction of housing in a city or county from the previous cycle and stable population numbers in a city or county from the previous cycle from being used as a justification for a determination or a reduction in the jurisdiction's share of the regional housing need.

Position: Staff - watch

SB 846 (Committee on Budget and Fiscal Review) Employment.

Status: 9/14/2018-Approved by the Governor. Chaptered by Secretary of State. Chapter 405, Statutes of 2018.

Summary: The Ralph C. Dills Act defines "fair share fee" as the fee deducted by the state employer from the salary or wages of a state employee in an appropriate unit who does not become a member of, and financially support, the recognized employee organization, and prescribes conditions for its use. The Meyers-Milias-Brown Act, if an agency shop agreement is in place, provides for the payment of an agency fee, which requires an employee either to join the recognized employee organization or pay a fee, as specified. A recent Supreme Court opinion held that fair share and agency fees violate the free speech rights of employees who are not employee organization members. This bill would prohibit the Controller, a public employer, an employee organization, or any of their employees or agents, from being liable under state law for, and would grant to them a complete defense to, any claims or actions under California law for requiring, deducting, receiving, or retaining agency or fair share fees from public employees, and would deny standing to current or former public employees to pursue these claims or actions, if the fees were permitted at the time and paid prior to June 27, 2018.

Position: Support

SB 970 (Atkins D) Employment: human trafficking awareness.

Status: 9/27/2018-Approved by the Governor. Chaptered by Secretary of State. Chapter 842, Statutes of 2018.

Summary: Would amend FEHA to require specified employers to provide at least 20 minutes of prescribed training and education regarding human trafficking awareness to employees who are likely to interact or come into contact with victims of human trafficking, as defined. The bill would establish a schedule for compliance commencing January 1, 2020. The bill would authorize the Department of Fair Employment and Housing, in the case of an employer violation of the bill's requirements, to seek an order requiring compliance.

Position: Staff - watch

SB 1053 (Beall D) Presentation of claims: local public entities: childhood sexual abuse.

Status: 7/20/2018-Approved by the Governor. Chaptered by Secretary of State. Chapter 153, Statutes of 2018.

Summary: The Government Claims Act exempts certain claims against local public entities from the presentation procedures of the act, including, but not limited to, claims made pursuant to a specific provision of the Code of Civil Procedure for the recovery of damages suffered as a result of childhood sexual abuse and arising out of conduct occurring on or after January 1, 2009. Under the act, claims against a local public entity for money or damages that are exempted and that are not governed by any other statutes or regulations expressly relating thereto, are authorized to be governed by the procedure prescribed in an enactment adopted by the local public entity. This bill would specifically exempt from that authorization for procedures prescribed by local enactment claims against a local public entity made pursuant to the above-described existing law for the recovery of damages suffered as a result of childhood sexual abuse.

Position: Disapprove

SB 1123 (Jackson D) Disability compensation: paid family leave.

Status: 9/27/2018-Approved by the Governor. Chaptered by Secretary of State. Chapter 849, Statutes of 2018.

Summary: Would, on and after January 1, 2021, expand the scope of the family temporary disability insurance program to include time off to participate in a qualifying exigency related to the covered active duty, as defined, or call to covered active duty of the individual's spouse, domestic partner, child, or parent in the armed forces of the United States, as specified.

Position: Staff – watch

SB 1252 (Pan D) Wages: records: inspection and copying.

Status: 9/17/2018-Approved by the Governor. Chaptered by Secretary of State. Chapter 464, Statutes of 2018.

Summary: Current law grants current and former employees of employers who are required to keep this information the right to inspect or copy records pertaining to their employment, upon reasonable request. Current law requires an employer to respond to these requests within a specified time and prescribes a penalty of \$750 for an employer's failure to permit a current or former employee to inspect or copy records within that time, to be recovered by the employee or the Labor Commissioner. This bill would provide that employees have the right to receive a copy of the employment records described above and apply the associated time requirements and penalty provisions in this context.

Position: Staff - watch

SB 1300 (Jackson D) Unlawful employment practices: discrimination and harassment.

Status: 9/30/2018-Approved by the Governor. Chaptered by Secretary of State. Chapter 955, Statutes of 2018.

Summary: The California Fair Employment and Housing Act makes it an unlawful employment practice for an employer, labor organization, employment agency, apprenticeship training program, or any training program leading to employment, to engage in harassment of an employee or other specified person. FEHA also makes harassment of those persons by an employee, other than an agent or supervisor, unlawful if the entity, or its agents or supervisors, knows or should have known of this conduct and fails to take immediate and appropriate corrective action. This bill would specify that an employer may be responsible for the acts of nonemployees with respect to other harassment activity.

Position: Oppose

SB 1343 (Mitchell D) Employers: sexual harassment training: requirements.

Status: 9/30/2018-Approved by the Governor. Chaptered by Secretary of State. Chapter 956, Statutes of 2018.

Summary: Would require an employer who employs 5 or more employees, including temporary or seasonal employees, to provide at least 2 hours of sexual harassment training to all supervisory employees and at least one hour of sexual harassment training to all nonsupervisory employees by January 1, 2020, and once every 2 years thereafter, as specified. The bill would require the Department of Fair Employment and Housing to develop or obtain 1-hour and 2-hour online training courses on the prevention of sexual harassment in the workplace, as specified, and to post the courses on the department's Internet Web site.

Position: Seek to amend

SB 1412 (Bradford D) Applicants for employment: criminal history.

Status: 9/30/2018-Approved by the Governor. Chaptered by Secretary of State. Chapter 987, Statutes of 2018.

Summary: Current law prohibits an employer, whether a public agency or private individual or corporation, from asking an applicant for employment to disclose, from seeking from any source, or from utilizing as a factor in determining any condition of employment, information concerning participating in a pretrial or posttrial diversion program or concerning a conviction that has been judicially dismissed or ordered sealed, as provided. This bill would specify that these provisions do not prohibit an employer, including a public agency or private individual or corporation, from asking an applicant about, or seeking from any source information regarding, a particular conviction of the applicant if, pursuant to federal law, federal regulation, or state law, (1) the employer is required to obtain information regarding the particular conviction of the applicant, regardless of whether the conviction has been expunged, judicially ordered sealed, statutorily eradicated, or judicially dismissed following probation, (2) the applicant would be required to possess or use a firearm in the course of his or her employment, (3) an individual with that particular conviction is prohibited by law from holding the position sought, regardless of whether the

conviction has been expunged, judicially ordered sealed, statutorily eradicated, or judicially dismissed following probation, or (4) the employer is prohibited by law from hiring an applicant who has that particular conviction, regardless of whether the conviction has been expunged, judicially ordered sealed, statutorily eradicated, or judicially dismissed following probation.

Position: Staff - watch

ENGLISH LANGUAGE LEARNERS

AB 2514 (Thurmond D) Pupil instruction: dual language programs: grant program.

Status: 9/26/2018-Approved by the Governor. Chaptered by Secretary of State - Chapter 763, Statutes of 2018.

Summary: Would establish the Pathways to Success Grant Program with the goal of providing pupils in preschool, transitional kindergarten, kindergarten, and grades 1 to 12, inclusive, with dual language immersion programs, developmental bilingual programs for English learners, or early learning dual language learners programs, as those terms are defined. The bill would require the State Department of Education to administer the program and, commencing September 1, 2019, would require the department to award a minimum of 10 one-time grants of up to \$300,000 per grant, to school districts and consortia of school districts in partnership with other specified entities.

Position: Disapprove

AB 2735 (O'Donnell D) English learners: participation in standard instructional program.

Status: 9/7/2018-Approved by the Governor. Chaptered by Secretary of State - Chapter 304, Statutes of 2018.

Summary: Commencing with the 2019–20 school year, this bill, prohibits a middle school or high school pupil, as defined, who is classified as an English learner, except as specified, from being denied participation in a school's standard instructional program, as defined, by being denied enrollment in specified courses, including, among others, courses required for graduation and college admission.

Position: Support

FACILITIES (CLASS SIZE REDUCTION | BONDS | CEQA | GREEN TECH | PROP 39)

AB 1406 (Gloria D) School facilities: leases of real property.

Status: 8/27/2018-Approved by the Governor. Chaptered by Secretary of State - Chapter 204, Statutes of 2018.

Summary: Current law authorizes a school district to enter into leases and agreements relating to real property and buildings to be used by the school district pursuant to specified provisions of law, and provides that the term of any lease or agreement entered into pursuant to those provisions shall not exceed 40 years. This bill would increase the maximum term of a lease or agreement entered into pursuant to these provisions to 99 years.

Position: Staff - watch

AB 1766 (Maienschein R) Swimming pools: public safety.

Status: 9/6/2018-Approved by the Governor. Chaptered by Secretary of State - Chapter 270, Statutes of 2018.

Summary: Current law provides for the regulation of private swimming pools. Current law also provides for the regulation of public swimming pools by the State Department of Public Health. Current law requires the provision of lifeguard services at any public swimming pool that is of wholly artificial construction and for the use of which a direct fee, as defined, is imposed. A violation of those provisions is a crime. This bill would require those public swimming pools, as defined, that are required to provide lifeguard services and that charge a direct fee to additionally provide an Automated External Defibrillator (AED) during pool operations, as specified.

Position: Oppose UA

AB 1933 (Maienschein R) Greenhouse Gas Reduction Fund: recycling infrastructure projects.

Status: 9/27/2018-Approved by the Governor. Chaptered by Secretary of State - Chapter 808, Statutes of 2018.

Summary: Current law requires the Department of Resources Recycling and Recovery, with additional moneys from the Greenhouse Gas Reduction Fund that may be appropriated to the department, to administer a

grant program to provide financial assistance, in the form of grants, incentive payments, contracts, or other funding mechanisms, to reduce emissions of greenhouse gases by promoting the in-state development of infrastructure, food waste prevention, or other projects to reduce organic waste or to process organic and other recyclable materials into new value-added products. Current law specifies eligible uses that qualify for in-state infrastructure projects or other projects that reduce emissions of greenhouse gases as part of these funding mechanisms. This bill would additionally specify as an eligible use for in-state infrastructure projects or other projects that reduce emissions of greenhouse gases activities that expand and improve waste diversion and recycling, including the recovery of food for human consumption and food waste prevention.

Position: Staff - watch

AB 2031 (O'Donnell D) Public contracts: school facility projects: bidding requirements.

Status: 9/19/2018-Approved by the Governor. Chaptered by Secretary of State - Chapter 534, Statutes of 2018.

Summary: Current law requires a prospective bidder for a construction contract for certain school facility projects to submit a prequalification questionnaire and financial statement, under oath, as part of the bidding process and requires each prospective bidder to submit a bid by completing and executing a standardized proposal form. Current law requires the Director of Industrial Relations to submit a report to the Legislature, by January 1, 2018, on whether violations of the Labor Code on school district projects have decreased during the years these provisions are applicable to contracts. Current law makes all of the above-specified provisions inoperative on January 1, 2019, and repeals them on July 1, 2019. This bill would extend the operation of the bill's provisions indefinitely and would eliminate the reporting requirement.

Position: Neutral

AB 2068 (Chu D) Electricity: rates: public schools.

Status: 8/27/2018-Approved by the Governor. Chaptered by Secretary of State - Chapter 208, Statutes of 2018.

Summary: Would require the Public Utilities Commission to direct all electrical and gas corporations to evaluate, and report findings to the commission on, the feasibility and economic impacts of establishing a public school electric and gas rate that would reflect a discount from the current rate structure. This bill would require the commission to compile these reports and submit this compilation to the Legislature, by January 1, 2020. Because a violation of the commission's directions would be a crime, this bill would impose a state-mandated local program.

Position: Support

AB 2453 (Garcia, Eduardo D) Air pollution: schools.

Status: 9/23/2018-Approved by the Governor. Chaptered by Secretary of State - Chapter 714, Statutes of 2018.

Summary: The Leroy F. Greene School Facilities Act of 1998 requires the State Allocation Board to allocate to applicant school districts prescribed per-unhoused-pupil state funding for the construction and modernization of school facilities, including hardship funding, and supplemental funding for site development and acquisition. This bill would authorize a grant for modernization under the act to be used to limit pupil exposure to harmful air pollutants by updating air filtration systems and would specify that this is declaratory of existing law.

Position: Approve

AB 2488 (O'Donnell D) School facilities: task order procurement contracting: Los Angeles Unified School District.

Status: 7/18/2018-Approved by the Governor. Chaptered by Secretary of State - Chapter 129, Statutes of 2018.

Summary: Would, until January 1, 2024, establish a pilot project in which the governing board of the Los Angeles Unified School District would be authorized to award multiple annual task order procurement contracts, not exceeding \$3,000,000 each, for purposes that include, but are not limited to, services, repairs including maintenance, and construction, as described above, that are paid for with moneys from the school district's general fund. The bill would require the contracts to be awarded to the lowest responsible bidder and to be based primarily on plans and specifications for typical work.

Position: Staff - watch

AB 2816 (Muratsuchi D) Pesticides: schoolsites: report.

Status: 9/23/2018-Approved by the Governor. Chaptered by Secretary of State - Chapter 720, Statutes of 2018.

Summary: Current law requires the Department of Pesticide Regulation to establish an integrated pest management training program in order to facilitate the adoption of a model integrated pest management program and least-hazardous pest control practices by schoolsites and requires certain persons who, in the course of their work, intend to apply a pesticide at a schoolsite to annually complete a training course provided by that department. This bill would require the department to submit a report to the Legislature on or before January 1, 2021, that evaluates the implementation, and the effect of the implementation, of the Healthy Schools Act of 2000 and that provides recommendations on improving the implementation and efficacy of the Healthy Schools Act of 2000.

Position: Staff - watch

AB 2911 (Friedman D) Fire safety.

Status: 9/21/2018-Approved by the Governor. Chaptered by Secretary of State - Chapter 641, Statutes of 2018.

Summary: Current law authorizes a local agency, at its discretion, to exclude from specified requirements governing fire risk reduction an area identified as a very high fire hazard severity zone by the director within the jurisdiction of the local agency, following a specified finding supported by substantial evidence that those requirements are not necessary for effective fire protection within the area. This bill would eliminate the above-described exemption and exclusion and would require a local agency to transmit a copy of any ordinance adopted pursuant to these provisions to the State Board of Forestry and Fire Protection within 30 days of adoption. By imposing new responsibilities on local agencies with regard to the adoption of fire safety ordinances, the bill would impose a state-mandated local program.

Position: Staff - watch

AB 2954 (Bonta D) School districts: special taxes: uniformity requirement: unimproved property.

Status: 9/7/2018-Approved by the Governor. Chaptered by Secretary of State - Chapter 305, Statutes of 2018.

Summary: Current law authorizes school districts to impose qualified special taxes, subject to specified constitutional and statutory provisions. Current law defines "qualified special taxes" as taxes that apply uniformly to all taxpayers or all real property within a school district and may include taxes that provide for an exemption from those taxes for specified persons. This bill would provide an exception to the requirement that the qualified taxes apply uniformly by authorizing unimproved property to be taxed at a lower rate than improved property.

Position: Approve

AB 3058 (O'Donnell D) School facilities: inspections: examination and evaluation.

Status: 8/24/2018-Approved by the Governor. Chaptered by Secretary of State - Chapter 197, Statutes of 2018.

Summary: The Field Act requires the Department of General Services under the police power of the state to supervise the design and construction of any school building or the reconstruction or alteration of or addition to any school building, if not exempted, to ensure that plans and specifications comply with adopted rules and regulations, and building standards published in regulations, and that the work of construction is performed in accordance with the approved plans and specifications for the protection of life and property. The act also requires the department to make inspections of the school buildings and of the work of construction or alteration. This bill would require the department to revise the inspector examination to be done not later than 36 months after the last revision, revise the inspector competency reevaluation to occur not later than 48 months after the last evaluation, and include in the inspector competency evaluation and reevaluation the meeting of specified education and training requirements as specified by the department.

Position: Neutral

SB 901 (Dodd D) Wildfires.

Status: 9/21/2018-Approved by the Governor. Chaptered by Secretary of State. Chapter 626, Statutes of 2018.

Summary: The Budget Act of 2018 appropriated \$99,376,000 to the Office of Emergency Services for purposes of local assistance. Of those funds, \$25,000,000 was made available, pursuant to a schedule, for equipment and technology that improves the mutual aid system. Current law authorizes the Department of Forestry and Fire Protection (CalFire) to administer various programs, including grant programs, relating to forest health and wildfire

protection. This bill would revise the Budget Act of 2018 to provide that the \$25,000,000 described above shall be applied to support activities directly related to regional response and readiness.

Position: Support

SB 1338 (Hueso D) Electrical and gas corporations: rates.

Status: 9/18/2018-Approved by the Governor. Chaptered by Secretary of State. Chapter 518, Statutes of 2018.

Summary: Current law authorizes the Public Utilities Commission to fix the rates and charges for every public utility and requires that those rates and charges be just and reasonable. Current law requires the commission to designate a baseline quantity of electricity and gas necessary for a significant portion of the reasonable energy needs of the average residential customer. Current law additionally requires the commission to establish a standard allowance in addition to the baseline quantity of gas and electricity for residential customers dependent on life-support equipment. This bill would authorize a physician assistant to certify in writing to the utility that the additional energy, heating, or cooling allowance is medically necessary to sustain the life of a person being treated for life-threatening illness or a compromised immune system or to prevent deterioration of that person's medical condition.

Position: Staff - watch

SB 1397 (Hill D) Automated external defibrillators: requirement: modifications to existing buildings.

Status: 9/30/2018-Approved by the Governor. Chaptered by Secretary of State. Chapter 1014, Statutes of 2018.

Summary: Current law requires certain occupied structures that are not owned or operated by any local government entity and are constructed on or after January 1, 2017, to have an automated external defibrillator (AED) on the premises. This bill would apply the AED requirements to certain structures that are constructed prior to January 1, 2017, and subject to subsequent modifications, renovations, or tenant improvements, as specified.

Position: Staff - watch

GUN SAFETY

AB 1968 (Low D) Mental health: firearms.

Status: 9/28/2018-Approved by the Governor. Chaptered by Secretary of State - Chapter 861, Statutes of 2018.

Summary: Would prohibit a person who has been taken into custody, assessed, and admitted to a designated facility because he or she is a danger to himself, herself, or others, as a result of a mental health disorder and who was previously taken into custody, assessed, and admitted one or more times within a period of one year preceding the most recent admittance from owning a firearm for the remainder of his or her life. This bill contains other related provisions and other existing laws.

Position: Staff - watch

AB 2103 (Gloria D) Firearms: license to carry concealed.

Status: 9/26/2018-Approved by the Governor. Chaptered by Secretary of State - Chapter 752, Statutes of 2018.

Summary: Current law authorizes the sheriff of a county or the chief or other head of a municipal police department of any city or city and county to issue a license to carry a concealed firearm to an applicant for that license if the applicant is of good moral character, good cause exists for issuance of the license, the applicant meets specified residency requirements, and the applicant has completed a specified course of training, acceptable to the licensing authority. Under current law, the required course of training for an applicant must be no more than 16 hours and must cover firearm safety and laws regarding the permissible use of a firearm. This bill would require that the course of training be at least 8 but not be required to exceed 16 hours.

Position: Staff - watch

AB 2222 (Quirk D) Crime prevention and investigation: informational databases: firearms.

Status: 9/28/2018-Approved by the Governor. Chaptered by Secretary of State - Chapter 864, Statutes of 2018.

Summary: Current law directs police and sheriffs' departments to submit the description of serialized or uniquely inscribed nonserialized property that has been reported stolen, lost, found, recovered, or under observation, directly to an automated Department of Justice system. Current law requires that any information

entered into the Department of Justice system regarding a firearm remain in the system until the firearm is found, recovered, no longer under observation, or the record is deemed to have been entered in error. Current law also requires the costs resulting from this requirement to be reimbursed from funds other than those collected from specified fees relating to firearms. This bill would extend this firearms reporting requirement to all law enforcement agencies in the state, as defined, and would require that the report be entered within 7 days of the agency being notified of the precipitating event.

Position: Staff – watch

AB 3129 (Rubio D) Firearms: prohibited persons.

Status: 9/28/2018-Approved by the Governor. Chaptered by Secretary of State - Chapter 883, Statutes of 2018.

Summary: Current law prohibits a person who has been convicted of a felony from possessing a firearm. A violation of that prohibition is a felony. Current law also prohibits a person who has been convicted of a specified misdemeanor from possessing a firearm for a period of 10 years. A violation of that prohibition may be punished as either a misdemeanor or a felony. This bill would prohibit a person who is convicted on or after January 1, 2019, of a misdemeanor violation of willful infliction of corporal injury upon a spouse, cohabitant, or other specified person, from ever possessing a firearm. The bill would make the violation of that prohibition punishable as either a misdemeanor or as a felony.

Position: Staff - watch

SB 1100 (Portantino D) Firearms: transfers.

Status: 9/28/2018-Approved by the Governor. Chaptered by Secretary of State. Chapter 894, Statutes of 2018.

Summary: Current law prohibits the sale or transfer of a handgun, except as specifically exempted, to any person under 21 years of age. Current law also prohibits the sale or transfer of a firearm, other than a handgun, except as specifically exempted, to any person under 18 years of age. A violation of this prohibition by the dealer is a crime. This bill would prohibit the sale or transfer of any firearm by a licensed dealer, except as specifically exempted, to any person under 21 years of age.

Position: Staff - watch

GOVERNANCE (BROWN ACT | DISTRICT ORG. | ELECTIONS | VOUCHERS | COI, ETC.)

AB 1527 (Jones-Sawyer D) Cannabis: Cannabis Control Appeals Panel.

Status: 7/16/2018-Approved by the Governor. Chaptered by Secretary of State - Chapter 95, Statutes of 2018.

Summary: MAUCRSA establishes in state government a Cannabis Control Appeals Panel to review specified decisions of licensing authorities appealed by any person aggrieved by those decisions. MAUCRSA requires that the panel consist of one member appointed by the Senate Committee on Rules, one member appointed by the Speaker of the Assembly, and 3 members appointed by the Governor, as specified. MAUCRSA authorizes the Governor to remove from office a member of the panel appointed by the Governor. MAUCRSA authorizes the Legislature to remove any member of the panel from office for certain reasons. This bill would eliminate the Legislature's power to remove a member of the panel for certain reasons and would provide that the members of the panel may be removed from office by their appointing authority.

Position: Staff - watch

AB 1678 (Berman D) Elections: voter registration information: security: campaign literature and communications.

Status: 7/16/2018-Approved by the Governor. Chaptered by Secretary of State - Chapter 96, Statutes of 2018.

Summary: Would require the Secretary of State to adopt regulations describing best practices for storage and security of voter registration information received by an applicant. The bill would require a person or entity who has received voter registration information pursuant to an application to disclose a breach in the security of the storage of the information to the Secretary of State, as specified.

Position: Staff - watch

AB 1753 (Low D) Controlled substances: CURES database.

Status: 9/18/2018-Approved by the Governor. Chaptered by Secretary of State - Chapter 479, Statutes of 2018.

Summary: Current law requires the Department of Justice to maintain the Controlled Substance Utilization Review and Evaluation System (CURES) for the electronic monitoring of the prescribing and dispensing of Schedule II, Schedule III, and Schedule IV controlled substances by a health care practitioner authorized to prescribe, order, administer, furnish, or dispense a Schedule II, Schedule III, or Schedule IV controlled substance. Current law requires prescription forms for controlled substance prescriptions to be obtained from security printers approved by the department, as specified. Existing law requires a dispensing pharmacy, clinic, or other dispenser to report specified information to the department. This bill would authorize the department to reduce or limit the number of approved printers to 3, as specified. The bill would require prescription forms for controlled substance prescriptions to have a uniquely serialized number, in a manner prescribed by the department, and would require a printer to submit specified information to the department for all prescription forms delivered.

Position: Staff - watch

AB 1887 (Medina D) Public education governance: service on boards and commissions.

Status: 8/24/2018-Approved by the Governor. Chaptered by Secretary of State - Chapter 182, Statutes of 2018.

Summary: Current law provides that a person is incapable of holding a civil office if, at the time of his or her election or appointment, he or she is not 18 years of age and a citizen of the state. This bill would authorize any pupil attending a California public secondary school who is under the age of 18 years to serve on any board or commission that includes members who are pupils or minors and is established under specified portions of the Education Code that relate to public elementary and secondary education and that includes members who are pupils or minors.

Position: Approve

AB 1974 (Gonzalez Fletcher D) Pupils: collection of debt.

Status: 9/20/2018-Approved by the Governor. Chaptered by Secretary of State - Chapter 577, Statutes of 2018.

Summary: Would enact the Public School Fair Debt Collection Act. The act would provide that a pupil or former pupil, unless emancipated at the time the debt is incurred, can never owe or be billed for a debt owed to a public school or school district, county office of education, charter school, or state special school. The act would prohibit those educational entities from taking negative actions against a pupil or former pupil because of a debt owed to the educational entity, including, among other things, denying or withholding grades or transcripts, or denying or withholding a diploma.

Position: Neutral

AB 2086 (Gallagher R) Controlled substances: CURES database.

Status: 9/6/2018-Approved by the Governor. Chaptered by Secretary of State - Chapter 274, Statutes of 2018.

Summary:

Current law classifies certain controlled substances into designated schedules. Current law requires the Department of Justice to maintain the Controlled Substance Utilization Review and Evaluation System (CURES) for the electronic monitoring of the prescribing and dispensing of Schedule II, Schedule III, and Schedule IV controlled substances by a health care practitioner authorized to prescribe, order, administer, furnish, or dispense a Schedule II, Schedule III, or Schedule IV controlled substance. This bill would allow prescribers to access the CURES database for a list of patients for whom that prescriber is listed as a prescriber in the CURES database.

Position: Staff - watch

AB 2138 (Chiu D) Licensing boards: denial of application: revocation or suspension of licensure: criminal conviction.

Status: 9/30/2018-Approved by the Governor. Chaptered by Secretary of State - Chapter 995, Statutes of 2018.

Summary: Current law authorizes a licensing board to deny, suspend, or revoke a license or take disciplinary action against a licensee on the grounds that the applicant or licensee has, among other things, been convicted of a crime, as specified. This bill would revise and recast specified provisions to instead authorize a board to, among other things, deny, revoke, or suspend a license on the grounds that the applicant or licensee has been subject to formal discipline, as specified, or convicted of a crime only if the applicant or licensee has been convicted of a crime

within the preceding 7 years from the date of application that is substantially related to the qualifications, functions, or duties of the business or profession for which the application is made, regardless of whether the applicant was incarcerated for that crime, or if the applicant has been convicted of a crime that is substantially related to the qualifications, functions, or duties of the business or profession for which the application is made and for which the applicant is presently incarcerated or for which the applicant was released from incarceration within the preceding 7 years, except as specified.

Position: Staff – watch

AB 2449 (Arambula D) School districts, county offices of education, and community college districts: governing boards: elections.

Status: 7/20/2018-Approved by the Governor. Chaptered by Secretary of State - Chapter 146, Statutes of 2018.

Summary: Under current law relating to the election of members of governing boards of school districts and governing boards of community college districts, the terms of office of certain board members commences on the first Friday in December. Under existing law relating to the election of members of county boards of education, the terms of office of certain board members commences on the last Friday in November. Would provide for the commencement of those terms of office on the 2nd Friday in December. To the extent the bill would impose additional duties on school districts, county offices of education, and community college districts, the bill would impose a state-mandated local program.

Position: Staff - watch

AB 2822 (Obernolte R) California State Auditor: high-risk local government agency audit program.

Status: 9/18/2018-Approved by the Governor. Chaptered by Secretary of State - Chapter 498, Statutes of 2018.

Summary: Current law authorizes the state auditor to establish a high-risk local government agency audit program for the purpose of identifying, auditing, and issuing reports on any local government agency that he or she identifies as at high risk for fraud or waste, among other things. Current law authorizes the auditor to consult with the Controller, Attorney General, and other state agencies that have oversight responsibilities over any local government agency to identify local governments that are at high risk. This bill would additionally authorize the California State Auditor to review publicly available information to identify local governments that are at high risk.

Position: Staff - watch

SB 833 (McGuire D) Emergencies: Office of Emergency Services: guidelines: alert and warning systems.

Status: 9/21/2018-Approved by the Governor. Chaptered by Secretary of State. Chapter 617, Statutes of 2018.

Summary: Would, on or before July 1, 2019, would require OES, in consultation with specified entities, to develop voluntary guidelines for alerting and warning the public of an emergency. The bill would require OES to provide each city, county, and city and county with a copy of the guidelines.

Position: Support if amended

SB 958 (Dodd D) Davis Joint Unified School District: special taxes: exemptions: teachers and district employees.

Status: 9/20/2018-Approved by the Governor. Chaptered by Secretary of State. Chapter 604, Statutes of 2018.

Summary: Current law authorizes school districts to impose qualified special taxes, subject to specified constitutional and statutory provisions. Current law defines “qualified special taxes” as taxes that apply uniformly to all taxpayers or all real property within a school district and may include taxes that provide for an exemption from those taxes for persons who are 65 years of age or older, for persons receiving Supplemental Security Income for a disability, or for persons receiving Social Security Disability Insurance benefits, as specified. This bill would provide that a qualified special tax imposed by the Davis Joint Unified School District in accordance with the above-described authorization may also provide an exemption for teachers and other employees of the school district for their principal place of residence located within the jurisdictional boundaries of the school district.

Position: Approve

SB 1085 (Skinner D) Public employees: leaves of absence: exclusive bargaining representative service.

Status: 9/28/2018-Approved by the Governor. Chaptered by Secretary of State. Chapter 893, Statutes of 2018.

Summary: Current law, including the Meyers-Milias-Brown Act, the Ralph C. Dills Act, the Trial Court Employment Protection and Governance Act, the Trial Court Interpreter Employment and Labor Relations Act, the Judicial Council Employer-Employee Relations Act and the Los Angeles County Metropolitan Transportation Authority Transit Employer-Employee Relations Act, as well as provisions commonly referred to as the Educational Employment Relations Act and the Higher Education Employer-Employee Relations Act, regulates the labor relations of the state, the courts, specified local public agencies, and their employees. This bill would require public employers, subject to the acts described above, and specified public employers of transit workers, upon request of the exclusive representative of an employee, to grant reasonable leaves of absence without loss of compensation or other benefits for the purpose of enabling employees to serve as stewards or officers of the exclusive representative, or of any statewide or national employee organization with which the exclusive representative is affiliated.

Position: Staff - watch

SB 1244 (Wieckowski D) Public records: disclosure.

Status: 9/17/2018-Approved by the Governor. Chaptered by Secretary of State. Chapter 463, Statutes of 2018.

Summary: The California Public Records Act, when it appears to a superior court that certain public records are being improperly withheld from a member of the public, requires the court to order the officer or person charged with withholding the records to disclose the public record or show cause why he or she should not do so. The act requires the court to award court costs and reasonable attorney's fees to the plaintiff if the plaintiff prevails in litigation filed pursuant to these provisions, and requires the court to award court costs and reasonable attorney's fees to the public agency if the court finds that the plaintiff's case is clearly frivolous. This bill would replace "plaintiff" with "requester" in that provision, would make conforming changes, and would specify that these provisions do not preclude the award of fees and costs pursuant to other provisions of law.

Position: Neutral

GRADUATION REQUIREMENTS | DROP-OUT PREVENTION

AB 1248 (Gloria D) Pupils: wearing of traditional tribal regalia or recognized objects of religious or cultural significance as an adornment at school graduation ceremonies.

Status: 9/27/2018-Approved by the Governor. Chaptered by Secretary of State - Chapter 804, Statutes of 2018.

Summary: Would provide that a pupil may wear traditional tribal regalia or recognized objects of religious or cultural significance as an adornment, as defined, at school graduation ceremonies. The bill would also declare that nothing in its provisions shall be construed to limit a local educational agency's discretion and authority to prohibit an item that is likely to cause a substantial disruption of, or material interference with, the ceremony.

Position: Neutral

AB 2121 (Caballero D) Pupil instruction: coursework and graduation requirements: migratory children and newly arrived immigrant pupils.

Status: 9/20/2018-Approved by the Governor. Chaptered by Secretary of State - Chapter 581, Statutes of 2018.

Summary: Current law requires a school district to exempt a pupil in foster care, a pupil who is a homeless child or youth, a former juvenile court school pupil, or a pupil who is a child of a military family who transfers between schools any time after the completion of the pupil's 2nd year of high school from all coursework and other requirements adopted by the governing board of the school district that are in addition to certain statewide coursework requirements unless the school district makes a finding that the pupil is reasonably able to complete the school district's graduation requirements in time to graduate from high school by the end of the pupil's 4th year of high school. Current law requires the school district to take specified actions if it determines that the pupil is reasonably able to complete the school district's graduation requirements within the pupil's 5th year of high school. This bill would extend these provisions to a pupil who is a migratory child, as defined and a pupil participating in an English language proficiency program for newly arrived immigrant pupils and who is in his or her 3rd or 4th year of high school.

Position: Support

AB 2746 (Garcia, Eduardo D) Taxation: tax-defaulted property sales.

Status: 9/6/2018-Approved by the Governor. Chaptered by Secretary of State - Chapter 284, Statutes of 2018.

Summary: Current law generally declares in default the taxes, assessments, and penalties on real property if those charges are not paid by a specified time. Current law requires the tax collector to attempt to sell property that has become tax defaulted 5 years or more after that property has become tax defaulted, and in the case of tax-defaulted property that is also subject to a nuisance abatement lien, 3 years or more after that property becomes tax defaulted, as specified. During these 3- and 5-year periods, existing law allows a taxpayer a right of redemption whereby the taxpayer may pay specified charges to remove the lien against the property. Current law specifies that this right of redemption terminates on the last business day prior to the date that the sale of the property begins and, if the tax collector approves a sale as a credit transaction and does not receive full payment on or before the date upon which the tax collector requires, the right of redemption is revived on the next business day following that date, as specified. This bill would specify that the commencement of the tax sale constitutes the actual sale date, regardless of the date of the conclusion of the auction.

Position: Staff - watch

AB 3022 (Gonzalez Fletcher D) Retroactive grant of high school diplomas: departed and deported pupils.

Status: 9/26/2018-Approved by the Governor. Chaptered by Secretary of State - Chapter 772, Statutes of 2018.

Summary: Would authorize the retroactive grant of a high school diploma to a person who has departed California against his or her will, as defined, and, at the time of his or her departure, was enrolled in grade 12 of a high school operated by a school district, by or under the jurisdiction of a county office of education, or by a charter school, who did not receive a high school diploma because his or her education was interrupted due to his or her departure, and who was in good academic standing at the time of his or her departure, as specified.

Position: Watch

HIGHER EDUCATION

AB 38 (Stone, Mark D) Student loan servicers: licensing and regulation: Student Loan Servicing Act.

Status: 9/14/2018-Approved by the Governor. Chaptered by Secretary of State - Chapter 379, Statutes of 2018.

Summary: Current law, operative July 1, 2018, establishes the Student Loan Servicing Act to provide for the licensure, regulation, and oversight of student loan servicers by the Commissioner of Business, who is the head of the Department of Business Oversight. The act prohibits a person from engaging in the business of servicing a student loan in this state without a license, unless the person falls within certain exceptions. Under the act, a person applying for a license, among other things, is required to pay an application fee, sign the application under penalty of perjury, and submit to a criminal background check by the Department of Justice. The act authorizes the commissioner to deny an application for a license for specified reasons. This bill would revise and recast the circumstances under which the commissioner is authorized to deny an application for a license.

Position: Staff - watch

AB 1062 (Levine D) Postsecondary education: cross-enrollment: online education at the California State University.

Status: 9/19/2018-Approved by the Governor. Chaptered by Secretary of State - Chapter 524, Statutes of 2018.

Summary: Would remove the January 1, 2015, deadline for authorizing a CSU student to enroll in an online course at another CSU campus, for the trustees to establish an online database of courses, and for the trustees to establish a series of uniform definitions, as specified. This bill would also add to the performance data to be reported to the Legislature on state-supported online courses, as defined, and require this report be submitted to the Legislature on or before January 15, 2019, and on or before January 15, 2 years later.

Position: Staff - watch

AB 1619 (Berman D) Sexual assault: statutes of limitations on civil actions.

Status: 9/30/2018-Approved by the Governor. Chaptered by Secretary of State - Chapter 939, Statutes of 2018.

Summary: Would set the time for commencement of any civil action for recovery of damages suffered as a result of sexual assault, as defined, where the assault occurred on or after the plaintiff's 18th birthday, to the later of within 10 years from the date of the last act, attempted act, or assault with intent to commit an act, of sexual assault by the defendant against the plaintiff or within 3 years from the date the plaintiff discovers or reasonably should have discovered that an injury or illness resulted from an act, attempted act, or assault with intent to commit an act, of sexual assault by the defendant against the plaintiff.

Position: Staff - watch **AB 1786 (Cervantes D) Community colleges: academic credit for prior military experience.**

Status: 9/19/2018-Approved by the Governor. Chaptered by Secretary of State - Chapter 530, Statutes of 2018.

Summary: Current law requires the Chancellor of the California Community Colleges, using common course descriptors and pertinent recommendations of the American Council on Education, to determine, by July 1, 2015, for which courses credit should be awarded for prior military experience. This bill would require the chancellor to establish, by March 31, 2019, an initiative to expand the use of course credit at the California Community Colleges for students with prior learning. The bill would require the chancellor to submit, by January 1, 2020, a report on the initiative to the Legislature.

Position: Staff - watch

AB 1805 (Irwin D) Community colleges: Student Equity and Achievement Program.

Status: 9/19/2018-Approved by the Governor. Chaptered by Secretary of State - Chapter 531, Statutes of 2018.

Summary: Would provide that, as a condition for receiving funding pursuant to the Student Equity and Achievement Program, a community college would be required to do all of the following: inform students of their rights to access transfer-level coursework and academic credit ESL coursework, and of the multiple measures placement policies developed by the community college, as provided; annually report to the Office of the Chancellor of the California Community Colleges the community college's placement policies and placement results; publicly post its placement results; and implement these provisions by a specified date.

Position: Staff - watch

AB 1858 (Calderon D) Student financial aid: Financial Aid Shopping Sheet.

Status: 9/22/2018-Approved by the Governor. Chaptered by Secretary of State - Chapter 671, Statutes of 2018.

Summary: Would add to the Donahoe Higher Education Act a provision that would require, by January 1, 2020, and permanently thereafter, each campus of the University of California, the California State University, and the California Community Colleges, and each independent institution of higher education to provide students with the Financial Aid Shopping Sheet as developed by the United States Department of Education to inform students or individuals who have been offered admission about financial aid award packages.

Position: Staff - watch

AB 1895 (Calderon D) California DREAM Loan Program: repayment, deferment, and forbearance.

Status: 9/26/2018-Approved by the Governor. Chaptered by Secretary of State - Chapter 747, Statutes of 2018.

Summary: The California DREAM Loan Program provides that a student attending a participating campus of the University of California or California State University may receive a loan, referred to as a DREAM loan, through the program if the student satisfies specified requirements, including a requirement that the student be exempt from paying nonresident tuition or meet equivalent requirements adopted by the Regents of the University of California. This bill would require a participating campus, on or before January 1, 2020, to adopt procedures allowing a borrower to select an income-based repayment plan for the repayment of a DREAM loan, as specified.

Position: Staff - watch

AB 1896 (Cervantes D) Sexual assault counselor-victim privilege.

Status: 7/18/2018-Approved by the Governor. Chaptered by Secretary of State - Chapter 123, Statutes of 2018.

Summary: Current law establishes a privilege for a victim of a sexual assault to refuse to disclose, and to prevent another from disclosing, a confidential communication between the victim and a sexual assault counselor, if the privilege is claimed by the holder of the privilege, a person who is authorized to claim the privilege by the holder of the privilege, or the person who was the sexual assault counselor at the time of the confidential communication, except as specified. This bill would specifically include within the definition of "sexual assault counselor" for these purposes a person who is engaged in a program on the campus of a public or private institution of higher education, with the same primary purpose of rendering advice or assistance to victims of sexual assault and the same qualifications.

Position: Staff – watch

AB 1961 (Choi R) Postsecondary education: student housing and meal plans.

Status: 9/10/2018-Approved by the Governor. Chaptered by Secretary of State - Chapter 314, Statutes of 2018.

Summary: Would require each institution of higher education with a physical presence in this state to separately list the cost of institutionally operated housing and meal plans on all Internet Web sites and documents it provides to students for purposes of advertising or otherwise displaying the student costs associated with institutionally operated housing.

Position: Staff - watch

AB 2041 (Caballero D) University of California: Office of the Chief Investment Officer.

Status: 9/29/2018-Approved by the Governor. Chaptered by Secretary of State - Chapter 912, Statutes of 2018.

Summary: The Regents of the University of California have established the Office of the Chief Investment Officer (OCIO) and have assigned to that office the task of responsibly investing various funds of the university, including, but not limited to, endowment and pension funds. This bill would urge the regents to require the OCIO to use reasonable efforts to encourage diversity, to request partner firms to use reasonable efforts to encourage diversity, and to launch an emerging manager program. The bill would also require the OCIO to submit, on or before January 1, 2020, a report to the chairs of the appropriate policy committees of each house of the Legislature that includes specified information relating to any requirements the regents direct the OCIO to perform pursuant to the bill.

Position: Staff - watch

AB 2248 (McCarty D) Student financial aid: Cal Grant program.

Status: 9/26/2018-Approved by the Governor. Chaptered by Secretary of State - Chapter 758, Statutes of 2018.

Summary: Would require the Student Aid Commission, upon the initial awarding and the renewal of a Cal Grant award, as specified, to notify a Cal Grant award recipient in writing that, in order to graduate in 4 years, he or she must take 15 semester units or the equivalent quarter units, or 30 semester units per academic year or the equivalent quarter units, and that a Cal Grant award is limited to 4 academic years. This bill contains other related provisions and other existing laws.

Position: Staff - watch

AB 2385 (Cunningham R) Public postsecondary education: textbooks.

Status: 8/27/2018-Approved by the Governor. Chaptered by Secretary of State - Chapter 214, Statutes of 2018.

Summary: Current law urges textbook publishers to take specified actions aimed at informing students about, and reducing the amounts that students pay for, college textbooks. Among those actions, existing law urges textbook publishers to provide to faculty and departments considering textbook orders, and to post on their Internet Web sites, among other things, an explanation of how the newest edition is different from previous editions. This bill would instead urge textbook publishers to post in a prominent location on their Internet Web sites, among other things, a detailed description of how the newest edition differs from the previous edition, as specified.

Position: Staff - watch

AB 2505 (Santiago D) California State University: budget oversight policies.

Status: 9/19/2018-Approved by the Governor. Chaptered by Secretary of State - Chapter 542, Statutes of 2018.

Summary: Would require the Office of the Chancellor of the California State University to, on or before March 31, 2019, and on or before March 31 of each academic year thereafter, submit a system wide report to the relevant fiscal and policy committees of the Legislature and the Department of Finance that includes a summary of current hiring practices for all California State University positions and compares hiring practices at the California State University to the best practices for hiring persons to similar positions at the University of California and the California Community Colleges.

Position: Staff - watch

AB 2554 (Bonta D) Public postsecondary education: exemption from mandatory system wide tuition and fees: surviving child or spouse of a federal firefighter.

Status: 8/24/2018-Approved by the Governor. Chaptered by Secretary of State - Chapter 191, Statutes of 2018.

Summary: Current law prohibits the Board of Directors of the Hastings College of the Law, the Board of Governors of the California Community Colleges, the Trustees of the California State University, and, if they adopt an appropriate resolution, the Regents of the University of California, from collecting mandatory system wide tuition and fees from any surviving spouse or surviving child of a deceased person who was a resident of the state and employed by or contracting with a public agency, whose principal duties consisted of active law enforcement service or active fire suppression and prevention, and who died as a result of his or her duties, as specified. This bill would specify that the surviving child or spouse of a firefighter employed by the federal government whose duty assignment involved the performance of firefighting services in this state would also be eligible for exemption from mandatory system wide tuition and fees under the provision described above.

Position: Staff - watch

AB 2722 (Medina D) Student financial aid: California Military Department GI Bill Award Program.

Status: 9/19/2018-Approved by the Governor. Chaptered by Secretary of State - Chapter 547, Statutes of 2018.

Summary: Would change the name of the California National Guard Education Assistance Award Program to the California Military Department GI Bill Award Program. The bill would provide that the award could be used to obtain one baccalaureate, graduate, or doctoral degree or a certificate, degree, or diploma that leads to a baccalaureate, graduate, or doctoral degree if the person agrees to serve 2 years in the California National Guard, the Naval Militia, or the California State Military Reserve, as specified.

Position: Staff - watch

AB 2785 (Rubio D) Student services: lactation accommodations.

Status: 9/30/2018-Approved by the Governor. Chaptered by Secretary of State - Chapter 947, Statutes of 2018.

Summary: Would require the California Community Colleges and the California State University, and encourage a satellite campus of these systems and the University of California, to provide reasonable accommodations to a lactating student on their respective campuses to express breast milk, breast-feed an infant child, or address other needs related to breast-feeding, as specified. The bill would require the respective educational institution to provide a sink, in addition to the accommodations described above, upon the construction of a new campus of the California Community Colleges or the California State University, the replacement, expansion, or renovation of an existing building regularly used by students, or the construction of a new building designed for use by students, as specified. This bill would not require an existing room designated for the specified purposes to contain a sink.

Position: Staff - watch

AB 2894 (Gloria D) Postsecondary education: students called to active military duty during an academic term.

Status: 9/11/2018-Approved by the Governor. Chaptered by Secretary of State - Chapter 346, Statutes of 2018.

Summary: Would provide that, subject to applicable federal, state, and institutional refund and withdrawal policies, when a student, as defined, is called to active military duty during an academic term, the student may: choose to withdraw from the institution, retroactive to the beginning of the academic term; if at least 75% of the

term has been completed, choose to request that the faculty member assign a grade for the course based on the work the student has completed, as specified; or, if the faculty member assigns a grade of Incomplete for the student's coursework, the student has a minimum of 4 weeks after returning to the institution to complete the course requirements, as prescribed.

Position: Staff – watch

AB 2990 (Low D) Public postsecondary education: exemption from tuition and fees for qualifying survivors of deceased public safety and fire suppression personnel: notice.

Status: 9/21/2018-Approved by the Governor. Chaptered by Secretary of State - Chapter 642, Statutes of 2018.

Summary: Would require the Hastings College of Law, and each campus of the California Community Colleges and the California State University that has an Internet Web site, and, in the event that the regents adopt an appropriate resolution, each campus of the University of California that has an Internet Web site, to provide an online posting or notice of system wide fee or tuition waivers available to students pursuant to specified provisions.

Position: Staff - watch

AB 3101 (Carrillo D) Community colleges.

Status: 9/19/2018-Approved by the Governor. Chaptered by Secretary of State - Chapter 553, Statutes of 2018.

Summary: Would require the Chancellor of the California Community Colleges, on or before July 31, 2019, to revise the California community college online application process so that only data that is required by the federal government, state law, or that is otherwise necessary, as determined by the chancellor, is collected during the process. The bill would authorize the chancellor, to the extent that data can be collected from the student at a later time, to delay the collection of that data until after the student has applied to a community college. The bill would exempt a student seeking to enroll exclusively in career development and college preparation courses, and other courses for which no credit is given, at a community college from community college residency classification requirements.

AB 3186 (Medina D) Public postsecondary education: University of California: California Community Colleges: competitive bidding: best value.

Status: 9/23/2018-Approved by the Governor. Chaptered by Secretary of State - Chapter 725, Statutes of 2018.

Summary: Current law requires the governing board of any community college district to let specified contracts involving an expenditure of more than \$50,000 to the lowest responsible bidder meeting certain specifications, or else reject all bids. Current law, until January 1, 2019, provides that the bid evaluation and selection for these contracts may be determined by the best value for the University of California or the community college district, as specified. This bill would delete the January 1, 2019, repeal date applicable to best value procurement authority, thereby extending operation of these provisions indefinitely and would delete the references to the reports described above regarding use of best value procurement by the University of California and community college districts.

Position: Staff - watch

ACR 150 (Limón D) Dual Enrollment Week.

Status: 4/23/2018-Chaptered by Secretary of State- Chapter 46, Statutes of 2018

Summary: This measure would recognize the week of March 18, 2018, to March 24, 2018, inclusive, as Dual Enrollment Week in California and would encourage colleges and universities to visit high schools and take action to help pupils register in dual enrollment courses.

Position: Staff - watch

SB 967 (Berryhill R) Public postsecondary education: waiver of mandatory systemwide tuition and fees: current or former foster youth.

Status: 9/22/2018-Approved by the Governor. Chaptered by Secretary of State. Chapter 688, Statutes of 2018.

Summary: The provisions of the Donahoe Higher Education Act apply to the University of California only to the extent that the Regents of the University of California, by appropriate resolution, make them applicable. The act prohibits campuses of those segments from charging mandatory systemwide tuition or fees to specified students who apply for a waiver. This bill would, in addition, prohibit the University of California and California State

University campuses from charging mandatory systemwide tuition or fees to current or former foster youth, who meet certain requirements, for a total of the equivalent of attendance in a 4-year undergraduate program.

Position: Staff – approve

SB 1071 (Roth D) Public postsecondary education: Chancellor of the California Community Colleges: policy to award course credit for prior military education, training, and service.

Status: 9/19/2018-Approved by the Governor. Chaptered by Secretary of State. Chapter 560, Statutes of 2018.

Summary: Would require, by September 1, 2019, the office of the chancellor, in collaboration with the Academic Senate for the California Community Colleges, to develop a consistent policy to award military personnel and veterans who have an official Joint Services Transcript course credit for California Intersegmental General Education Transfer Curriculum, California State University General Education Breadth, or local community college general education requirements, as specified. The bill would also require the office of the chancellor and the academic senate to review and adjust this uniform policy to align it with policies of other public postsecondary educational institutions.

Position: Staff - watch

SB 1406 (Hill D) Public postsecondary education: community college districts: baccalaureate degree pilot program.

Status: 9/20/2018-Approved by the Governor. Chaptered by Secretary of State. Chapter 612, Statutes of 2018.

Summary: Current law requires a student participating in a baccalaureate degree pilot program to complete his or her degree by the end of the 2022–23 academic year. Current law requires the Legislative Analyst's Office to conduct and report to the Legislature and the Governor the results of a final evaluation of the pilot program, as specified, on or before July 1, 2022. Current law makes the authorization to establish pilot baccalaureate degree programs inoperative on July 1, 2023, and repeals the authorization on January 1, 2024. This bill would require that a student participating in a baccalaureate degree pilot program commence his or her degree program by the beginning of the 2022–23 academic year.

Position: Staff - watch

HOMELESS & FOSTER YOUTH

SB 918 (Wiener D) Homeless Youth Act of 2018.

Status: 9/27/2018-Approved by the Governor. Chaptered by Secretary of State. Chapter 841, Statutes of 2018.

Summary: Current law establishes various programs, including, among others, the Emergency Housing and Assistance Program, homeless youth emergency service pilot projects, and Housing First and the Homeless Coordinating and Financing Council, to provide assistance to homeless persons. Current law establishes the council to oversee the implementation of the Housing First guidelines and regulations, and, among other things, identify resources, benefits, and services that can be accessed to prevent and end homelessness in California. This bill would require the council to assume additional responsibilities, including setting specific, measurable goals aimed at preventing and ending homelessness among youth in the state and defining outcome measures and gathering data related to those goals.

Position: Staff - watch

SB 925 (Beall D) Foster care.

Status: 7/20/2018-Approved by the Governor. Chaptered by Secretary of State. Chapter 151, Statutes of 2018.

Summary: Current law provides that child welfare services are best provided using a team-based approach, including the utilization of child and family teams, defined as a team of individuals convened by the placing agency and who are engaged through a variety of team-based processes to identify the strengths and needs of the child or youth and his or her family, and to help achieve positive outcomes for safety, permanency, and well-being. This bill would also require the inclusion of the child or youth's Court-Appointed Special Advocate, if one has been appointed, to the child and family team described above, unless the child or youth objects.

Position: Staff - watch

IMMIGRATION

SB 183 (Lara D) Educational equity: immigration status.

Status: 9/26/2018-Approved by the Governor. Chaptered by Secretary of State. Chapter 779, Statutes of 2018.

Summary: Existing law, the Equity in Higher Education Act, states the policy of the State of California to afford all persons, regardless of their disability, gender, gender identity, gender expression, nationality, race or ethnicity, religion, sexual orientation, or any other specified characteristic, equal rights and opportunities in postsecondary educational institutions of the state, and states that the purpose of related existing law is to prohibit acts that are contrary to that policy and to provide remedies therefor. This bill would expressly reference immigration status in the specified characteristics for purposes of those provisions. The bill would specify that nothing in the Equity in Higher Education Act shall be construed to require a postsecondary educational institution to offer admission or student financial aid to a nonimmigrant alien, as specified, except as provided, and that nothing in the act shall be construed to change a student's eligibility for state financial aid.

Position: Support if amended

INSTRUCTIONAL MATERIALS

AB 1861 (Rodriguez D) Pupil instruction: human trafficking: use of social media and mobile device applications.

Status: 9/27/2018-Approved by the Governor. Chaptered by Secretary of State - Chapter 807, Statutes of 2018.

Summary: The California Healthy Youth Act requires school districts to ensure that all pupils in grades 7 to 12, inclusive, receive comprehensive sexual health education and human immunodeficiency virus (HIV) prevention education, as specified. Under the act, this instruction includes, among other things, information about human trafficking, as specified. This bill would require the information about human trafficking to also include information on how social media and mobile device applications are used for human trafficking. By imposing additional duties on school districts, the bill would impose a state-mandated local program.

Position: Watch

OTHER

AB 2055 (Levine D) Legislative ethics: harassment: education: lobbying.

Status: 9/30/2018-Approved by the Governor. Chaptered by Secretary of State - Chapter 964, Statutes of 2018.

Summary: Current law requires the legislative ethics committees of each house of the Legislature to conduct at least semiannually an orientation course on the relevant ethical issues and law related to lobbying. This bill would require that orientation course to include information on each house of the Legislature's policies against harassment, including sexual harassment, in connection with lobbying activities.

Position: Staff - watch

PRIVACY

AB 375 (Chau D) Privacy: personal information: businesses.

Status: 6/28/2018-Chaptered by Secretary of State- Chapter 55, Statutes of 2018

Summary: Would enact the California Consumer Privacy Act of 2018. Beginning January 1, 2020, the bill would grant a consumer a right to request a business to disclose the categories and specific pieces of personal information that it collects about the consumer, the categories of sources from which that information is collected, the business purposes for collecting or selling the information, and the categories of 3rd parties with which the information is shared. The bill would require a business to make disclosures about the information and the purposes for which it is used.

Position: Staff - watch

AB 1906 (Irwin D) Information privacy: connected devices.

Status: 9/28/2018-Approved by the Governor. Chaptered by Secretary of State - Chapter 860, Statutes of 2018.

Summary: Would, beginning on January 1, 2020, require a manufacturer of a connected device, as those terms are defined, to equip the device with a reasonable security feature or features that are appropriate to the nature and function of the device, appropriate to the information it may collect, contain, or transmit, and designed to protect the device and any information contained therein from unauthorized access, destruction, use, modification, or disclosure, as specified.

Position: Staff - watch

SB 244 (Lara D) Privacy: personal information.

Status: 9/28/2018-Approved by the Governor. Chaptered by Secretary of State. Chapter 885, Statutes of 2018.

Summary: Current law authorizes the Department of Motor Vehicles to issue an identification card to any person attesting to the true full name, correct age, and other identifying data as certified by the applicant for the identification card ready detection. This bill would require that information or documents obtained by a city, county, or other local agency for the purpose of issuing a local identification card be used only for the purposes of administering the identification card program or policy.

Position: Support

SB 327 (Jackson D) Information privacy: connected devices.

Status: 9/28/2018-Approved by the Governor. Chaptered by Secretary of State. Chapter 886, Statutes of 2018.

Summary: Would, beginning on January 1, 2020, require a manufacturer of a connected device, as those terms are defined, to equip the device with a reasonable security feature or features that are appropriate to the nature and function of the device, appropriate to the information it may collect, contain, or transmit, and designed to protect the device and any information contained therein from unauthorized access, destruction, use, modification, or disclosure, as specified.

Position: Staff - watch

SB 1036 (Willk R) Local educational agencies: minutes of meetings of governing bodies: inclusion of directory information and personal information of pupils and parents or guardians of pupils.

Status: 9/26/2018-Approved by the Governor. Chaptered by Secretary of State. Chapter 788, Statutes of 2018.

Summary: Would prohibit the inclusion of directory information, as defined, and personal information, as defined, of a pupil or of the parent or guardian of a pupil in the minutes of a meeting of the governing body, as defined, of a local educational agency, as defined, if a pupil who is 18 years of age or older or a parent or guardian of a pupil has provided a written request to the secretary or clerk of the governing body to exclude his or her personal information or the name of his or her minor child, as specified. To the extent the bill would add to the duties of local educational agencies, it would impose a state-mandated local program.

Position: Watch

PUPIL SERVICES (COUNSELING/STUDENT | MENTAL HEALTH)

AB 2022 (Chu D) Pupil mental health services: school notification.

Status: 9/18/2018-Approved by the Governor. Chaptered by Secretary of State - Chapter 484, Statutes of 2018.

Summary: Would require a school of a school district or county office of education and a charter school to notify pupils and parents or guardians of pupils no less than twice during the school year how to initiate access to available pupil mental health services on campus or in the community, or both, as provided. By imposing an additional requirement on schools of school districts and county offices of education and charter schools, the bill would impose a state-mandated local program.

Position: Neutral

AB 2423 (Holden D) Physical therapists: direct access to services: plan of care approval.

Status: 9/26/2018-Approved by the Governor. Chaptered by Secretary of State - Chapter 761, Statutes of 2018.

Summary: The Physical Therapy Practice Act authorizes a patient to access physical therapy treatment directly from a licensed physical therapist if the treatment is within the scope of practice of physical therapists and

prescribed conditions are met, including a treatment limit prohibiting the physical therapist from continuing treatment beyond 45 calendar days or 12 visits, whichever occurs first, without receiving specified doctor approval of the physical therapist's plan of care. The act exempts from that plan of care approval condition for continuing treatment the provision of certain wellness physical therapy services to a patient. This bill would also exempt from that condition the provision of physical therapy services as part of an individualized family service plan or an individualized education plan pursuant to specified state statutes and the federal Individuals with Disabilities Education Act to an individual who does not have a medical diagnosis.

Position: Support

AB 2608 (Stone, Mark D) Licensed Mental Health Service Provider Education Program: former foster youth.

Status: 9/20/2018-Approved by the Governor. Chaptered by Secretary of State - Chapter 585, Statutes of 2018.

Summary: Current law authorizes any licensed mental health service provider, as defined, including a marriage and family therapist, associate marriage and family therapist, licensed clinical social worker, and associate clinical social worker, who provides direct patient care in a publicly funded facility or a mental health professional shortage area, as defined, to apply for grants under the Licensed Mental Health Service Provider Education Program to reimburse his or her educational loans related to a career as a licensed mental health service provider, as specified. This bill would require an account to be created within the Mental Health Practitioner Education Fund and, upon appropriation by the Legislature, would require moneys in that account to be used solely to fund grants to repay educational loans for applicants who commit to practice in specified facilities for at least 24 months, who are marriage and family therapists, associate marriage and family therapists, licensed clinical social workers, associate clinical social workers, licensed professional clinical counselors, or associate professional clinical counselors, and who were formerly in California's foster youth care system.

Position: Staff - watch

AB 2639 (Berman D) Pupil suicide prevention policies: reviews: updates.

Status: 9/17/2018-Approved by the Governor. Chaptered by Secretary of State - Chapter 437, Statutes of 2018.

Summary: Would require the governing board or body of a local educational agency that serves pupils in grades 7 to 12, inclusive, to review, at minimum every 5th year, its policy on pupil suicide prevention and, if necessary, update its policy. By imposing additional duties on local educational agencies, the bill would impose a state-mandated local program.

Position: Support

AB 3082 (Gonzalez Fletcher D) In-home supportive services.

Status: 9/30/2018-Approved by the Governor. Chaptered by Secretary of State - Chapter 948, Statutes of 2018.

Summary: Would require the State Department of Social Services, in consultation with interested stakeholders, to develop, or otherwise identify, standard educational material about sexual harassment and the prevention thereof to be made available to IHSS providers and recipients and a proposed method for uniform data collection to identify the prevalence of sexual harassment in the IHSS program. The bill would require the department, on or before September 30, 2019, to provide a copy of the educational material and a description of the proposed method for uniform data collection to the relevant budget and policy committees of the Legislature.

Position: Staff - watch

SB 972 (Portantino D) Pupil and student health: identification cards: suicide prevention hotline telephone numbers.

Status: 9/17/2018-Approved by the Governor. Chaptered by Secretary of State. Chapter 460, Statutes of 2018.

Summary: Would require a public school, including a charter school, or a private school, that serves pupils in any of grades 7 to 12, inclusive, and that issues pupil identification cards to have printed on either side of the pupil identification cards the telephone number for the National Suicide Prevention Lifeline, and would authorize those schools to have printed on either side of the pupil identification cards the Crisis Text Line and a local suicide prevention hotline telephone number.

Position: Support

SB 1004 (Wiener D) Mental Health Services Act: prevention and early intervention.

Status: 9/27/2018-Approved by the Governor. Chaptered by Secretary of State. Chapter 843, Statutes of 2018.

Summary: Would require the Mental Health Services Oversight and Accountability Commission, on or before January 1, 2020, to establish priorities for the use of prevention and early intervention funds and to develop a statewide strategy for monitoring implementation of prevention and early intervention services, including enhancing public understanding of prevention and early intervention and creating metrics for assessing the effectiveness of how prevention and early intervention funds are used and the outcomes that are achieved. The bill would require the commission to establish a strategy for technical assistance, support, and evaluation to support the successful implementation of the objectives, metrics, data collection, and reporting strategy.

Position: Staff - watch

ROC/P's | WORKFORCE PREPARATION | CAREER TECH EDUCATION

AB 3192 (O'Donnell D) LEA Medi-Cal billing option: program guide.

Status: 9/21/2018-Approved by the Governor. Chaptered by Secretary of State - Chapter 658, Statutes of 2018.

Summary: Would require the Department of Health Care Services, in consultation with the LEA Ad Hoc Workgroup, to issue and regularly maintain a program guide for the LEA Medi-Cal Billing Option program, as specified. The bill would require the department to distribute the program guide to all participating LEAs, charter schools, and community colleges by January 1, 2020. The bill would require the department to provide specific written notice prior to adopting a revision to the program guide and would further require the department to conduct an audit of a Medi-Cal billing option claim consistent with, among other things, the program guide, any revisions that are in effect at the time the service was provided, and specified principles and regulations.

Position: Support

ACR 164 (Cunningham R) Career Technical Education Month.

Status: 3/22/2018-Chaptered by Secretary of State- Chapter 26, Statutes of 2018

Summary: This measure would declare the month of February as Career Technical Education Month in the State of California.

Position: Staff - watch

SCHOOL CHOICE

AB 1825 (Committee on Budget) Education finance: constitutional minimum funding obligation: local control funding formula.

Status: 6/27/2018-Approved by the Governor. Chaptered by Secretary of State - Chapter 39, Statutes of 2018.

Summary: Under existing law, within 9 months following the end of a fiscal year, the Superintendent of Public Instruction and the Director of Finance, and the Chancellor of the California Community Colleges and the Director of Finance, are required to recalculate, as necessary, and jointly certify all actual data relating to school districts, and community college districts, for the prior fiscal year for purposes of the minimum funding requirements for school districts and community college districts imposed by Section 8 of Article XVI of the California Constitution. This bill would revise and recast those provisions, and provide specified procedures, including timelines, for the calculation, recalculation, and certification of the state's minimum funding obligation to school districts and community college districts required by the California Constitution.

Position: Staff - watch

AB 1962 (Wood D) Education finance: local control funding formula: unduplicated pupils: foster youth: dependent child of a tribal court.

Status: 9/26/2018-Approved by the Governor. Chaptered by Secretary of State - Chapter 748, Statutes of 2018.

Summary: Current law includes among unduplicated pupils, a pupil who is classified as an English learner, eligible for a free or reduced-price meal, or a foster youth, as defined, and requires county superintendents of schools, school districts, and charter schools to submit and report data relating to these pupils. This bill, no later than the 2020–21 fiscal year, would include in that definition of “foster youth” a dependent child of a court of an Indian tribe, consortium of tribes, or tribal organization who is the subject of a petition filed in the tribal court in

accordance with the tribe's law, provided the child would also meet one of the descriptions of specified existing law describing when a child may be adjudged a dependent child of the juvenile court.

Position: Approve

AB 2235 (Quirk-Silva D) County community schools: funding.

Status: 7/16/2018-Approved by the Governor. Chaptered by Secretary of State - Chapter 99, Statutes of 2018.

Summary: This bill would require the Superintendent of Public Instruction, commencing with the 2019–20 fiscal year, to transfer to the county, wherein a pupil is enrolled, the amount calculated for the school district of residence, as provided, for each unit of average daily attendance credited to the school district of residence. The bill would authorize the Superintendent to transfer an alternative amount for each unit of average daily attendance credited to the school district of residence if the school district of residence and the county superintendent of schools agree to the alternative amount and report it to the Superintendent under procedures and timeframes established by the Superintendent.

Position: Watch

SB 1321 (Monning D) School finance: necessary small schools.

Status: 9/21/2018-Approved by the Governor. Chaptered by Secretary of State. Chapter 664, Statutes of 2018.

Summary: Would include in the definition of “necessary small school” an elementary school with an average daily attendance of less than 97 pupils, excluding pupils attending the 7th and 8th grades of a junior high school, maintained by a school district with more than 2,500 and fewer than 5,001 units of 2nd principal apportionment average daily attendance in which as many as 15 pupils residing in the school district and attending kindergarten and grades 1 to 8, inclusive, excluding pupils attending the 7th and 8th grades of a junior high school, in the elementary school with an average daily attendance of less than 97 pupils would be required to travel more than 30 miles one way from a point on a well-traveled road nearest their home to the nearest other public elementary school.

Position: Disapprove

SCHOOL FINANCE | LCFF | PARCEL TAXES

AB 235 (O'Donnell D) Apprenticeship and preapprenticeship.

Status: 9/22/2018-Approved by the Governor. Chaptered by Secretary of State - Chapter 704, Statutes of 2018.

Summary: Would establish the Interagency Advisory Committee on Apprenticeship (committee) within the Division of Apprenticeship Standards, and would require that committee to provide advice and guidance to the Administrator of Apprenticeship and the chief on apprenticeship programs, standards, and agreements, as well as preapprenticeship, certification, and on-the-job training and retraining programs, in nonbuilding trades industries. The bill would require the membership of the committee to be composed of specified ex officio members of various departments and 6 persons appointed by the Secretary of Labor and Workforce Development who are familiar with specified apprenticeable occupations that meet specified requirements.

Position: Support if amended

AB 1825 (Committee on Budget) Education finance: constitutional minimum funding obligation: local control funding formula.

Status: 6/27/2018-Approved by the Governor. Chaptered by Secretary of State - Chapter 39, Statutes of 2018.

Summary: Under existing law, within 9 months following the end of a fiscal year, the Superintendent of Public Instruction and the Director of Finance, and the Chancellor of the California Community Colleges and the Director of Finance, are required to recalculate, as necessary, and jointly certify all actual data relating to school districts, and community college districts, for the prior fiscal year for purposes of the minimum funding requirements for school districts and community college districts imposed by Section 8 of Article XVI of the California Constitution. This bill would revise and recast those provisions, and provide specified procedures, including timelines, for the calculation, recalculation, and certification of the state's minimum funding obligation to school districts and community college districts required by the California Constitution.

Position: Staff - watch

AB 1962 (Wood D) Education finance: local control funding formula: unduplicated pupils: foster youth: dependent child of a tribal court.

Status: 9/26/2018-Approved by the Governor. Chaptered by Secretary of State - Chapter 748, Statutes of 2018.

Summary: Current law includes among unduplicated pupils, a pupil who is classified as an English learner, eligible for a free or reduced-price meal, or a foster youth, as defined, and requires county superintendents of schools, school districts, and charter schools to submit and report data relating to these pupils. This bill, no later than the 2020–21 fiscal year, would include in that definition of “foster youth” a dependent child of a court of an Indian tribe, consortium of tribes, or tribal organization who is the subject of a petition filed in the tribal court in accordance with the tribe’s law, provided the child would also meet one of the descriptions of specified existing law describing when a child may be adjudged a dependent child of the juvenile court.

Position: Approve

AB 2235 (Quirk-Silva D) County community schools: funding.

Status: 7/16/2018-Approved by the Governor. Chaptered by Secretary of State - Chapter 99, Statutes of 2018.

Summary: This bill would require the Superintendent of Public Instruction, commencing with the 2019–20 fiscal year, to transfer to the county, wherein a pupil is enrolled, the amount calculated for the school district of residence, as provided, for each unit of average daily attendance credited to the school district of residence. The bill would authorize the Superintendent to transfer an alternative amount for each unit of average daily attendance credited to the school district of residence if the school district of residence and the county superintendent of schools agree to the alternative amount and report it to the Superintendent under procedures and timeframes established by the Superintendent.

Position: Watch

SB 1321 (Monning D) School finance: necessary small schools.

Status: 9/21/2018-Approved by the Governor. Chaptered by Secretary of State. Chapter 664, Statutes of 2018.

Summary: Would include in the definition of “necessary small school” an elementary school with an average daily attendance of less than 97 pupils, excluding pupils attending the 7th and 8th grades of a junior high school, maintained by a school district with more than 2,500 and fewer than 5,001 units of 2nd principal apportionment average daily attendance in which as many as 15 pupils residing in the school district and attending kindergarten and grades 1 to 8, inclusive, excluding pupils attending the 7th and 8th grades of a junior high school, in the elementary school with an average daily attendance of less than 97 pupils would be required to travel more than 30 miles one way from a point on a well-traveled road nearest their home to the nearest other public elementary school.

Position: Disapprove

SCHOOL SAFETY

AB 1747 (Rodriguez D) School safety plans.

Status: 9/27/2018-Approved by the Governor. Chaptered by Secretary of State - Chapter 806, Statutes of 2018.

Summary: Would provide that it is the intent of the Legislature that all public schools, in kindergarten, and grades 1 to 12, inclusive, operated by school districts, including in cooperation with classified employees, develop a comprehensive school safety plan, and that all school staff be trained on this plan.

Position: Support

AB 2044 (Stone, Mark D) Domestic violence: family court.

Status: 9/30/2018-Approved by the Governor. Chaptered by Secretary of State - Chapter 941, Statutes of 2018.

Summary: Current law requires a family court to determine the best interests of the child for purposes of deciding child custody in proceedings for dissolution of marriage, nullity of marriage, legal separation of the parties, petitions for exclusive custody of a child, and proceedings under the Domestic Violence Prevention Act. In making that determination, current law requires the court to consider specified factors, including whether either of the child’s parents habitually or continually uses alcohol or illegal drugs. This bill would require the court to make the determination consistent with specified findings.

Position: Staff - watch

AB 2291 (Chiu D) School safety: bullying.

Status: 9/18/2018-Approved by the Governor. Chaptered by Secretary of State - Chapter 491, Statutes of 2018.

Summary: Would require local educational agencies, as defined, to adopt, on or before December 31, 2019, procedures for preventing acts of bullying, including cyberbullying. By imposing additional duties on local educational agencies, the bill would impose a state-mandated local program.

Position: Watch

AB 2657 (Weber D) Pupil discipline: restraint and seclusion.

Status: 9/30/2018-Approved by the Governor. Chaptered by Secretary of State - Chapter 998, Statutes of 2018.

Summary: Would authorize an educational provider, as defined, to use behavioral restraints, which includes physical and mechanical restraints, or seclusion, as defined, only to control behavior that poses a clear and present danger of serious physical harm to the pupil or others that cannot be immediately prevented by a response that is less restrictive, and if other specified conditions are met. The bill would prohibit an educational provider from using a behavioral restraint or seclusion in certain circumstances, including, but not limited to, using seclusion or a behavioral restraint for the purpose of coercion, discipline, convenience, or retaliation, and would prohibit the use of certain restraint and seclusion techniques.

Position: Watch

SB 1104 (Roth D) Pupil safety: human trafficking prevention resources.

Status: 9/27/2018-Approved by the Governor. Chaptered by Secretary of State. Chapter 848, Statutes of 2018.

Summary: Would require the governing board of a school district and the governing body of a charter school to work with their schools that maintain any of grades 6 to 12, inclusive, to identify the most appropriate methods of informing parents and guardians of pupils in those grades of human trafficking prevention resources and to implement the identified methods in those schools by January 1, 2020.

Position: Seek to amend

SPECIAL EDUCATION

AB 2580 (Cunningham R) Special education: due process hearings: extension of hearings: good cause.

Status: 9/28/2018-Approved by the Governor. Chaptered by Secretary of State - Chapter 874, Statutes of 2018.

Summary: Current law enumerates the requirements for state hearings regarding whether an individual with exceptional needs received a free appropriate public education, including the requirement that upon completion of the hearing, a written, reasoned decision be mailed to all parties to the hearing, as provided. Current law authorizes either party to the hearing to request that the hearing officer grant an extension and requires the extension to be granted upon a showing of good cause. This bill would require the hearing officer to apply a certain rule of court in making a determination of what constitutes good cause and would authorize a 2nd or subsequent extension to be granted for good cause or any other purpose at the discretion of the hearing officer.

Position: Approve

AB 3223 (Grayson D) Special education: visually impaired pupils: braille: Unified English Braille.

Status: 7/9/2018-Approved by the Governor. Chaptered by Secretary of State - Chapter 85, Statutes of 2018.

Summary: Current law requires local educational agencies to provide opportunities for braille instruction for pupils who, due to a prognosis of visual deterioration, may be expected to have a need for braille as a reading medium. Current law defines braille for these purposes as the system of reading and writing through touch commonly known as "Standard English Braille, American Edition." This bill would instead define braille as the system of reading and writing through touch commonly known as Unified English Braille.

Position: Watch

AB 3224 (Thurmond D) Public social services: county employees.

Status: 8/20/2018-Approved by the Governor. Chaptered by Secretary of State - Chapter 179, Statutes of 2018.

Summary: Would require that any decisions governing eligibility for Medi-Cal, CalWORKs, or CalFresh that, in California, are made by a county pursuant to provisions relating to public social services be made exclusively by a

merit or civil service employee of the county. The bill would also include a statement of legislative findings and declarations.

Position: Staff - watch

STATE BUDGET

AB 105 (Committee on Budget) Budget Act of 2017.

Status: 3/13/2018-Approved by the Governor. Chaptered by Secretary of State - Chapter 5, Statutes of 2018.

Summary: The Budget Act of 2017 made appropriations for the support of state government for the 2017–18 fiscal year. Among other things, the act appropriated \$7,000,000 from the General Fund for grants for cities and counties that participate in the federal Local Update of Census Addresses Program and for the Department of Finance to use for costs related to hiring a Census Outreach Coordinator for specified fiscal years. This bill would instead authorize the \$7,000,000 to be used for the grants and, up to 5% of the appropriation, for administrative costs to support the federal Local Update of Census Addresses Program and other activities related to the 2020 federal decennial census.

Position: Staff - watch

AB 108 (Committee on Budget) Education: Child care: individualized county child care subsidy plans: the Every Kid Counts (EKC) Act.

Status: 3/13/2018-Approved by the Governor. Chaptered by Secretary of State - Chapter 7, Statutes of 2018.

Summary: Current law requires the Superintendent of Public Instruction to develop standards for the implementation of quality child care programs. Current law authorizes the Counties of Alameda, Contra Costa, Fresno, Marin, Monterey, San Benito, San Diego, Santa Clara, Santa Cruz, Solano, and Sonoma, as individual pilot projects, to develop an individualized county child care subsidy plan, as provided. Current law repeals each of these pilot programs on specified dates. This bill would repeal, recast, and revise the law relating to the above-specified counties' individualized subsidy plans and make related conforming changes, as provided. The bill would extend the operative dates of the individualized pilot programs by 6 months.

Position: Staff - watch

AB 1808 (Committee on Budget) Education finance: education omnibus trailer bill.

Status: 6/27/2018-Approved by the Governor. Chaptered by Secretary of State - Chapter 32, Statutes of 2018.

Summary: This education finance trailer budget bill describes key investments in preschool through 12th grade and adult education. There are specific eligibility requirements and application criteria for many of these competitive grants that will be available for local educational agencies to apply in the coming months. these new one-time investments include, but is not limited to:

- \$300 million for to a new Low-Performing Students Block Grant to be used for evidence-based services that directly support pupil academic achievement.
- \$167 million for grants to LEAs to increase access to subsidized early care and education programs for children from ages zero to five, with a priority in inclusive early care.
- \$100 million for grants to school districts that lack the facilities to provide full-day kindergarten.
- \$75 million for locally sponsored teacher residency programs for shortage subject areas.
- \$50 million for competitive grants to LEAs to develop and implement new, or to expand existing, locally identified solutions that address a need for special education teachers.
- \$50 million for a Classified Employee Professional Development Block Grant Program.
- \$50 million for a Classified School Employee Summer Assistance Program.

Position: Staff - watch

AB 1809 (Committee on Budget) Higher education trailer bill.

Status: 6/27/2018-Approved by the Governor. Chaptered by Secretary of State - Chapter 33, Statutes of 2018.

Summary: Current law authorizes the board of governors, to the extent that funds are available, to establish certain internship training programs and to actively support apprenticeship training programs in collaboration with

the Division of Apprenticeship Standards of the Department of Industrial Relations. Existing law requires the Chancellor of the California Community Colleges to allocate funds for approved apprenticeship programs in good standing and, upon appropriation by the Legislature, to allocate funds solely for the purposes of reimbursing community colleges. This bill would authorize, if reimbursement is not claimed pursuant to the above provision relating to apprenticeship program reimbursement, the attendance of apprentices enrolled in any class offered for community college credit by a community college in collaboration with an apprenticeship program sponsor to be reimbursed, as prescribed, as part of a specified budget formula developed by the board of governors.

Position: Staff - watch

AB 1830 (Committee on Budget) Budget Deficit Savings Account: Safety Net Reserve Fund.

Status: 6/27/2018-Approved by the Governor. Chaptered by Secretary of State - Chapter 42, Statutes of 2018.

Summary: Would require deposits to the Budget Stabilization Account for the 2018–19 fiscal year, above the amounts required by existing provisions of the California Constitution, as defined and appropriated in the 2018 Budget Act, to be transferred from the General Fund to the Budget Deficit Savings Account, which the bill would establish in the State Treasury. The bill would require the Controller to transfer certain moneys from the Budget Deficit Savings Account to the Budget Stabilization Account, based on an updated projection as calculated by the of Finance, upon order of that department no earlier than May 31, 2019.

Position: Staff - watch

AB 1840 (Committee on Budget) Education finance.

Status: 9/17/2018-Approved by the Governor. Chaptered by Secretary of State - Chapter 426, Statutes of 2018.

Summary: *This bill includes revisions to the 2018-19 state budget trailer bill with major provisions related to preschool through K-12. Specifically, this bill contains amendments to the process for appointment of trustees/administrators to districts in fiscal distress who become under state receivership, extends the deadline for installation of child safety alert systems in school buses, and requires increased fiscal transparency in the LCAP templates commencing in 2020-21. The State Board of Education is tasked with making modifications to the LCAP template on or before January 31, 2020 with particular emphasis on the expenditure tables within the “Goals, Actions and Services” and the “Demonstration of Increased or Improved Services.” ACSA will be seeking input from members when these public discussions begin.*

Position: Staff - watch

SB 840 (Mitchell D) Budget Act of 2018.

Status: 6/27/2018-Approved by the Governor. Chaptered by Secretary of State. Chapter 29, Statutes of 2018.

Summary: This bill would make appropriations for the support of state government for the 2018–19 fiscal year. This bill would declare that it is to take effect immediately as a Budget Bill.

Position: Seek to amend

SB 866 (Committee on Budget and Fiscal Review) Employment.

Status: 6/27/2018-Approved by the Governor. Chaptered by Secretary of State. Chapter 53, Statutes of 2018.

Summary: Current law prescribes various duties of the Controller in connection with deductions requested by employee organizations and other bona fide organizations regarding requests for deductions from the salaries and wages of their members. Current law prescribes the duties of the governing boards of school districts in regard to requests by certificated and classified employees for deductions from their salaries and wages and prescribes similar duties for the governing boards of community college districts with respect to academic and classified employees. Current law authorizes a trial court employee or interpreter to permit a dues deduction from his or her salary in the same manner provided to public agency employees pursuant to specified law applicable to the state and the Controller, as specified. This bill would revise and recast these provisions.

Position: Oppose

STRs | PERs | PENSIONS

AB 1912 (Rodriguez D) Public employees' retirement: joint powers agreements: liability.

Status: 9/29/2018-Approved by the Governor. Chaptered by Secretary of State - Chapter 909, Statutes of 2018.

Summary: The Joint Exercise of Powers Act generally authorizes 2 or more public agencies, by agreement, to jointly exercise any common power. Under the act, if an agency is not one or more of the parties to the agreement but is a public entity, commission, or board constituted pursuant to the agreement, the debts, liabilities, and obligations of the agency are the debts, liabilities, and obligations of the parties to the agreement, unless the agreement specifies otherwise. This bill would specify that the parties to the joint powers agreement may not specify otherwise with respect to retirement liabilities of the agency if the agency contracts with a public retirement system, and would eliminate an authorization for a party to a joint powers agreement to separately contract or assume responsibilities for specific debts, liabilities, or obligations of the agency.

Position: Staff - watch

AB 2052 (Bonta D) State Teachers' Retirement System: contributions due to system: form.

Status: 7/18/2018-Approved by the Governor. Chaptered by Secretary of State - Chapter 125, Statutes of 2018.

Summary: Would upon authorization by the Teachers' Retirement Board, require contributions due to the system by an employer under the Defined Benefit Program and the Cash Balance Benefit Program to be paid by an electronic funds transfer method through an automated clearinghouse, as defined, as prescribed by the board. The bill would permit an employer that is unable, for good cause, to comply with this requirement to apply to the board for a waiver that would allow the employer to pay in an alternate manner.

Position: Approve

AB 2196 (Cooper D) Public employees' retirement: service credit: payments.

Status: 8/20/2018-Approved by the Governor. Chaptered by Secretary of State - Chapter 168, Statutes of 2018.

Summary: Under the Public Employees' Retirement Law, members may make certain elections, including elections to purchase service credit for various types of public service, upon payment of additional contributions. Current law permits a member who retires before paying off the entire amount for service credit to pay the balance due or total amount if no payroll deductions had been made prior to retirement by deductions from his or her retirement allowance equal to those authorized as payroll deductions, as specified. The bill would permit the member, survivor, or beneficiary, as an alternative, on or after January 1, 2020, to elect to receive an allowance that is reduced by the actuarial equivalent of any balance remaining unpaid by the member.

Position: Staff - watch

AB 2310 (Aguiar-Curry D) Public Employees' Retirement System: contracting members.

Status: 8/27/2018-Approved by the Governor. Chaptered by Secretary of State - Chapter 213, Statutes of 2018.

Summary: Under PERL, a contracting agency and its employees may agree in writing to share the costs of the employer contribution in accordance with specified procedures. Current law requires, in these circumstances, the collective bargaining agreement for a contracting agency and its employees to specify the exact percentage of member compensation that is to be paid toward the current service costs of the benefits by members. This bill would revise that provision to also refer to a memorandum of understanding ratified by the employee bargaining unit and the governing body of the contracting agency.

Position: Staff - watch

AB 2415 (Calderon D) Public Employees' Retirement System: officers and directors: appointment and compensation.

Status: 9/29/2018-Approved by the Governor. Chaptered by Secretary of State - Chapter 916, Statutes of 2018.

Summary: The Public Employees' Retirement Law requires the Board of Administration to appoint and fix the compensation of an executive officer, a general counsel, a chief actuary, a chief investment officer, a chief financial officer and other investment officers and portfolio managers, as specified. PERL requires that specified principles guide the board when fixing compensation, consistent with its fiduciary responsibility to recruit and retain highly qualified and effective employees for these positions. This bill would additionally require the board to appoint and fix the compensation of a chief operating officer and a chief health director.

Position: Neutral

AJR 41 (Thurmond D) Social Security.

Status: 8/28/2018-Chaptered by Secretary of State- Chapter 197, Statutes of 2018

Summary: This measure would request the Congress of the United States to enact, and the President to sign, legislation that would repeal the Government Pension Offset and the Windfall Elimination Provision from the Social Security Act.

Position: Support

SB 964 (Allen D) Public Employees' Retirement Fund and Teachers' Retirement Fund: investments: climate-related financial risk.

Status: 9/23/2018-Approved by the Governor. Chaptered by Secretary of State. Chapter 731, Statutes of 2018.

Summary: Current statutory law establishes various public employee retirement systems and provides for the administration of the State Teachers' Retirement System by the Teachers' Retirement Board and for the administration of the Public Employees' Retirement System, among other public employee retirement systems, by the Board of Administration of the Public Employees' Retirement System. This bill would, until January 31, 2035, require climate-related financial risk, as defined, to be analyzed to the extent the boards identify the risk as a material risk to the Public Employees' Retirement Fund or the Teachers' Retirement Fund.

Position: Staff - watch

SB 1022 (Pan D) Public Employees' Retirement System: administration.

Status: 9/23/2018-Approved by the Governor. Chaptered by Secretary of State. Chapter 732, Statutes of 2018.

Summary: The Public Employees' Retirement Law (PERL) vests the Board of Administration of the Public Employees' Retirement System with the responsibility of administering the Public Employees' Retirement System. PERL provides that data filed by a member or beneficiary with the board is confidential, subject to certain exceptions, and is to be used only for carrying PERL into effect. This bill would specify that the confidentiality provisions, described above, apply to the Public Employees Medical and Hospital Care Act, which the board also administers, and would make conforming changes to account for this and to account for school district and university employer categories currently in effect.

Position: Staff - watch

SB 1165 (Pan D) State teachers' retirement.

Status: 9/14/2018-Approved by the Governor. Chaptered by Secretary of State. Chapter 416, Statutes of 2018.

Summary: Current law, applicable to both the Defined Benefit Program and the Cash Balance Benefit Program, defines "school year" as the fiscal year or the academic year. Current law defines "school term" with reference to a minimum period of time that creditable service is required to be performed by a member employed on a full-time basis, subject to certain exclusions. Under current law, the "school term" is the same for members employed less than full-time who perform the same duties as members employed on a full-time basis. This bill would redefine "school year" as the period of time beginning on July 1 of one calendar year and ending on June 30 of the following calendar year.

Position: Staff - watch

SB 1270 (Vidak R) County employees' retirement: system personnel.

Status: 7/16/2018-Approved by the Governor. Chaptered by Secretary of State. Chapter 114, Statutes of 2018.

Summary: CERL authorizes the retirement boards of 5 specified counties to appoint assistant administrators and chief investment officers who, following appointment, are outside county charter, civil service, and merit system rules, except as specified. CERL provides that these administrators and officers are employees of the county, as specified, while serving at the pleasure of the appointing boards, and that they may be dismissed without cause. This bill would apply these provisions to any county if the board of supervisors for that county, by resolution adopted by majority vote, makes those provisions applicable in the county.

Position: Staff - watch

TAX CREDIT | TAX POLICY

AB 2458 (Weber D) Qualified special taxes: exemption: information.

Status: 9/14/2018-Approved by the Governor. Chaptered by Secretary of State - Chapter 391, Statutes of 2018.

Summary: Current law authorizes school districts to impose qualified special taxes, subject to specified constitutional and statutory provisions, such as a parcel tax and authorizes a school district to enter into an agreement with the county to collect any special tax on behalf of the district. This bill would, commencing on January 1, 2020, require a school district that provides for an exemption from a qualified special tax as specified, and contracts or enters into an agreement with the county to collect the qualified special tax within the district, is required to annually provide certain transparency information relating to that exemption to the county tax collector.

Position: Disapprove

AB 2944 (Jones-Sawyer D) Personal income taxes: voluntary contributions: Schools Not Prisons Voluntary Tax Contribution Fund.

Status: 9/17/2018-Approved by the Governor. Chaptered by Secretary of State - Chapter 441, Statutes of 2018.

Summary: Would allow an individual to designate on his or her tax return that a specified amount in excess of his or her personal income tax liability be transferred to the Schools Not Prisons California Voluntary Tax Contribution Fund, which would be created by this bill. The bill would conform with those aforementioned administrative requirements by continuously appropriating those funds to the Franchise Tax Board, the Controller, and the State Department of Education for administrative costs and to the State Department of Education for the distribution of grants to nonprofit public charities in California to fund academic and career readiness programs that seek to break the school-to-prison pipeline, as specified.

Position: Watch

SB 1246 (Gaines R) Property tax: claims for refund.

Status: 9/11/2018-Approved by the Governor. Chaptered by Secretary of State. Chapter 358, Statutes of 2018.

Summary: Current property tax law requires property taxes to be refunded to the taxpayer or last recorded owner, as provided, under specified circumstances and requires that a refund only be made pursuant to a claim for refund. Current law requires the claim to be verified by the person who paid the tax, including his or her guardian, executor, or administrator. This bill would additionally provide for verification of a claim by the trustee of the person who paid the tax.

Position: Staff - watch

TECHNOLOGY

AB 1999 (Chau D) Local government: public broadband services.

Status: 9/30/2018-Approved by the Governor. Chaptered by Secretary of State - Chapter 963, Statutes of 2018.

Summary: Would expressly authorize a county service area to acquire, construct, improve, maintain, and operate broadband Internet access services, and would require a county service area that does so to take certain actions regarding the accessing of content on the Internet by end users of that service, as specified.

Position: Staff - approve

AB 2511 (Chau D) The Parent's Accountability and Child Protection Act.

Status: 9/28/2018-Approved by the Governor. Chaptered by Secretary of State - Chapter 872, Statutes of 2018.

Summary: Current law prohibits an operator of an Internet Web site, online service, online application, or mobile application, as specified, from marketing or advertising specified types of products or services to a minor. Current law also makes it unlawful for any person to sell specified products or services to a minor or requires permission from a parent or legal guardian in order to sell to a minor. Under existing law, generally a minor may make a contract in the same manner as an adult. This bill, commencing on January 1, 2020, would require a person or business that conducts business in California and that seeks to sell specified products or services, to take reasonable steps, as specified, to ensure that the purchaser is of legal age at the time of purchase or delivery, including, but not limited to, verifying the age of the purchaser.

Position: Staff - watch

AB 3067 (Chau D) Internet: marketing: minors: cannabis.

Status: 9/11/2018-Approved by the Governor. Chaptered by Secretary of State - Chapter 347, Statutes of 2018.

Summary: Would prohibit an operator of an Internet Web site, online service, online application, or mobile application directed to minors, or an advertising service that is notified by an operator that the site, service, or application is directed to minors, from marketing or advertising any cannabis, cannabis product, cannabis business, or cannabis-related instrument or paraphernalia on the Internet Web site, online service, online application, or mobile application.

Position: Support

SB 929 (McGuire D) Special districts: Internet Web sites.

Status: 9/14/2018-Approved by the Governor. Chaptered by Secretary of State. Chapter 408, Statutes of 2018.

Summary: The California Public Records Act requires a local agency to make public records available for inspection and allows a local agency to comply by posting the record on its Internet Web site and directing a member of the public to the Internet Web site, as specified. This bill would, beginning on January 1, 2020, require every independent special district to maintain an Internet Web site that clearly lists contact information for the special district, except as provided. Because this bill would require local agencies to provide a new service, the bill would impose a state-mandated local program.

Position: Staff – watch

TRANSPORTATION

AB 1798 (Chu D) Schoolbuses: passenger restraint systems.

Status: 8/27/2018-Approved by the Governor. Chaptered by Secretary of State - Chapter 206, Statutes of 2018.

Summary: Would require that, on or before July 1, 2035, all schoolbuses in use in California be equipped with a passenger restraint system, as defined. Because a violation of the bill's requirements would be a crime, the bill would impose a state-mandated local program.

Position: Disapprove

WORKER'S COMPENSATION

AB 2046 (Daly D) Workers' compensation insurance fraud reporting.

Status: 9/23/2018-Approved by the Governor. Chaptered by Secretary of State - Chapter 709, Statutes of 2018.

Summary: Current law requires that funds appropriated by the Legislature that are not expended in the fiscal year for which they have been appropriated, and that have not been allocated to district attorneys, be applied to satisfy for the immediately following fiscal year the minimum total amount required. This bill would instead authorize, rather than require, funds appropriated by the Legislature that are not expended in the fiscal year for which they have been appropriated, and that have not been allocated to the district attorneys, to be applied to satisfy for the immediately following fiscal year the minimum total amount required, or, subject to appropriation by the Legislature, to be used to augment funding in the immediately following fiscal year.

Position: Staff - watch

SB 880 (Pan D) Workers' compensation.

Status: 9/23/2018-Approved by the Governor. Chaptered by Secretary of State. Chapter 730, Statutes of 2018.

Summary: Would, until January 1, 2023, authorize an employer, with the written consent of the employee, to deposit disability indemnity payments for the employee in a prepaid card account that meets specified requirements, including, among other things, allowing the employee reasonable access to in-network automatic teller machines. The bill would require employers to provide all necessary aggregated data on their prepaid account programs to the Commission on Health and Safety and Workers' Compensation upon request, and would require the commission to issue a report on or before December 1, 2022, to the Legislature regarding payments made to those prepaid card accounts, as specified.

Position: Staff – watch

SIGNIFICANT LEGISLATION **NOT** SIGNED

The following section summarizes notable legislation impacting schools that was passed by the legislature but vetoed by Governor Jerry Brown in 2018.

ACCOUNTABILITY

AB 3188 (Thurmond D) School accountability: local control and accountability plans: state priorities: pupil achievement.

Status: 9/27/2018-Vetoed by Governor.

Summary: Current law requires a local control and accountability plan to include, among other things, a description of the annual goals to be achieved for each state priority, as specified, for all pupils and certain subgroups of pupils. This bill would require pupil achievement to be measured by, and as applicable, among other things required by current law, the percentage of pupils who have successfully completed (1) courses that satisfy the requirements for entrance to the University of California and the California State University; or (2) career technical education sequences or programs of study that align with state board-approved career technical education standards and frameworks, as prescribed; or (3) to the extent possible, both (1) and (2).

Governor's Message: To the Members of the California State Assembly: I am returning Assembly Bill 3188 without my signature. This bill requires all local schools to report on their student population that meets both the requirements for entrance to the University of California and the California State University, which include A-G requirements and career-technical education sequences. Local schools already have the flexibility to report this data in their Local Control Accountability Plan and a number are already doing so. Sincerely, Edmund G. Brown Jr.

ACSA Position: Disapprove

ALTERNATIVES TO DISCIPLINE

SB 607 (Skinner D) Pupil discipline: suspensions and expulsions: willful defiance.

Status: 9/30/2018-Vetoed by the Governor. In Senate. Consideration of Governor's veto pending.

Summary: Current law prohibits the suspension of a pupil enrolled in kindergarten or any of grades 1 to 3, inclusive, and recommending the expulsion of a pupil enrolled in kindergarten or any of grades 1 to 12, inclusive, for disrupting school activities or otherwise willfully defying the valid authority of those school personnel engaged in the performance of their duties. This bill, commencing July 1, 2019, would also prohibit the suspension of a pupil enrolled in grades 4 and 5 for disrupting school activities or otherwise willfully defying the valid authority of those school personnel engaged in the performance of their duties.

Governor's Message: To the Members of the California State Senate: I am returning Senate Bill 607 without my signature. This bill would permanently eliminate the authority to suspend or recommend for expulsion a student in grades 4-5 who willfully disrupts school activities or defies the valid authority of school officials, and prohibits – until July 1, 2023 – the suspension of a student in grades 6-8 for that same misconduct. These prohibitions would apply to charter schools. Teachers and principals are on the front lines educating our children and are in the best position to make decisions about order and discipline in the classroom. That's why I vetoed a similar bill in 2012. In addition, I just approved \$15 million in the 2018 Budget Act to help local schools improve their disciplinary practices. Let's give educators a chance to invest that money wisely before issuing any further directives from the state. Sincerely, Edmund G. Brown Jr.

ACSA Position: Support

ASSESSMENT | TESTING

AB 1951 (O'Donnell D) Pupil assessments: Pathways to College Act.

Status: 9/28/2018-Vetoed by Governor.

Summary: Would require, pursuant to specified provisions of the federal Elementary and Secondary Education Act, the Superintendent of Public Instruction to approve a nationally recognized high school assessment that a local educational agency, as defined, may, at its own discretion, administer, if the alternative assessment is approved by

the local educational agency's governing board or body in a public meeting, commencing with the 2020–21 school year, and each school year thereafter, in lieu of the consortium summative assessment in English language arts and mathematics for grade 11.

Governor's Message: *To the Members of the California State Assembly: I am returning Assembly Bill 1951 without my signature. This bill requires the Superintendent of Public Instruction to approve one or more nationally recognized high school assessments that a local school may administer in lieu of the state-administered high school summative assessment, commencing with the 2019-20 school year. Since 2010, California has eliminated standardized testing in grades 9 and 10 and the high school exit exam. While I applaud the author's efforts to improve student access to college and reduce "testing fatigue" in grade 11, I am not convinced that replacing the state's high school assessment with the Scholastic Aptitude Test or American College Test achieves that goal. Our K-12 system and our public universities are now discussing the possible future use of California's grade 11 state assessment for college admission purposes. This is a better approach to improving access to college for under-represented students and reducing "testing fatigue". Sincerely, Edmund G. Brown Jr.*

ACSA Position: Support

ATTENDANCE | TRUANCY

SB 328 (Portantino D) Pupil attendance: school start time.

Status: 9/20/2018-Vetoed by the Governor. In Senate. Consideration of Governor's veto pending.

Summary: Would require the school day for middle schools and high schools, including those operated as charter schools, to begin no earlier than 8:30 a.m. by July 1, 2021, or the date on which a school district's collective bargaining agreement that is operative on January 1, 2019, expires, whichever is later, except for rural school districts. To the extent the bill imposes new duties on school districts and charter schools, the bill would impose a state-mandated local program. The bill would encourage the State Department of Education to post specified information on its Internet Web site, including research on the impact of sleep deprivation on adolescents and the benefits of a later school start time, and to advise school districts of this posting.

Governor's Message: *To the Members of the California State Senate: I am returning Senate Bill 328 without my signature. This bill would prohibit middle and high schools from starting earlier than 8:30 in the morning, unless in a rural area. This is a one-size-fits-all approach that is opposed by teachers and school boards. Several schools have already moved to later start times. Others prefer beginning the school day earlier. These are the types of decisions best handled in the local community. Sincerely, Edmund G. Brown Jr.*

ACSA Position: Oppose

CHILD HEALTH | NUTRITION

AB 2360 (Rodriguez D) Pupil nutrition: best practices for school districts to create food bank partnerships.

Status: 9/29/2018-Vetoed by Governor.

Summary: Would require the State Department of Education to collaborate with the Department of Food and Agriculture, including its Office of Farm to Fork, and to consult with the State Department of Public Health and State Department of Social Services, and other entities and experts determined relevant by the department, to develop and promote best practices for school districts to create partnerships with food banks that increase the access of pupils to fresh produce and healthy foods, as specified. The bill would require the State Department of Education and the Office of Farm to Fork to each post, on or before January 1, 2020, the best practices on its respective Internet Web site.

Governor's Message: *To the Members of the California State Assembly: I am returning Assembly Bill 2360 without my signature. This bill requires the California Department of Education to collaborate with the Department of Food and Agriculture to develop "best practices" to facilitate partnerships between school districts and food banks that increase pupil access to healthy foods when school is not in session. Healthy foods for kids is obviously a good idea, but schools can already easily establish relationships with local food banks – without state guidance. Given the fact that local school districts are governed by democratically elected trustees, it is important and utterly appropriate for the state to limit its intervention only to those situations that cannot be handled by local authorities. Sincerely, Edmund G. Brown Jr.*

ACSA Position: Staff - watch

SB 221 (Wiener D) Agricultural District I-A: firearm and ammunition sales at the Cow Palace.

Status: 9/28/2018-Vetoed by the Governor. In Senate. Consideration of Governor's veto pending.

Summary: Current law generally regulates the transfer of firearms and divides the state into agricultural districts. District I-A is the County of San Mateo and the City and County of San Francisco. A violation of the statutes governing agricultural districts is generally a misdemeanor. This bill would, on and after January 1, 2020, prohibit the sale of firearms and ammunition at the Cow Palace located in District I-A, as specified, and would thereby make a violation of that prohibition a misdemeanor. The bill would exclude from its provisions a gun buy-back event held by a law enforcement agency.

Governor's Message: *To the Members of the California State Senate: I am returning Senate Bill 221 without my signature. This bill would prohibit the sale of firearms and ammunition at the District Agricultural Association IA, commonly known as the Cow Palace. This bill has been vetoed twice over the last ten years, once by myself, and once by Governor Schwarzenegger. The decision on what kind of shows occur at the Cow Palace rests with the local board of directors which, incidentally, represents a broad cross section of the community. They are in the best position to make these decisions. Sincerely, Edmund G. Brown Jr.*

ACSA Position: Staff - watch

SB 275 (Portantino D) Alcohol and drug treatment: youth.

Status: 9/26/2018-Vetoed by the Governor. In Senate. Consideration of Governor's veto pending.

Summary: The current Adolescent Alcohol and Drug Treatment and Recovery Program Act of 1998, which authorized the State Department of Alcohol and Drug programs to establish community-based nonresidential and residential recovery programs to intervene and treat the problems of alcohol and other drug use among youth, became inoperative on July 1, 2013. This bill would repeal those inoperative provisions and would enact the Children, Adolescents, and Young Adults Substance Use Disorder Treatment Act. The bill would require the department to convene an expert panel on or before January 1, 2020, to advise the department solely on the development of youth substance use disorder (SUD) treatment quality standards, as specified.

Governor's Message: *To the Members of the California State Senate: I am returning the following bills without my signature. AB 180 SB 275 SB 707 Each of these bills requires the Department of Health Care Services to establish a stakeholder process to deliberate and advise the department on an issue with Medi-Cal. Not every problem with Medi-Cal needs or deserves a public stakeholder process. The department regularly collaborates with stakeholders including interested organizations, experts, partners and colleagues. I am confident it will continue to do so. Sincerely, Edmund G. Brown Jr.*

ACSA Position: Staff - watch

CTC | CREDENTIALING | INDUCTION

AB 2547 (McCarty D) Teachers: Teacher Residency Grant Program: Local Solutions Grant Program: evaluation.

Status: 9/26/2018-Vetoed by Governor.

Summary: Current law requires the Commission on Teacher Credentialing to conduct an evaluation of the Teacher Residency Grant Program and the Local Solutions Grant Program to determine the effectiveness of these programs in recruiting, developing support systems for, and retaining special education and bilingual education teachers and teachers in the STEM subjects. Current law requires the commission to provide a report on the evaluation to the Department of Finance and the appropriate fiscal and policy committees of the Legislature by December 1, 2023. Current law repeals the above-described provisions on January 1, 2027. This bill would instead require the commission, with respect to this evaluation, to provide an initial implementation report to the Department of Finance and the appropriate fiscal and policy committees of the Legislature on or before December 1, 2023, and a final report to these entities on or before December 31, 2026.

Governor's Message: *To the Members of the California State Assembly: I am returning Assembly Bill 2547 without my signature. This bill requires the Commission on Teacher Credentialing to collect specified data to evaluate the Teacher Residency Grant Program and Local Solutions Grant Program and determine each program's effectiveness at recruiting and training teachers. The Commission is already required to conduct an evaluation of both programs and provide a report to the state Legislature and Department of Finance by December 1, 2023. I am confident that successful practices will be shared within the education community. Sincerely, Edmund G. Brown Jr.*

ACSA Position: Support

CURRICULUM & INSTRUCTION

SB 933 (Allen D) Visual and performing arts education: grant program.

Status: 9/23/2018-Vetoed by the Governor. In Senate. Consideration of Governor's veto pending.

Summary: Current law requires the adopted course of study for grades 1 to 6, inclusive, and grades 7 to 12, inclusive, to include, among other subjects, visual and performing arts. This bill, contingent upon an appropriation made for these purposes, would establish the Arts for Every Student Incentive Grant Program, to be administered by the State Department of Education, to encourage and maintain the delivery of high-quality visual and performing arts education programs and provide a jump start for local educational agencies lacking the capacity to provide access to a visual and performing arts education to every pupil, as specified.

Governor's Message: *To the Members of the California State Senate: I am returning Senate Bill 933 without my signature. This bill establishes a competitive grant program for visual and performing arts programs in public schools. Nurturing creativity is certainly one of the most important responsibilities of teachers and local schools. But under our philosophy of local control, this is a matter best handled by individuals at the school level, not at state headquarters. Sincerely, Edmund G. Brown Jr.*

ACSA Position: Staff - watch

SB 947 (Jackson D) Pupil instruction: digital citizenship and media literacy.

Status: 9/18/2018-Vetoed by the Governor. In Senate. Consideration of Governor's veto pending.

Summary: Would require, on or before January 1, 2021, the Superintendent of Public Instruction, in consultation with the State Board of Education, to identify best practices and recommendations for instruction in digital citizenship, Internet safety, and media literacy and to report to the appropriate fiscal and policy committees of the Legislature on strategies to implement the best practices and recommendations statewide. The bill would require the Superintendent to convene and consult with an advisory committee consisting of specified representatives in developing the best practices and recommendations.

Governor's Message: *To the Members of the California State Senate: I am returning Senate Bill 947 without my signature. This bill would require the State Superintendent of Public Instruction to convene a workgroup to develop best practices and recommendations for instruction in digital citizenship and media literacy. The subject matter of this bill is more properly the responsibility of local school districts. Moreover, the topics covered here are already contained in our state's English Language and Social Science Frameworks or in the K-12 Model Library Standards. Sincerely, Edmund G. Brown Jr.*

ACSA Position: Support

EARLY EDUCATION | PRESCHOOL

AB 11 (McCarty D) Early and Periodic Screening, Diagnosis, and Treatment Program: screening services.

Status: 9/21/2018-Vetoed by Governor.

Summary: Current federal law provides that EPSDT services include periodic screening services, vision services, dental services, hearing services, and other necessary services to correct or ameliorate defects and physical and mental illnesses and conditions discovered by the screening services, whether or not the services are covered under the state plan. This bill would require, consistent with federal law, that screening services under the EPSDT program include developmental screening services for individuals zero to 3 years of age, inclusive. Until July 1, 2023, the bill would require an external quality review organization entity to annually review, survey, and report on managed care plan reporting and compliance with specified developmental screening tools and schedules.

Governor's Message: *To the Members of the California State Assembly: I am returning Assembly Bill 11 without my signature. This bill would require developmental screening of children from birth to age three in Medi-Cal and impose annual reporting requirements to assess managed care plan compliance. The Medi-Cal State Plan already requires providers to screen children for developmental delays according to the schedule recommended by the American Academy of Pediatrics. Codifying this requirement and producing another costly report is not necessary. Sincerely, Edmund G. Brown Jr.*

ACSA Position: Support

AB 60 (Santiago D) Subsidized child care and development services: stages of child care: CalWORKs.

Status: 9/30/2018-Vetoed by Governor.

Summary: The The Child Care and Development Services Act establishes 3 stages of child care services through which a recipient of CalWORKs will pass. This bill would prohibit the first stage or the 2nd stage of child care services from being discontinued until confirmation is received from the administrator of the subsequent stage of child care that the family has been enrolled in the subsequent stage of child care, or that the family is ineligible for services in the subsequent stage of child care, in order to ensure that there is no disruption in child care services due to the planned transition between the stages of CalWORKs child care.

Governor's Message: *To the Members of the California State Assembly: I am returning Assembly Bill 60 without my signature. This bill would require certain information to be automatically shared between county welfare departments and local child care contractors to facilitate an effortless transition of families between child care programs. This is a good goal, as any interruption in child care coverage for a family can be devastating, particularly for working parents in the CalWORKS program. However, this bill impacts an entitlement program and the changes contemplated in this bill have the potential to cost the state \$50 million a year and is more properly considered as part of the budget process. Sincerely, Edmund G. Brown Jr.*

ACSA Position: Watch

AB 1992 (Chu D) CalWORKs eligibility: immunizations.

Status: 9/29/2018-Vetoed by Governor.

Summary: Would, commencing July 1, 2019, require a county human services agency to first try to obtain verification from the California Immunization Registry that a child who is not required to be enrolled in school has received all age-appropriate immunizations. The bill would require, if the county human services agency is unable to secure the documentation using the California Immunization Registry, the applicant or recipient to submit the documentation. The bill would require the county to send a notice of the obligation to submit documentation and support compliance, as specified, to the applicant or recipient.

Governor's Message: *To the Members of the California State Assembly: I am returning the following Assembly Bills without my signature: AB 1921 AB 1992 AB 2111 Each of these bills would make changes to the CalWORKs program that result in significant, ongoing funding commitments. As such, I believe they should be considered as part of the budget process when all funding commitments are considered and prioritized. Sincerely, Edmund G. Brown Jr.*

ACSA Position: Staff - watch

SB 829 (Wiener D) Cannabis: donations.

Status: 9/30/2018-Vetoed by the Governor. In Senate. Consideration of Governor's veto pending.

Summary: Current administrative law prohibits a retailer licensee from providing free cannabis goods to any person or allowing individuals who are not employed by the retailer to provide free cannabis goods to any person on the licensed premises. Current administrative law provides an exception to this prohibition for specified medicinal retailer and microbusiness licensees to provide access to medicinal cannabis patients who have difficulty accessing medicinal cannabis goods, as specified. This bill would similarly authorize those specified licensees to provide free cannabis or cannabis products to a medical cannabis patient if specified requirements are met, including that the cannabis or cannabis products otherwise meet specified requirements of MAUCRSA.

Governor's Message: *To the Members of the California State Senate: I am returning Senate Bill 829 without my signature. This bill authorizes retailers to offer free cannabis or cannabis goods to medicinal patients who have a physician's recommendation. This bill contains provisions that conflict with the strict standards contained in the voter approved Control, Regulate, and Tax Adult Use of Marijuana Act. Providing free cannabis to a person with only a doctor's recommendation undermines these rules and the intent of the voters. For this reason, I cannot sign this bill. Sincerely, Edmund G. Brown Jr.*

ACSA Position: Staff - watch

ELECTIONS | POLITICAL REFORM

AB 2352 (Low D) Elections: reportable events.

Status: 9/29/2018-Vetoed by Governor.

Summary: Would require the Secretary of State to promulgate regulations by January 1, 2020, establishing which events in election administration constitute “reportable events” and would require county elections officials to document reportable events and to submit information about these events to the Secretary of State for review and guidance, if necessary. By requiring new duties of local government officials, this bill would impose a state-mandated local program.

Governor’s Message: *To the Members of the California State Assembly: I am returning AB 2352 without my signature. This bill requires county election officials to document reportable events and submit information regarding those events to the Secretary of State for review and guidance. Each election approximately 400 reportable events are referred to the Secretary of State, for guidance and review. Given the current workload, I don't think the state should mandate the additional reporting called for in this bill. Sincerely, Edmund G. Brown Jr.*

ACSA Position: Staff - watch

AB 2552 (Berman D) Elections: ballot contents.

Status: 9/7/2018-Vetoed by Governor.

Summary: Current law sets forth various ballot printing specifications, including a requirement that each group of candidates to be voted on be preceded on the ballot by the designation of the office for which they are running, and the words “vote for one” or “vote for no more than two,” or more, according to the number to be nominated or elected. This bill would require that the number of candidates to be nominated or elected be printed in boldface type or in a contrasting color that is not black or gray.

Governor’s Message: *To the Members of the California State Assembly: I am returning Assembly Bill 2552 without my signature. This bill requires certain ballot instructions and the Secretary of State to establish a ballot design advisory committee. In recent years, California's ballot and ballot pamphlet have become a hodgepodge of confusing, excessive and often redundant words and explanations. The Secretary of State – with or without a committee – should fix this festering problem. A bill is not necessary. Sincerely, Edmund G. Brown Jr.*

ACSA Position: Staff - watch

EMPLOYEE/EMPLOYER | EVALUATIONS | DISMISSALS

AB 183 (Lackey R) Bill of Rights for State Excluded Employees.

Status: 9/6/2018-Vetoed by Governor.

Summary: The current Bill of Rights for State Excluded Employees (bill of rights) prescribes various rights and terms and conditions of employment for excluded employees, defined as certain supervisory, managerial, and confidential state employees, among other specified employees. This bill would amend the bill of rights to require the management of each state entity, as specified, on or before January 1, 2019, to develop policies for their supervisory employees regarding shift assignments, vacations, and overtime, and to meet with the supervisory employee organizations that represent the excluded employees. The bill would not apply to the Department of the California Highway Patrol.

Governor’s Message: *To the Members of the California State Assembly: I am returning Assembly Bill 183 without my signature. This bill requires state agencies that operate two or more shifts per day to develop, by January 1, 2019, policies for supervisory employees around shift assignments, vacations, and overtime. This bill, however well-intentioned, would require a policy that is unduly rigid and not reflective of the different circumstances in various state offices and departments. In essence, it would limit the sound discretion of management to make necessary personnel assignments. Sincerely, Edmund G. Brown Jr.*

ACSA Position: Staff - watch

AB 553 (Daly D) Workers’ compensation: return-to-work program.

Status: 9/23/2018-Vetoed by Governor.

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 his or her employment. Under the workers' compensation system, existing law establishes a return-to-work program for the purpose of making supplemental payments to workers whose permanent disability benefits are disproportionately low in comparison to their earnings loss. This bill would require the director to have the program distribute, by April 1 of each year, commencing January 1, 2020, the \$120,000,000 annually to eligible workers on the basis of equal shares for each eligible worker.

Governor's Message: *To the Members of the California State Assembly: I am returning Assembly Bill 553 without my signature. This bill requires the Department of Industrial Relations to completely disburse \$120 million annually from the Workers' Compensation Return to Work Fund to eligible injured workers. The Return-to-Work Program began in 2015 and is relatively new. I am concerned this measure proposes sweeping revisions to the Return-to-Work program that are premature. The Program's funds will likely be spent in full in the coming fiscal year. Let's see the progress of that effort before making additional changes to the Program. Sincerely, Edmund G. Brown Jr.*

ACSA Position: Watch

AB 1867 (Reyes D) Employment discrimination: sexual harassment: records.

Status: 9/30/2018-Vetoed by Governor.

Summary: Would require an employer with 50 or more employees to maintain internal complaint records of employee complaints alleging sexual harassment for a minimum of 5 years after the last day of employment of the complainant or any alleged harasser named in the complaint, whichever is later. The bill would authorize the Department of Fair Employment and Housing to seek an order requiring an employer that violates this recordkeeping requirement to comply.

Governor's Message: *To the Members of the California State Assembly: I am returning Assembly Bill 1867 without my signature. This bill requires an employer of 50 or more employees to maintain records of complaints alleging sexual harassment for at least five years after the last day of employment of the complainant or alleged harasser, whichever is later. This bill, under certain circumstances, could lead to the retention of records for decades. It would also require complaints alleging sexual harassment to be maintained for the same length of time regardless of the result of the investigative process, meaning even unfounded complaints would need to be maintained. For these reasons, and because current law already requires personnel records—including records of complaints—be maintained for suitable periods of time, the time expansion of this bill is unwarranted. Sincerely, Edmund G. Brown Jr.*

ACSA Position: Watch

AB 1870 (Reyes D) Employment discrimination: limitation of actions.

Status: 9/30/2018-Vetoed by Governor.

Summary: Current law, the California Fair Employment and Housing Act, makes specified employment and housing practices unlawful, including discrimination against or harassment of employees and tenants, among others. Current law authorizes a person claiming to be aggrieved by an alleged unlawful practice to file a complaint with the Department of Fair Employment and Housing within one year from the date upon which the unlawful practice occurred, unless otherwise specified. This bill would extend the above-described period to 3 years for complaints alleging employment discrimination, as specified.

Governor's Message: *To the Members of the California State Assembly: I am returning Assembly Bill 1870 without my signature. This bill extends the deadline to file a complaint with the Department of Fair Employment and Housing from one year to three years for the employment provisions of the Fair Employment and Housing Act. Employees who have experienced harassment or discrimination in the workplace should have every opportunity to have their complaints investigated. I believe, however, that the current filing deadline—which has been in place since 1963—not only encourages prompt resolution while memories and evidence are fresh, but also ensures that unwelcome behavior is promptly reported and halted. Sincerely, Edmund G. Brown Jr.*

ACSA Position: Neutral

AB 1916 (Cooper D) Civil service: Personnel Classification Plan: salary equalization.

Status: 9/30/2018-Vetoed by Governor.

Summary: Would require the Department of Human Resources to, by December 13, 2019, and every 2 years thereafter, evaluate all civil service classifications and prepare a detailed report on gender and ethnicity pay equity in each classification where there is an underrepresentation of women and minorities. The bill would require each

state agency to submit specified information to the department about each state civil service certification within the agency. The bill would require the department to prepare a plan for each state agency to attain pay equity if a discrepancy is found and a specified plan to recruit, attract, and retain women and minorities into positions where there is an underrepresentation of those subgroups.

Governor's Message: *To the Members of the California State Assembly: I am returning Assembly Bill 1916 without my signature. This bill requires an evaluation and biennial report by the California Department of Human Resources on gender and ethnic pay disparities for all civil service classifications where there is an underrepresentation of women and minorities. The information called for by this bill is currently provided by the Department of Human Resources and the State Controller's office. I think it is reasonably complete and provides a basis for sound legislative review. Sincerely, Edmund G. Brown Jr.*

ACSA Position: Staff - watch

AB 2079 (Gonzalez Fletcher D) Janitorial workers: sexual violence and harassment prevention training.

Status: 9/30/2018-Vetoed by Governor.

Summary: Current law establishes certain protections for janitorial workers, including a requirement that the Division of Labor Standards Enforcement, by January 1, 2019, establish a biennial in-person sexual violence and harassment prevention training requirement for certain employees and employers with the assistance of a prescribed advisory committee to be convened by the director. Current law, effective July 1, 2018, requires employers of at least one employee and one or more covered workers, as defined, who provide janitorial services, as specified, to register with the commissioner annually and prohibits them from conducting business without a registration. This bill would prohibit the division from approving a registration, as described above, if the employer does not include in his or her written application the name of any subcontractor or franchise servicing contracts affiliated with a branch location and the number of subcontracted or franchise employees servicing each of those contracts, the total number of employees working out of a listed branch office, and the address of each work location serviced by a branch office.

Governor's Message: *To the Members of the California State Assembly: I am returning Assembly Bill 2079 without my signature. This bill would make numerous changes to the Property Service Worker Protection Act established by AB 1978 (Gonzalez, Ch.373, Stats. of 2016). The Labor Commissioner just recently finished implementing the initial registration requirement and is in the process of promulgating regulations to create the sexual harassment and violence prevention training program required by the Act. The Author and sponsors of this measure were ahead of their time when they created this program, the first of its kind in the country, two years ago. The Labor Commissioner is still in the early stages of ensuring that this program is successful and lives up to its promise of protecting janitorial workers. We should allow full implementation of this program before proposing significant changes. Sincerely, Edmund G. Brown Jr.*

ACSA Position: Staff - watch

AB 2153 (Thurmond D) Teachers: in-service training: lesbian, gay, bisexual, transgender, queer, and questioning pupil resources.

Status: 9/30/2018-Vetoed by Governor.

Summary: Would, contingent upon an appropriation made for these purposes, would require each school operated by a school district or county office of education and each charter school to annually provide in-service training to teachers of pupils in grades 7 to 12, inclusive, and to all other certificated employees at that school, on school site and community resources for the support of lesbian, gay, bisexual, transgender, queer, and questioning (LGBTQ) pupils as well as strategies to increase support for LGBTQ pupils and thereby improve overall school climate, as specified. To the extent the bill, upon implementation, would impose additional duties on public schools and local educational agencies, the bill would impose a state-mandated local program.

Governor's Message: *To the Members of the California State Assembly: I am returning Assembly Bill 2153 without my signature. This bill requires local schools to provide annual in-service training on available community and school site resources for lesbian, gay, bisexual, transgender, queer (LGBTQ) students to teachers and supporting staff of grades 7-12 students. I signed AB 827 (O'Donnell) in 2015, which required the Department of Education, as part of its compliance monitoring, to assess whether local schools have provided information to certificated staff serving of grades 7-12 on school site and community resources for LGBTQ students. Current law also requires the Department to monitor local schools to ensure the adoptions of policies prohibiting discrimination, harassment, intimidation, and bullying on the basis of sexual orientation,*

gender, gender identity, or gender expression. If local schools find that more training or resources on this topic is needed, they have the flexibility to use their resources as they see best. Sincerely, Edmund G. Brown Jr.

ACSA Position: Staff - watch

AB 2305 (Rodriguez D) Public employment: collective bargaining: peace officers.

Status: 9/28/2018-Vetoed by Governor.

Summary: Current law requires PERB to enforce and apply rules adopted by a public agency concerning unit determinations, representation, recognition, and elections. Current law also requires specified complaints to be processed as an unfair practice charge by PERB. Current law does not apply the above provisions to persons who are peace officers, as defined. Current law excepts employers and employees under the jurisdiction of the employee relations commissions in the City and County of Los Angeles from the application of the above provisions. This bill would specify that these provisions do not apply to disputes between a public agency and persons who are peace officers, but do apply to disputes between a public agency and peace officer employee organizations, regardless of whether the charging party or responding party is the individual peace officer, the peace officer employee organization, or the public agency.

Governor's Message: *To the Members of the California State Assembly: I am returning the following bills without my signature. AB 2305 AB 2886 AB 3034 These bills expand the Public Employment Relations Board's jurisdiction to cover labor disputes involving several local public agencies. Over the years, the Legislature has expanded the Board's jurisdiction, but the necessary funding for the increased workload has not kept pace. This has resulted in significant backlogs at the Board - both labor and employers have complained about this problem. This Administration has recently increased the Board's funding to help correct this problem. The Board's jurisdiction should not be expanded again until the Board's ability to handle its previously expanded caseload is established. Sincerely, Edmund G. Brown Jr.*

ACSA Position: Staff - watch

AB 2713 (Rodriguez D) Public employment: sexual harassment tracking.

Status: 9/30/2018-Vetoed by Governor.

Summary: Would require the equal employment officer of each state agency to, by July 1, 2019, and annually on that date thereafter, submit a report to the Department of Human Resources that contains specified information relating to sexual harassment complaints received by, or filed with, that agency within a specified time period, and information related to any judgment or settlement paid or received by the agency relating to sexual harassment. The bill would prohibit the equal employment officer from including in the report any individually identifiable information pertaining to a complainant or witness.

Governor's Message: *To the Members of the California State Assembly: I am returning Assembly Bill 2713 without my signature. This bill requires, by January 1, 2020, the California Department of Human Resources and the Department of Fair Employment and Housing to create and make public an annual report on sexual harassment complaints in state departments. This bill definitely covers an important topic but current management practices are taking the necessary steps to assure a suitable work environment. Sincerely, Edmund G. Brown Jr.*

ACSA Position: Staff - watch

AB 2732 (Gonzalez Fletcher D) Employment: unfair immigration-related practices: janitorial workers: sexual violence and harassment prevention training.

Status: 9/30/2018-Vetoed by Governor.

Summary: Would make it unlawful for an employer to knowingly destroy, conceal, remove, confiscate, or possess any actual or purported passport or other immigration document, or any other actual or purported government identification document of another person in the course of committing, or with the intent to commit, trafficking, peonage, slavery, involuntary servitude, or a coercive labor practice. The bill would impose specified civil and criminal penalties for a violation. The bill would also authorize the Labor Commissioner to issue a citation for a violation, as prescribed.

Governor's Message: *To the Members of the California State Assembly: I am returning AB 2732 without my signature. This bill makes it unlawful - punishable by civil and criminal penalties - for an employer to knowingly destroy, conceal, remove, confiscate, or possess any immigration-related documents for human trafficking or any coercive labor practice. The bill also requires employers to provide a written "Worker's Bill of Rights" to every employee in the State of California. Labor trafficking*

is a problem in our state and the provision of this bill that prohibits employers from withholding immigration documents from workers is very appropriate. However, there is additional language that requires every single employer to provide to every single employee - millions in the state— a new and detailed list of rights related to labor trafficking. This goes too far. The vast majority of California employers have nothing to do with labor trafficking, so this mandate as applied to them is burdensome and unwarranted. Sincerely, Edmund G. Brown Jr.

ACSA Position: Staff - watch

AB 2853 (Medina D) Local government: economic development subsidies.

Status: 9/10/2018-Vetoed by the Governor

Summary: Current law requires each local agency, as defined, to provide specified information to the public before approving an economic development subsidy within its jurisdiction, and to, among other things, hold hearings and report on those subsidies, as provided. Current law defines “economic development subsidy” for these purposes to mean any expenditure of public funds or loss of revenue to a local agency in the amount of \$100,000 or more, for the purpose of stimulating economic development within the jurisdiction of a local agency, as provided. This bill would similarly require each local agency to provide specified information to the public before approving an economic development subsidy for a warehouse distribution center, as defined, and to, among things, hold hearings and report on those subsidies, as provided.

Governor’s Message: *To the Members of the California State Assembly: I am returning Assembly Bill 2853 without my signature. This bill requires local governments that provide economic subsidies of \$100,000 or more for warehouse distribution centers to publically report on information such as employee wage rates, independent contractor rates, and the value of employee benefit packages for each job classification created by the subsidy. There is value in taxpayers knowing whether economic development incentives ultimately benefit their community. That is why I signed legislation in 2013 that required local agencies to provide information about the expected and actual impacts of approved economic development subsidies. This bill, however, significantly expands current law and goes too far by adding reporting rules that will be overly burdensome to a single industry. It may actually hinder efforts to improve business opportunities in local communities, which is an outcome no one desires. Sincerely, Edmund G. Brown Jr.*

ACSA Position: Staff - watch

AB 3069 (Cooper D) Cannabis: informational, educational, or training events.

Status: 8/29/2018-Consideration of Governor's veto pending.

Summary: Would authorize retailers, cultivators, and manufacturers that are licensed under MAUCRSA to participate in, and not be required to obtain a temporary cannabis event license or other temporary license for, a cannabis informational, educational, or training event held for state and local government officials, including, but not limited to, legislators, city council members, law enforcement organizations, emergency medical services staff, firefighters, child protective services, and social workers; employees of health care facilities; and employees of public and private schools, if specified conditions are met.

Governor’s Message: *To the Members of the California State Assembly: I am returning Assembly Bill 3069 without my signature. This bill allows cannabis retailers, cultivators, and manufacturers to participate in a cannabis informational training without a temporary cannabis event license. Nothing in current law or regulation, prohibits informational or education events from occurring. Therefore, this bill is unnecessary. Sincerely, Edmund G. Brown Jr.*

ACSA Position: Staff - watch

AB 3080 (Gonzalez Fletcher D) Employment discrimination: enforcement.

Status: 9/30/2018-Vetoed by Governor.

Summary: Would prohibit a person from, as a condition of employment, continued employment, the receipt of any employment-related benefit, or as a condition of entering into a contractual agreement, prohibiting an applicant for employment, employee, or independent contractor from disclosing to any person an instance of sexual harassment that the employee or independent contractor suffers, witnesses, or discovers in the workplace or in the performance of the contract, or otherwise opposing any lawful practice, or from exercising any right or obligation or participating in any investigation or proceeding with respect to unlawful harassment or discrimination.

Governor’s Message: *To the Members of the California State Assembly: I am returning Assembly Bill 3080 without my signature. This bill prohibits an applicant for employment or employee from being required to waive his or her right to a*

judicial forum as a condition of employment or continued employment. In my veto message of a similar bill in 2015, I referred to recent court decisions that invalidated state policies which unduly impeded arbitration. I also wanted to see how future United States Supreme Court decisions developed before endorsing a broad ban on mandatory arbitration agreements. The direction from the Supreme Court since my earlier veto has been clear - states must follow the Federal Arbitration Act and the Supreme Court's interpretation of the Act. *DIRECTV, Inc. v. Imburgia*, 136 S. Ct. 463, 468 (2015). This bill is based on a theory that the Act only governs the enforcement and not the initial formation of arbitration agreements and therefore California is free to prevent mandatory arbitration agreements from being formed at the outset. The Supreme Court has made it explicit this approach is impermissible. In 2017 Justice Kagan, an appointee of President Obama, writing on behalf of a near-unanimous Supreme Court, clearly rejected the assertion that the Federal Arbitration Act has no application to contract formation issues: "By its terms, . . . the Act cares not only about the "enforce[ment]" of arbitration agreements, but also about their initial "valid[ity]"-that is, about what it takes to enter into them. Or said otherwise: A rule selectively finding arbitration contracts invalid because improperly formed fares no better under the Act than a rule selectively refusing to enforce those agreements once properly made. Precedent confirms that point." *Kindred Nursing Centers Ltd. Partnership v. Clark*, 137 S. Ct. 1421, 1428 (2017). Since this bill plainly violates federal law, I cannot sign this measure. Sincerely, Edmund G. Brown Jr.

ACSA Position: Staff - watch

AB 3081 (Gonzalez Fletcher D) Employment: sexual harassment.

Status: 9/30/2018-Vetoed by Governor.

Summary: Current law requires a client employer, as defined, to share with a labor contractor, as defined, all civil legal responsibility and civil liability for all workers supplied by that labor contractor for the payment of wages and the failure to obtain valid workers' compensation coverage. This bill would require a client employer to share with a labor contractor all civil legal responsibility and civil liability for harassment for all workers supplied by that labor contractor.

Governor's Message: *To the Members of the California State Assembly: I am returning Assembly Bill 3081 without my signature. This bill creates a new, ill-defined standard of joint liability between labor contractors and client employers, prohibits both entities from retaliating against an employee who has filed a harassment claim, and establishes a 30-day notice requirement before certain workers can file a civil action against a client employer. Most of the provisions in this bill are contained in current law and are therefore unnecessary. To the extent there are new provisions, they are confusing. Sincerely, Edmund G. Brown Jr.*

ACSA Position: Staff - watch

AB 3145 (Salas D) Disability insurance: state employees.

Status: /28/2018-Vetoed by Governor.

Summary: Under current law, when a state employee is disabled, whether temporarily or permanently, the employee is entitled, subject to certain conditions, to receive nonindustrial disability benefits not to exceed a specified amount per week, payable monthly for a period not exceeding 26 weeks for any one disability benefit period, unless a memorandum of understanding conflicts with this requirement. This bill would authorize a state employee who is not subject to a certain memorandum of understanding to elect to participate in the State Disability Insurance Program, as specified, in lieu of receiving nonindustrial disability benefits.

Governor's Message: *To the Members of the California State Assembly: I am returning Assembly Bill 3145 without my signature. This bill allows state supervisors and managers to receive paid family leave benefits by enrolling into the state Disability Insurance program. The Department of Human Resources is developing a plan to offer paid family leave benefits to state managers and supervisors by July 1, 2019. This effort will not have the significant administrative costs of this bill and is therefore a better way to provide this benefit. Sincerely, Edmund G. Brown Jr.*

ACSA Position: Staff - watch

SB 937 (Wiener D) Lactation accommodation.

Status: 9/30/2018-Vetoed by the Governor. In Senate. Consideration of Governor's veto pending.

Summary: Would require an employer to provide a lactation room or location that includes prescribed features and would require an employer, among other things, to provide access to a sink and refrigerator in close proximity to the employee's workspace, as specified. The bill would require an employer to develop and implement a policy regarding lactation accommodation and make it available to employees, as specified. The bill would also

require an employer to maintain records of requests for lactation accommodation for 3 years and to give the Labor Commission access to those records.

Governor's Message: *To the Members of the California State Senate: I am returning Senate Bill 937 without my signature. This bill requires employers to provide a space that meets specified standards for employees with a desire to express breast milk in private. I have signed AB 1976 which furthers the state's ongoing efforts to support working mothers and their families. Therefore, this bill is not necessary. Sincerely, Edmund G. Brown Jr.*

ACSA Position: Oppose

SB 1177 (Portantino D) Firearms: transfers.

Status: 9/28/2018-Vetoed by the Governor. In Senate. Consideration of Governor's veto pending.

Summary: Current law, subject to exceptions, prohibits a person from making more than one application to purchase a handgun within any 30-day period. A violation of that prohibition is a crime. Current law prohibits a firearms dealer from delivering a handgun to a person whenever the dealer is notified by the Department of Justice that within the preceding 30-day period the purchaser has made another application to purchase a handgun that does not fall within an exception to the 30-day prohibition. A violation of that delivery prohibition by the dealer is a crime. This bill would make the 30-day prohibition and the dealer delivery prohibition described above applicable to all types of firearms.

Governor's Message: *To the Members of the California State Senate: I am returning Senate Bill 1177 without my signature. This bill prohibits any person from purchasing more than one long-gun per month. I vetoed a substantially similar bill in 2016, and my views have not changed. Sincerely, Edmund G. Brown Jr.*

ACSA Position: Oppose

ENGLISH LANGUAGE LEARNERS

AB 3179 (Salas D) State agencies: bilingual services.

Status: 9/22/2018-Vetoed by Governor.

Summary: The Dymally-Alatorre Bilingual Services Act, among other things, generally requires every state agency, as defined, directly involved in certain activities involving contact with a substantial number of non-English-speaking people, and every local agency, as defined, serving a substantial number of non-English-speaking people, to employ a sufficient number of qualified bilingual persons in public contact positions. This bill would modify the definition of "substantial number of non-English-speaking people" to reduce that percentage from 5% to 3%.

Governor's Message: *To the Members of the California State Assembly: I am returning Assembly Bill 3179 without my signature. This bill would require state agencies to provide access to bilingual employees and translated materials for non-English speakers if those individuals constitute 3% of the population served. This bill has a potential cost of \$77 million a year and is more properly considered as part of the budget process. Sincerely, Edmund G. Brown Jr.*

ACSA Position: Staff - watch

FACILITIES (CLASS SIZE REDUCTION | BONDS | CEQA | GREEN TECH | PROP 39)

AB 2060 (Garcia, Eduardo D) Water: grants: advanced payments.

Status: 9/28/2018-Vetoed by Governor.

Summary: Would require the State Water Resources Control Board, within 60 days of awarding a grant from the grant fund, to provide a project proponent that requests an advanced payment and satisfies certain criteria with the requested advanced payment, up to a maximum of \$500,000 or 50% of the grant award, whichever is less, for projects in which the project proponent is a nonprofit organization or a disadvantaged community, or the project benefits a disadvantaged community. The bill would require the advanced funds to be handled as prescribed.

Governor's Message: *To the Members of the California State Assembly: I am returning Assembly Bill 2060 without my signature. This bill would require the State Water Resources Control Board to provide advance payment of grant awards to a nonprofit organization or disadvantage community grantee, upon request, if the grantee demonstrates a need and if other specified criteria are met. These provisions would apply to wastewater and drinking water projects. I appreciate the author's intent to help nonprofit organizations and disadvantaged communities meet cash-flow needs when managing projects. In recent years, however, the State Water Board has established other means for grantees or address cash-flow problems. For*

example, the State Water Board facilitates payment of invoices, including paying additional fees to the State Controller for expedited processing. Additionally, when a grantee obtains a bridge loan to access funds before completion of a project, the State Water Board will reimburse the grantee for interest costs. As such, the additional financial risks and administrative costs associated with advanced payments, as proposed in AB 2060, are unwarranted. Sincerely, Edmund G. Brown, Jr.

ACSA Position: Staff - watch

AB 2980 (Gipson D) Cannabis: premises: common space.

Status: 9/29/2018-Vetoed by Governor.

Summary: MAUCRSA defines premises for the purposes of the Control, Regulate and Tax Adult Use of Marijuana Act of 2016 to mean the designated structure or structures and land specified in the application for the license, as provided. This bill would define premises as the area specified in the application wherein the license privileges are, or will be, exercised, as provided. The bill would require that provisions of MAUCRSA not be construed to prohibit two or more licensed premises from sharing common use areas wherein no license privileges will be exercised so long as all licensees comply with the requirements of the act, as specified.

Governor's Message: *To the Members of the California State Assembly: I am returning Assembly Bill 2980 without my signature. This bill changes the definition of premises within the Medicinal and Adult-Use Cannabis Regulation and Safety Act to allow multiple cannabis licensees to share common use areas, such as breakrooms and lobbies. The licensing authorities are in the process of finalizing the cannabis regulations. Instead of changing the definitions in statute, it would be more appropriate for the licensing entities to address this in their regulations. Sincerely, Edmund G. Brown Jr.*

ACSA Position: Staff - watch

AB 3178 (Rubio D) Integrated waste management plans: source reduction and recycling element: diversion requirements.

Status: 9/10/2018-Vetoed by the Governor

Summary: Would make findings, including, among others, that under China's National Sword import policy, many recyclable materials are now banned and may no longer be imported into that country, which has had a profound impact on California efforts to meet state recycling objectives. The bill would require the department, when evaluating a jurisdiction's good faith effort to implement a diversion program, to also consider, until January 1, 2022, whether China's National Sword import policy caused the absence or loss of a market for recyclable materials that necessitated the disposal of those materials as a temporary measure to avoid a public health threat, as specified.

Governor's Message: *To the Members of the California State Assembly: I am returning Assembly Bill 3178 without my signature. This bill would require the Department of Resources Recycling and Recovery (Department) to consider market factors when evaluating a jurisdiction's compliance with waste diversion and recycling mandates. Current statute and regulations already require the Department to consider market conditions when reviewing a local jurisdiction's compliance with recycling laws. As such, this bill is not necessary. I encourage the Legislature to work with the Department to focus on increasing California's infrastructure and development of domestic markets. Sincerely, Edmund G. Brown Jr.*

ACSA Position: Staff - watch

SB 1127 (Hill D) Pupil health: administration of medicinal cannabis: schoolsites.

Status: 9/28/2018-Vetoed by the Governor. In Senate. Consideration of Governor's veto pending.

Summary: Would enact Jojo's Act, which would authorize the governing board of a school district, a county board of education, or the governing body of a charter school maintaining kindergarten or any of grades 1 to 12, inclusive, to adopt, at a regularly scheduled meeting of the governing board or body, a policy, as provided, that allows a parent or guardian of a pupil to possess and administer to the pupil who is a qualified patient entitled to the protections of the Compassionate Use Act of 1996 medicinal cannabis, excluding in a smokeable or vapeable form, at a schoolsite.

Governor's Message: *To the Members of the California State Senate: I am returning Senate Bill 1127 without my signature. This bill permits local schools to adopt policies regarding the use of medical marijuana by students on school grounds. This bill is overly broad as it applies to all students instead of limited cases where a doctor recommends medical marijuana for a student in order to prevent or reduce the effects of a seizure. Generally, I remain concerned about the exposure of marijuana on youth and am dubious of its use for youth for all ailments. This bill goes too far – further than some*

research has – to allow use of medical marijuana for youth. I think we should pause before going much further down this path. Sincerely, Edmund G. Brown Jr.

ACSA Position: Oppose UA

SB 1288 (Leyva D) Health and care facilities: inspections.

Status: 9/30/2018-Vetoed by the Governor. In Senate. Consideration of Governor's veto pending.

Summary: Would require state periodic inspections of health facilities to include reviews of compliance with the nurse-to-patient ratios and staff assignment regulations as specified. The bill would require the State Department of Public Health to ensure that these inspections are not announced in advance of the date of inspection.

Governor's Message: *To the Members of the California State Senate: I am returning Senate Bill 1288 without my signature. This bill requires the Department of Public Health to issue a specific penalty for violating nurse-to-patient ratio requirements. California hospitals are regularly inspected to assure patient safety and quality of care. When violations are found, penalties are imposed based on an overall assessment of the severity and duration of the violations, including for any failure to meet the required staffing ratio. Nurse-to-patient ratios are a vital part of the state's regulatory scheme. Hospitals, however, are best evaluated in a comprehensive manner and I am reluctant to start singling out specific violations for a separate penalty. Sincerely, Edmund G. Brown Jr.*

ACSA Position: Staff - watch

GUN SAFETY

AB 1903 (Gonzalez Fletcher D) Firearms: buyback programs: gift cards.

Status: 9/28/2018-Vetoed by Governor.

Summary: Would, for purposes of a voluntary firearms buyback program, as defined, prohibit a city, city and county, county, or the state, in exchange for a firearm, from dispensing a gift card whose issuer is a seller of goods or services that holds a firearms dealer's license or an ammunition vendor license.

Governor's Message: *To the Members of the California State Assembly: I am returning Assembly Bill 1903 without my signature. This bill would, for purposes of a voluntary firearms buyback program, prohibit a local government from dispensing a gift card whose issuer holds a firearms dealer's license. I understand the author's intent, but I do not believe local firearm buyback programs need to be micromanaged to this degree. Sincerely, Edmund G. Brown Jr.*

ACSA Position: Staff - watch

AB 1927 (Bonta D) Firearms: prohibition: voluntary list.

Status: /26/2018-Vetoed by Governor.

Summary: Would require the Department of Justice to study options for allowing a person to register himself or herself on a list or database that prohibits the person from being able to purchase a firearm. The bill would require the department to recommend an approach to allow a person to prohibit himself or herself from purchasing a firearm. The bill would require the department to report its findings and recommendations to the Legislature no later than January 1, 2020.

Governor's Message: *To the Members of the California State Assembly: I am returning Assembly Bill 1927 without my signature. This bill would require the Department of Justice to study options, and recommend an approach, to developing a system whereby an individual can opt to prevent themselves from buying a firearm. While this is an interesting area of inquiry, I do not believe that we need to mandate an additional study of this type. The Department of Justice is currently implementing a number of large scale changes to our gun laws, and I think that any information regarding a system for self-exclusion from gun purchases can be obtained through existing means. The Legislature's standing committees, as well as California's Violence Prevention Research Center are existing avenues through which this inquiry can be conducted. Sincerely, Edmund G. Brown Jr.*

ACSA Position: Staff - watch

AB 2888 (Ting D) Gun violence restraining orders.

Status: 9/26/2018-Vetoed by Governor.

Summary: Current law authorizes renewal of a gun violence restraining order within 3 months of the order's expiration. Petitions for ex parte, one-year, and renewed gun violence restraining orders may be made by an immediate family member of the person or by a law enforcement officer. This bill would similarly authorize, but not require, an employer, a coworker, or an employee of a secondary or postsecondary school that the person has attended in the last 6 months to file a petition for an ex parte, one-year, or renewed gun violence restraining order.

Governor's Message: *To the Members of the California State Assembly: I am returning Assembly Bill 2888 without my signature. This bill would authorize an employer, coworker, employee of a secondary or postsecondary school that the person has attended in the last six months, to file a petition for a gun violence restraining order against an individual. All of the persons named in this bill can seek a gun violence restraining order today under existing law by simply working through law enforcement or the immediate family of the concerning individual. I think law enforcement professionals and those closest to a family member are best situated to make these especially consequential decisions. Sincerely, Edmund G. Brown Jr.*

ACSA Position: Seek comment

GOVERNANCE (BROWN ACT | DISTRICT ORG. | ELECTIONS | VOUCHERS | COI, ETC.)

AB 3120 (Gonzalez Fletcher D) Damages: childhood sexual assault: statute of limitations.

Status: 9/30/2018-Vetoed by Governor.

Summary: Would expand the definition of childhood sexual abuse, which would instead be referred to as childhood sexual assault. This bill would increase the time limit for commencing an action for recovery of damages suffered as a result of childhood sexual assault 22 years from the date the plaintiff attains the age of majority or within 5 years of the date the plaintiff discovers or reasonably should have discovered that the psychological injury or illness occurring after the age of majority was caused by sexual assault, whichever is later.

Governor's Message: *To the Members of the California State Assembly: I am returning Assembly Bill 3120 without my signature. This bill makes amendments to the statute of limitations relating to claims of childhood sexual abuse. In 2013 I vetoed a substantially similar bill, SB 131 (Beall). My views have not changed. As I said then: Statutes of limitation reach back to Roman law and were specifically enshrined in the English common law by the Limitations Act of 1623. Ever since, and in every state, including California, various limits have been imposed on the time when lawsuits may still be initiated. Even though valid and profoundly important claims are at stake, all jurisdictions have seen fit to bar actions after a lapse of years. The reason for such a universal practice is one of fairness. There comes a time when an individual or organization should be secure in the reasonable expectation that past acts are indeed in the past and not subject to further lawsuits. With the passage of time, evidence may be lost or disposed of, memories fade and witnesses move away or die. Over the years, California's laws regarding time limits for childhood sexual abuse cases have been amended many times. The changes have affected not only how long a person has to make a claim, but also who may be sued for the sexual abuse. The issue of who is subject to liability is an important distinction as the law in this area has always and rightfully imposed longer periods of liability for an actual perpetrator of sexual abuse than for an organization that employed that perpetrator. This makes sense as third parties are in a very different position than perpetrators with respect to both evidence and memories. For claims against a perpetrator of abuse, the current law is that a claimant must sue within eight years of attaining the age of majority (i.e. age 26) or "within three years of the date the plaintiff discovers or reasonably should have discovered that psychological injury or illness occurring after the age of majority was caused by the sexual abuse, whichever period expires later?" However, for claims against a third party - e.g. an organization that employed the perpetrator of the abuse - the general rule since 1998 was that a claimant must sue before he or she turns 26. A later discovered psychological injury - no matter how compelling - could not be brought against a third party by a person older than 26. When a number of high profile sex abuse scandals in both public and private institutions came to light, many felt that the third party limitation rule described above was too harsh and that claimants over 26 should be able to recover damages for later discovered injuries from certain, more culpable entities. In 2002, the California Legislature weighed the competing considerations on this issue and enacted SB 1779, which did the following: (1) It identified for the first time a new subcategory of third party defendants which no longer would have the protection of the age 26 cutoff for claims. Going forward these defendants - entities who knew or should have known of the sexual abuse and failed to take action - now could be sued within three years of the date of discovery of a claim. (2) Looking backwards, SB 1779 also revived for one year only (2003) all claims that had previously lapsed because of the statute of limitation. This very unusual "one year revival" of lapsed claims allowed victims relief but also set a defined cut-off*

time for these lapsed claims. In reliance on the clear language and intent of this statute, the private third party defendants covered by this bill took actions to resolve these legacy claims of victims older than 26. Over 1,000 claims were filed against the Catholic Church alone, some involving alleged abuse as far back as the 1930s. By 2007, the Catholic Church in California had paid out more than \$1.2 billion to settle the claims filed during this one year revival period. Other private and non-profit employers were sued and paid out as well. For the public third parties covered by this bill, however, a very different result occurred. There is no doubt that in 2002, when SB 1779 was enacted, it was intended to apply to both public and private entities. Indeed, it would be unreasonable, if not shocking, for the Legislature to intentionally discriminate against one set of victims, e.g. those whose abusers happened to be employed by a public instead of a private entity. However, due to a drafting error, the California Supreme Court held in 2007 that SB 1779 did not actually apply to public or governmental agencies. So, unlike private institutions, public schools and government entities were shielded from the one year revival of lapsed claims. As a result, the similarly situated victims of these entities were not accorded the remedies of SB 1779. In 2008, the Legislature addressed this unfair distinction between victims of public as opposed to private institutions. Note, however, that the bill enacted, SB 640, did not restore equity between these two sets of victims. Instead of subjecting public/governmental entities to all of the provisions of the 2002 law, the Legislature only allowed victims of public institutions to sue under the new rules prospectively-from 2009 forward-and provided no "one year revival" period. In passing this 2008 law, I can't believe the legislature decided that victims of abuse by a public entity are somehow less deserving than those who suffered abuse by a private entity. The children assaulted by Jerry Sandusky at Penn State or the teachers at Miramonte Elementary School in Los Angeles are no less worthy because of the nature of the institution they attended. Rather, I believe that legislators, in good faith, weighed the merits of such claims against the equities of allowing claims to be brought against third parties years after the abuse occurred. The Legislature concluded that fairness required that certain claims should be allowed, but only going forward. The bill now before me, AB 3120, is broader than SB 131, does not fully address the inequity between state defendants and others, and provides a longer revival period for otherwise barred claims. For these reasons, as well as those previously enumerated in the veto message referenced above, I cannot sign this bill. Sincerely, Edmund G. Brown Jr.

ACSA Position: Oppose

SB 1265 (Wieckowski D) Common interest developments: elections.

Status: 9/30/2018-Vetoed by the Governor. In Senate. Consideration of Governor's veto pending.

Summary: The Davis-Stirling Common Interest Development Act requires a homeowner's association to adopt rules that, among other things, specify the qualifications for candidates for the board of directors of the association and any other elected position, qualifications for voting, the voting power of each membership, the authenticity, validity, and effect of proxies, and the voting period for elections, including the times at which polls will open and close, consistent with the governing documents. This bill would, among other things, require an association to disqualify a member from nomination as a candidate for not being a member at the time of nomination and for being convicted of certain felonies, and would authorize an association to disqualify a person from being nominated or from serving on the board for specified reasons, including the failure to pay regular assessments.

Governor's Message: To the Members of the California State Senate: I am returning Senate Bill 1265 without my signature. This bill makes several changes to the elections process for homeowner associations within common interest developments. California has over 50,000 common interest developments varying in purpose and size. Each one has governing documents that are tailored specifically for that individual community. This bill takes a once-size-fits-all approach, but not all homeowner associations are alike. If changes to an election process are needed, they should be resolved by the members of that specific community. Sincerely, Edmund G. Brown Jr.

ACSA Position: Staff - watch

GRADUATION REQUIREMENTS | DROPOUT PREVENTION

AB 2772 (Medina D) Pupil instruction: ethnic studies: grant program.

Status: 9/30/2018-Vetoed by Governor.

Summary: Would authorize the governing board of a school district to, during the 2019–20 school year, apply to the State Department of Education for a grant to fund, for the 2020–21, 2021–22, and 2022–23 school years, a semester- or year-long course in ethnic studies that the governing board of the school district would require each pupil to complete, except as specified, while in any of grades 9 to 12, inclusive, in order to receive a diploma of

graduation from high school. The bill would require the governing board of a school district to base any course required as part of the grant program on the model curriculum in ethnic studies adopted by the state board.

Governor's Message: *To the Members of the California State Assembly: I am returning Assembly Bill 2772 without my signature. This bill establishes a three-year grant program for school districts that require ethnic studies in order to graduate. School districts already can, and are, requiring ethnic studies for graduation. While I recognize the value of these courses, I am reluctant to encourage yet another graduation requirement, especially when students are already overburdened by multiple tests and endless hours of homework. Sincerely, Edmund G. Brown Jr.*

ACSA Position: Disapprove

HIGHER EDUCATION

AB 767 (Quirk-Silva D) GO-Biz Information Technology.

Status: 9/23/2018-Vetoed by Governor.

Summary: Current law requires GO-Biz to establish an electronic online permit assistance center, called the California Government Online to Desktops (CalGold), through the Internet for use by any business or entity subject to a law or regulation to assist that business or entity with complying with those laws or regulations. Current law requires CalGold to be reviewed periodically, as specified. This bill would, among other things, provide for a GO-Biz Information Technology Unit within GO-Biz, which would create an online Internet platform, called the California Business Development Portal, that is comprised of 3 elements, including economic and business development-related digital information, the systems and processes used to manage that information, and a public interface capability, as prescribed.

Governor's Message: *To the Members of the California State Assembly: I am returning Assembly Bill 767 without my signature. This bill codifies the Information Technology unit within the Governor's Office of Business and Economic Development and authorizes two positions in statute for this purpose. This bill is unnecessary given the 2018 Budget Act included funding for staff positions to perform activities substantially similar to those prescribed in this measure. The annual budget process is the best venue to evaluate the resources and staff needed for various state programs such as the one contemplated by this proposal. Sincerely, Edmund G. Brown Jr.*

AB 1231 (Weber D) Public postsecondary education: California State University: support staff employees: merit salary adjustments.

Status: 9/30/2018-Vetoed by Governor.

Summary: Current law establishes the California State University, under the administration of the Trustees of the California State University, as one of the segments of public postsecondary education in this state. The California State University system comprises 23 institutions of higher education. Current law authorizes the trustees to provide by rule for the government of their appointees and employees, as specified. This bill, notwithstanding any other law, would require, after completion of the first year in a position, and after completion of each subsequent year thereafter, each support staff employee of the California State University to receive a merit salary intermediate step adjustment of 5% when he or she meets the standards for satisfactory performance of the position, as determined by the employee's appropriate administrator pursuant to a uniform employee evaluation process.

Governor's Message: *To the Members of the California State Assembly: I am returning AB 1231 without my signature. This bill would require support staff of the California State University system to receive five percent annual merit salary increases, based on satisfactory performance. While the bill is laudable in its goals of trying to raise wages and create salary progression for support staff at the CSU, most of whom are within lower paid classifications, collective bargaining should be the tool to effectuate such changes. I do believe, however, that the CSU should undertake a diligent examination of pay disparities and opportunities for upward mobility for its lowest wage workers. As I stated in a message to the University of California last year, "As the UC prides itself on being an agent of social mobility for students, it might follow that UC could similarly be an agent of social mobility for lower-wage workers at its campuses." I believe that CSU can and should strive to do the same. Sincerely, Edmund G. Brown Jr.*

ACSA Position: Staff - watch

AB 2070 (Reyes D) Postsecondary education: sexual assault and sexual violence prevention training: intimate partner and dating violence.

Status: 8/6/2018-Consideration of Governor's veto pending.

Summary: Current law requires the governing boards of each community college district, the Trustees of the California State University, the Regents of the University of California, and the governing boards of independent postsecondary institutions, in order to receive state funds for student financial assistance, to adopt, among other things, detailed and victim-centered policies and protocols, and outreach programs, regarding sexual assault, domestic violence, dating violence, and stalking involving a student that comport with best practices and current professional standards, covering specified topics. This bill would provide that the outreach programming required by this provision would include informing students about specified topics relating to intimate partner and dating violence, as specified.

Governor's Message: *To the Members of the California State Assembly: I am returning Assembly Bill 2070 without my signature. Last year, following the veto of Senate Bill 169, I convened a small panel of experts to review state and federal law and regulations on sexual assault and sexual harassment at postsecondary institutions, in order to better understand what more, if anything, was needed in our state laws. I would like to see the panel's review and recommendations before considering additional changes to existing law. Parenthetically, I would note that the essential elements of AB 2070 appear to be covered by existing law. Sincerely, Edmund G. Brown Jr.*

ACSA Position: Staff - watch

AB 2477 (Rubio D) Student support services: Dream Resource Liaisons.

Status: 9/26/2018-Vetoed by Governor.

Summary: Would, commencing with the 2019–20 academic year, require the California State University, and request the University of California, to designate a Dream Resource Liaison on each of their respective campuses, as specified, to assist students meeting specified requirements, including undocumented students, by streamlining access to all available financial aid and academic opportunities for those students. The bill would encourage those institutions to establish Dream Resource Centers, and would authorize those centers to provide specified support services.

Governor's Message: *To the Members of the California State Assembly: I am returning Assembly Bill 2477 without my signature. The bill requires campuses of the California State University, and requests campuses of the University of California, to designate a staff member, known as a "Dream Resource Liaison," who is knowledgeable about financial aid and academic opportunities for undocumented students, and also encourages the creation of resource centers for these students. As I stated in the veto of AB 2009 of 2016, all of our higher education institutions ought to be well-versed in the rights and opportunities available to undocumented students. I further called on our system higher education leaders to ensure that relevant campus personnel can ably fulfill these duties. UC and CSU have complied by either creating designated physical spaces on campus called Dream Resource Centers, or provided such information through existing student support programs. This bill is not necessary. Sincerely, Edmund G. Brown Jr.*

ACSA Position: Staff - watch

SB 320 (Leyva D) Public university student health centers: medication abortion readiness: abortion by medication techniques: College Student Health Center Sexual and Reproductive Health Preparation Fund.

Status: 9/30/2018-Vetoed by the Governor. In Senate. Consideration of Governor's veto pending.

Summary: Current law establishes the University of California, under the administration of the Regents of the University of California, and the California State University, under the administration of the Trustees of the California State University, as 2 of the segments of public postsecondary education in this state. This bill would express findings and declarations of the Legislature relating to the availability of abortion by medication techniques at on-campus student health centers at public postsecondary educational institutions in the state.

Governor's Message: *To the Members of the California State Senate: I am returning Senate Bill 320 without my signature. This bill requires every student health center at University of California and California State University campuses to offer medication abortions beginning January 1, 2022. Access to reproductive health services, including abortion, is a long-protected right in California. According to a study sponsored by supporters of this legislation, the average distance to abortion*

providers in campus communities varies from five to seven miles, not an unreasonable distance. Because the services required by this bill are widely available off-campus, this bill is not necessary. Sincerely, Edmund G. Brown Jr.

ACSA Position: Staff - watch

SB 968 (Pan D) Postsecondary education: mental health counselors.

Status: 9/23/2018-Vetoed by the Governor. In Senate. Consideration of Governor's veto pending.

Summary: Would require the Trustees of the California State University and request the Regents of the University of California, to have one full-time equivalent mental health counselor per 1,500 students enrolled at each of their respective campuses to the fullest extent consistent with state and federal law. The bill would define mental health counselor for purposes of this provision. The bill would require those institutions, on or before January 1, 2020, and every 3 years thereafter, to report to the Legislature how funding was spent and the number of mental health counselors employed on each of its campuses, as specified.

Governor's Message: *To the Members of the California State Senate: I am returning Senate Bill 968 without my signature. The bill would prescribe a minimum mental health counselor-to-student ratio at all the campuses of the California State University system, and request the University of California to implement the same ratio on its campuses. Investing greater resources in student mental health is an understandable goal. Such investments, however, should be actively considered and made within the budget process. Moreover, specific ratios should remain within the purview of the boards or with local campuses, rather than dictated by the state. Sincerely, Edmund G. Brown Jr.*

ACSA Position: Staff - watch

HOMELESS & FOSTER YOUTH

AB 2043 (Arambula D) Foster children and youth: family urgent response system.

Status: 9/27/2018-Vetoed by Governor.

Summary: Current law, commonly known as Continuum of Care Reform (CCR), states the intent of the Legislature in adopting CCR to improve California's child welfare system and its outcomes. This bill would make legislative findings and declarations, stating the intent of the Legislature in adopting this bill to build upon the current CCR implementation effort. The bill would require the State Department of Social Services to establish a statewide hotline, operational no later than January 1, 2020, as the entry point for a Family Urgent Response System, as defined, to respond to calls from caregivers or current or former foster children or youth when a crisis arises, as specified.

Governor's Message: *To the Members of the California State Assembly: I am returning the following five bills without my signature: AB 2043 AB 2342 AB 2593 SB 1125 SB 1148 Each of these bills require significant, ongoing general fund commitments. As such, I believe they should be considered as part of the budget process. Sincerely, Edmund G. Brown Jr.*

ACSA Position: Staff - watch

AB 2602 (McCarty D) Homeless youth emergency service projects.

Status: 9/26/2018-Vetoed by Governor.

Summary: Would establish an additional homeless youth emergency service project in the County of Sacramento. The bill would require the office to prepare and disseminate a request for proposal for the grantee by June 1, 2019, and would require the office to enter into a grant award agreement and the operation of the project to begin by October 1, 2019.

Governor's Message: *To the Members of the California State Assembly: I am returning Assembly Bill 2602 without my signature. This bill requires the Office of Emergency Services to enter into a grant award agreement to fund a homeless youth emergency service project in Sacramento County that must begin operating by October 1, 2019. The bill directs the Office to establish the project but does not provide funding for its operation. Services to the state's homeless youth are important, but mandating this project without a funding source would be unwise. This project should be carefully evaluated during the annual budget process. Sincerely, Edmund G. Brown Jr.*

ACSA Position: Staff - watch

AB 2614 (Carrillo D) Outdoor experiences: community access program: grant program.

Status: 9/18/2018-Vetoed by Governor.

Summary: Would require the Natural Resources Agency to develop and implement a community access program focused on engagement programs, technical assistance, or facilities that maximize safe and equitable physical admittance, especially for low-income and disadvantaged communities, to natural or cultural resources, community education programs, or recreational amenities. The bill would authorize the agency to develop a grant program for innovative transportation projects that provide disadvantaged and low-income youth with access to outdoor experiences, as specified.

Governor's Message: *To the Members of the California State Assembly: I am returning Assembly Bill 2614 without my signature. This bill requires the California Natural Resources Agency to implement a program to increase participation in outdoor recreational activities, especially for people living in disadvantaged communities. Under current law, several departments within the California Natural Resources Agency administer programs that expand outdoor recreation. Moreover, the 2018 Budget Act sets aside \$277 million for grants to local government and nonprofits to accomplish the same goal. I agree that these outdoor programs are very important, but these are best targeted and most beneficial when done at the local level. Finally, it would be prudent to see how the recreational grant program unfolds before adding the new state role required by this bill. Sincerely, Edmund G. Brown Jr.*

ACSA Position: Staff - watch

AB 2720 (Waldron R) Juveniles: juvenile reentry.

Status: 9/30/2018-Vetoed by Governor.

Summary: Would expand the use of Juvenile Reentry Grant Special Account funds to allow counties to use any unexpended Juvenile Reentry Grant allocation to provide rehabilitative services for reentry youth who have been discharged from the jurisdiction of the juvenile court within the prior 2 years. By expanding the use of continuously appropriated funds, this bill would make an appropriation.

Governor's Message: *To the Members of the California State Assembly: I am returning Assembly Bill 2720 without my signature. This bill-contingent upon future passage of a constitutional amendment- allows counties to use any unexpended Juvenile Reentry Grant allocation to provide rehabilitative services for reentry youth who have been discharged from the jurisdiction of the juvenile court within the prior two years. The 2011 Public Safety Realignment funding that this bill seeks to repurpose is constitutionally protected. While the proponents may well have creative and positive ideas for improving re-entry services for system-involved youth, these decisions under current law rest with local authorities and cannot be changed without a constitutional amendment. Sincerely, Edmund G. Brown Jr.*

ACSA Position: Staff - watch

PUPIL SERVICES (COUNSELING/STUDENT & MENTAL HEALTH)

AB 2691 (Jones-Sawyer D) Pupil health: pupil and school staff trauma: Trauma-Informed Schools Initiative.

Status: 9/20/2018-Vetoed by Governor.

Summary: Would establish within the State Department of Education the Trauma-Informed Schools Initiative to address the impact of adverse childhood experiences on the educational outcomes of California pupils. The bill would require the department, if it determines appropriate funding is available, to take specified actions, on or before December 31, 2020, to implement the initiative, including developing and posting online an Internet Web site with information regarding the trauma-informed care approach, as defined, and a guide created by the department for public schools, including charter schools, on how to become trauma-informed schools, as defined.

Governor's Message: *To the Members of the California State Assembly: I am returning Assembly Bill 2691 without my signature. This bill would establish the "Trauma-Informed Schools Initiative" within the Department of Education at state headquarters "to address the impact of ACEs on the educational outcomes of California pupils". It's a no brainer that our schools should be sensitive to the unique and diverse characteristics of all students. With that goal in mind, I have signed dozens of bills that have sought to ensure that all our students are free from discrimination, bullying, or any other form of disrespect. While this bill is intended to do good, I am alarmed by the amount of jargon it creates and the inevitable labeling it will encourage. The issues here are best handled by local schools – and in plain English. Sincerely, Edmund G. Brown Jr.*

ACSA Position: Watch

SB 906 (Beall D) Mental health services and substance use disorder treatment: peer support specialist certification.

Status: 9/29/2018-Vetoed by the Governor. In Senate. Consideration of Governor's veto pending.

Summary: Would require the State Department of Health Care Services to establish, no later than July 1, 2020, a peer support specialist certification to support the ongoing provision of services to individuals experiencing mental health care needs, substance use disorder needs, or both by certified peer support specialists. The certification components would include, among others, curriculum and core competencies, training and continuing education requirements, a code of ethics, and a process for the investigation of complaints and corrective action.

Governor's Message: *To the Members of the California State Senate: I am returning Senate Bill 906 without my signature. This bill requires the Department of Health Care Services to establish a certificate program for peer support specialists in Medi-Cal. Currently, peer support specialists are used as providers in Medi-Cal without a state certificate. This bill imposes a costly new program which will permit some of these individuals to continue providing services but shut others out. I urge the stakeholders and the department to improve upon the existing framework while allowing all peer support specialists to continue to work. Sincerely, Edmund G. Brown Jr.*

ACSA Position: Staff - watch

SB 1019 (Beall D) Youth mental health and substance use disorder services.

Status: 9/29/2018-Vetoed by the Governor. In Senate. Consideration of Governor's veto pending.

Summary: Current law provides that funds appropriated by the Legislature to the California Health Facilities Financing Authority and the Mental Health Services Oversight and Accountability Commission for the purposes of the Mental Health Wellness Act of 2013 be made available to selected counties or counties acting jointly, except as otherwise provided, and used to provide, among other things, a complete continuum of crisis services for children and youth 21 years of age and under regardless of where they live in the state. This bill would require the commission, when making these funds available on and after July 1, 2021, to allocate at least 1/2 of those funds to local educational agency and mental health partnerships, as specified.

Governor's Message: *To the Members of the California State Senate: I am returning Senate Bill 1019 without my signature. This bill would require the Mental Health Services Oversight and Accountability Commission to allocate at least half of its triage grant funds to local education and mental health partnerships. The bill as written would limit the Commission's authority to exercise its judgment in the distribution of these grants. I believe the better practice would be to leave this matter to the Commission. Sincerely, Edmund G. Brown Jr.*

ACSA Position: Watch

SCHOOL CHOICE

AB 3086 (Kiley R) Interdistrict attendance: prohibition on transfers by a school district of residence.

Status: 9/21/2018-Vetoed by Governor.

Summary: Current law authorizes the governing boards of 2 or more school districts to enter into an agreement, for a term not to exceed 5 school years, for the interdistrict attendance of pupils who are residents of the school districts. This bill would also prohibit a school district of residence from prohibiting the transfer of a pupil who is a homeless child or youth or has been a homeless child or youth within the previous 5 school years, a currently migratory child or former migratory child, a foster youth, or a victim of an act of bullying to the school district of proposed enrollment if the school district of proposed enrollment approves the transfer application.

Governor's Message: *To the Members of the California State Assembly: I am returning Assembly Bill 3086 without my signature. This bill prohibits a school district of residence from denying the transfer out of the district for students who are homeless, in foster care, or victims of bullying. The bill requires the district of enrollment to provide transportation to these transfer students and admit all students until the school district is at maximum capacity. It is unclear what problem this bill is trying to solve and whether there is a statewide issue requiring a solution. There are already many other existing school choice options available to parents. This bill will only further complicate an already complicated array of statutes without evidence that parents need or will utilize this option. Sincerely, Edmund G. Brown Jr.*

ACSA Position: Oppose

SCHOOL SAFETY

AB 3131 (Gloria D) Law enforcement agencies: military equipment: funding, acquisition, and use.

Status: 9/27/2018-Vetoed by Governor.

Summary: Would require a law enforcement agency, defined to include specified state and local entities, to publish a military equipment use policy prior to taking certain actions relating to the funding, acquisition, or use of military equipment, as defined. The bill would also impose similar publishing requirements for the continued use of military equipment acquired prior to January 1, 2019. The bill would require that the governing body of a law enforcement agency consider a proposed military equipment use policy at a regular meeting held pursuant to specified open meeting laws.

Governor's Message: *To the Members of the California State Assembly: I am returning Assembly Bill 3131 without my signature. This bill establishes requirements that must be met before a law enforcement agency may take a number of specified actions related to the acquisition and use of "military" equipment. The list of equipment contemplated by this bill is overbroad-broader than that covered by now-repealed Executive Order 13688 which was the basis for AB 36 (Campos) in 2015, which I also vetoed. The current list not only includes items that are clearly "militaristic in style," but many that are commonly used by law enforcement and do not merit additional barriers to their acquisition. In my view this bill creates an unnecessary bureaucratic hurdle without commensurate public benefit, and I cannot sign it. Sincerely, Edmund G. Brown Jr.*

ACSA Position: Staff - watch

SPECIAL EDUCATION

AB 2168 (Thurmond D) Special education: teachers: grant program.

Status: 9/20/2018-Vetoed by Governor.

Summary: Current law requires that every individual with exceptional needs who is eligible to receive special education instruction and related services receive that instruction and those services at no cost to his or her parents or, as appropriate, to him or her. Current law requires that a special education teacher who provides special education instruction and educational services meet the same "highly qualified" requirements and personnel qualifications as are provided in specified federal law. This bill would require the establishment of a statewide framework and training and support network for the purpose of training and supporting qualified mentor teachers who will be supporting the new statewide influx of special education teachers in California to be contingent upon an appropriation in the annual Budget Act or other legislation for this purpose.

Governor's Message: *To the Members of the California State Assembly: I am returning Assembly Bill 2168 without my signature. This bill establishes the Special Education Teacher Grant program for the purpose of retaining and mentoring special education teachers. While I support the need to retain and support special education teachers, I cannot support this bill. The 2018 Budget Act includes \$50 million Proposition 98 General Fund for the Local Solutions Grant Program for schools to develop and implement new, or expand existing, locally identified solutions that recruit, support and retain special education teachers. Nothing in the grant language prohibits schools from providing mentors for special education teachers. Sincerely, Edmund G. Brown Jr.*

ACSA Position: Watch

SB 354 (Portantino D) Special education: individualized education programs: translation services.

Status: 9/26/2018-Vetoed by the Governor. In Senate. Consideration of Governor's veto pending.

Summary: This bill would revise the definition of "parent" to specify that it also includes the educational rights holder and the conservator of a child. The bill would instead require that a person who meets the definition of "parent," including all categories of people included in that definition, be determined to be the "parent" for purposes of these provisions if there is a judicial decree or order identifying that person, as specified.

Governor's Message: *To the Members of the California State Senate: I am returning Senate Bill 354 without my signature. This bill requires local schools, upon a parent's request, to translate a student's individualized education program (IEP) and other related documents prepared as part of their special education services in the native*

language of the parent within 30 days of the IEP meeting. I cannot support this bill. Current law requires that non-English speaking parents understand their child's IEP, and in fact gives parents the right to have an interpreter present at their child's IEP meetings. To the extent that this is not sufficient, I think the remedy is best handled at the local school district. Sincerely, Edmund G. Brown Jr.

ACSA Position: Neutral

STATE BUDGET

AB 2534 (Limón D) Public resources: environmental education: grant program: Hollister Ranch.

Status: 9/30/2018-Vetoed by Governor.

Summary: Would require the Director of Parks and Recreation to establish the Outdoor Equity Grants Program, to increase the ability of underserved and at-risk populations to participate in outdoor environmental educational experiences at state parks and other public lands where outdoor environmental education programs take place. The bill would require the director to, among other things, give priority for funding to outdoor environmental education programs that primarily provide outreach to and serve students who are eligible for free or reduced-price meals, foster youth, or pupils of limited English proficiency, as provided.

Governor's Message: *To the Members of the California State Assembly: I am returning Assembly Bill 2534 without my signature. This bill would create the Hollister Ranch Subaccount within the Land Bank Fund to support establishing public access to the beaches at Hollister Ranch While well intentioned, this bill relies on the implementation of a coastal access program adopted in 1982. Although this program could have been completed over three decades ago, it was not and it is now outdated. Before raising any money, as envisioned in this bill, the relevant state agencies should be required to work together to craft a sensible and fiscally responsible plan. Sincerely, Edmund G. Brown Jr.*

ACSA Position: Watch

STRs | PERs | PENSIONS

AB 1597 (Nazarian D) Public employee retirement systems: prohibited investments: Turkey.

Status: 9/30/2018-Vetoed by Governor.

Summary: Would, upon the passage of a federal law that imposes sanctions on Turkey for failure to acknowledge the Armenian Genocide, prohibit the boards of administration of the Public Employees' Retirement System and State Teachers' Retirement System from making additional or new investments, or renewing existing investments, of public employee retirement funds in an investment vehicle in Turkey that is issued by the government of Turkey or that is owned, controlled, or managed by the government of Turkey. The bill would require the boards to liquidate existing investments in Turkey in these types of investment vehicles within 6 months of the passage of a federal law imposing those sanctions on Turkey.

Governor's Message: *To the Members of the California State Assembly: I am returning Assembly Bill 1597 without my signature. This bill, which only goes into effect if the Federal Government imposes sanctions on Turkey, would require our pension funds to sell all bonds or investment vehicles issued by the Turkish government. The horror of the Armenian Genocide is something no Californian should ever forget. To that end, our school curriculum requires the study of the Armenian Genocide and this year I proclaimed April 24, 2018, as "Day of Remembrance of the Armenian Genocide". In addition, the state extended the statutory deadline for genocide victims or their heirs to seek legal redress. While this subject is profoundly important, the bill as written is mostly symbolic. Moreover, I am reluctant to force yet another disinvestment measure on our already stressed pension systems. Sincerely, Edmund G. Brown Jr.*

ACSA Position: Oppose

SB 1124 (Leyva D) Public Employees' Retirement System: collective bargaining agreements: disallowed compensation.

Status: 9/30/2018-Vetoed by the Governor. In Senate. Consideration of Governor's veto pending.

Summary: Would establish new procedures under PERL for cases in which a member's benefits are erroneously calculated by the state or a contracting agency. The bill would require the system, upon determining on or after January 1, 2019, or on or after January 1, 2017, if an appeal has been filed and the employee member, survivor, or beneficiary has not exhausted his or her administrative or legal remedies, that compensation for an

employee member reported by the state or a contracting agency conflicts with specified law, to discontinue the reporting of the disallowed compensation.

Governor's Message: *To the Members of the California State Senate: I am returning Senate Bill 1124 without my signature. This bill would establish a retiree's permanent right to incorrectly calculated pension benefits in cases where an error resulted in paying the retiree higher pension benefits than allowed by law. I share the author's view that a pension must be correctly calculated according to the law in the first instance so that retirees never find themselves on the hook for overpayments. Clearly, remedies are needed to correct such situations. But I'm concerned that this bill's broad provisions could be easily abused to circumvent limitations in law intended to protect the government-and ultimately taxpayers-from pension spiking. Indeed, in the case of an error, this bill would effectively perpetuate that error for the rest of a member's life, at substantial taxpayer expense. Before changing the law in the way that this bill does, I encourage the Legislature to develop policies to prevent such errors in the first place. Such policies might include requiring CalPERS to review and approve any proposals for pensionable compensation in a memorandum of understanding before the memorandum is finalized. Then, if errors still occurred after CalPERS's review, the penalties and ongoing costs in this bill might be warranted. Sincerely, Edmund G. Brown Jr.*

ACSA Position: Staff - watch

TAX CREDIT | TAX POLICY

AB 1715 (Quirk-Silva D) International trade and investment offices.

Status: 9/11/2018-Vetoed by Governor.

Summary: Would require the Director of GO-Biz to establish a process for accepting letters of interest from public and private entities that are interested in partnering with the state to operate an international trade and investment office in a foreign country. The bill would require the office to review the letters of interest and determine whether they are complete within 30 days of submittal. The bill would also require the director to make a determination, within 90 days of receipt of a complete letter of interest, as to whether to request a full proposal, as specified, for the operation of the office.

Governor's Message: *To the Members of the California State Assembly: I am returning Assembly Bill 1715 without my signature. This bill establishes a process for the Governor's Office of Business and Economic Development to accept proposals from public and private entities that are interested in collaborating with the state to operate an international trade and investment office in a foreign country. Nothing prohibits any public or private entity from submitting a letter of interest for establishing an international trade and investment office in a foreign nation. I am not convinced the legislatively mandated process sought by this bill to establish trade offices will improve the state's ability to pursue successful partnerships with other countries. Sincerely, Edmund G. Brown Jr.*

ACSA Position: Staff - watch

SB 539 (De León D) Cal Grants: taxes: credits: College Access Tax Credit.

Status: 9/29/2018-Vetoed by the Governor. In Senate. Consideration of Governor's veto pending.

Summary: Current insurance tax law, the Personal Income Tax Law, and the Corporation Tax Law allow various credits against the taxes imposed by those laws, including a credit, for taxable years beginning on or after January 1, 2017, and before January 1, 2023, equal to 50% of a contribution to the College Access Tax Credit Fund, as allocated and certified by the California Educational Facilities Authority. Those laws limit the aggregate amount of credit that is authorized to be allocated and certified to \$500,000,000. This bill would increase the credit percentage on the contribution amount from 50% to 75% for taxable years beginning on or after January 1, 2018.

Governor's Message: *To the Members of the California State Senate: I am returning SB 539 without my signature. This bill would increase the amount of tax credit that taxpayers can claim when paying into the College Access Tax Credit Fund, as well as increase the total aggregate amount of credits that can be claimed. This measure started as a bold idea but because of adverse changes in the federal tax law, it now confuses an already complicated scheme and could invite intervention by the Internal Revenue Service. Sincerely, Edmund G. Brown Jr.*

ACSA Position: Staff - watch

WORKERS COMPENSATION

AB 479 (Gonzalez Fletcher D) Workers' compensation: permanent disability apportionment.

Status: 9/23/2018-Vetoed by Governor.

Summary: Current law requires apportionment of permanent disability to be based on causation, and a physician who prepares a report addressing the issue of permanent disability due to a claimed industrial injury is required to address the issue of causation of the permanent disability. The physician is required to make an apportionment determination by finding the approximate percentage of permanent disability that was caused by the direct result of injury arising out of and occurring in the course of employment. This bill would require, if an employee sustains an injury arising out of and in the course of employment resulting in breast cancer, specified impairments to be considered, including the presence or absence of the organ, skin disfigurement, and pain, among other things.

Governor's Message: *To the Members of the California State Assembly: I am returning Assembly Bill 479 without my signature. This bill would require physicians to consider a specific list of impairments when determining a worker's disability for the purposes of workers' compensation when that worker suffers from breast cancer. This proposal is similar to three previous measures that I have vetoed, Assembly Bill 570 in 2017, Assembly Bill 1643 in 2016 and Assembly 305 in 2015. This bill and its predecessors have repeatedly singled out specific conditions and proposed a special set of rules that apply to them. This would result in an even more complex workers' compensation system that would essentially be "disease by statute," which would ultimately burden injured workers seeking quick resolution to their claims. Policy questions about the adequacy of the State's workers' compensation system are best addressed through empirically based research and analysis. Therefore, I am directing the Division of Workers' Compensation Administrative Director, in consultation with the Commission on Health and Safety and Workers' Compensation, to contract with an outside independent research organization to undertake an evidenced based evaluation of the issue. Specifically, the Administrative Director should review the following: 1. Do the standards for determining impairment due to occupational injury or illness accurately reflect the level of impairment caused by industrial cancer? 2. Study and compare the differences between the fifth and sixth editions of the American Medical Association Guides with respect to determining impairment resulting from industrial cancer. 3. Do the standards for determining impairment resulting from industrial cancer exhibit bias based on immutable characteristics such as gender, race or ethnicity? Every stakeholder in the workers' compensation system, but specifically the injured workers directly affected, has a vested interest in a comprehensive response to the issues raised by this series of bills. I am directing the Administrative Director to report on these questions by March 1, 2020 in order to inform the Legislature and key stakeholders on how best to address the important issues raised by this bill. Sincerely, Edmund G. Brown Jr.*

ACSA Position: Staff - watch

AB 1697 (Committee on Insurance) Workers' compensation.

Status: 9/23/2018-Vetoed by Governor.

Summary: Current law creates the Fraud Division, within the Department of Insurance, to administer provisions related to insurance fraud. Current law requires the Insurance Commissioner to ensure that the Fraud Division aggressively pursues all reported incidents of probable workers' compensation fraud. This bill would require the administrative director to establish an antifraud support unit within the Division of Workers' Compensation. The bill would set forth the duties of the unit, including coordinating and advancing antifraud activities for the division and serving as the point of contact between the division and other agencies and entities engaged in antifraud activities.

Governor's Message: *To the Members of the California State Assembly: I am returning Assembly Bill 1697 without my signature. This bill requires the Department of Industrial Relations to establish an anti-fraud unit within the Division of Workers' Compensation and requires the unit to develop data analytic processes to identify sources and the magnitude of fraudulent activity. The work required by this measure is already underway. Additionally, the bill would require the Department to reveal sensitive details about its enforcement practices. This will compromise the state's efforts to combat workers' compensation fraud, a result that nobody wants. Sincerely, Edmund G. Brown Jr.*

ACSA Position: Staff - watch

SB 899 (Pan D) Workers' compensation.

Status: 9/23/2018-Vetoed by the Governor. In Senate. Consideration of Governor's veto pending.

Summary: Current law requires a physician who prepares a report addressing the issue of permanent disability due to a claimed industrial injury to address in that report the issue of causation of the permanent disability. This bill would prohibit a physician from using race, gender, or national origin in determining the percentage of permanent disability that was caused by other factors before and subsequent to the industrial injury.

Governor's Message: *To the Members of the California State Senate: I am returning Senate Bill 899 without my signature. Consistent with current law, this measure seeks to preclude a physician from using race, gender, or national origin as a basis for apportionment. I am vetoing this bill for many of the same reasons that I returned a similar measure in 2011 - Assembly Bill 1155. This bill is unnecessary as it would not change existing law and may disturb settled court decisions, which already provide protection from the inappropriate application of the apportionment statutes. Additionally, the proposed wording of the amended statute may create ambiguities in the law, resulting in increased litigation, costs for employers and confusion for injured workers and their representatives. Sincerely, Edmund G. Brown Jr.*

ACSA Position: Staff - watch