

CALIFORNIA LEGISLATURE

Senate Judiciary Committee

2017 Legislative Bill Summaries

Editor's Note:

This document contains summaries of bills that were introduced in the legislature in 2017, the first year of the 2017-2018 legislative session. Some of these bills were signed into law by the Governor. Some were vetoed by the Governor. Others stalled in the legislative process. Since this is the first year of the legislative session, bills that have stalled may move forward in 2018.

For additional information regarding a particular bill and its Legislative history, please visit: <http://www.leginfo.ca/gov>.

ADMINISTRATIVE LAW	12
SB-378 (Portantino) - Alcoholic beverages: licenses: emergency orders.	12
AB-552 (Irwin) - United Water Conservation District.	12
AB-944 (Limón) - California Spiny Lobster Commission.	12
ARBITRATION AND MEDIATION.....	12
SB-33 (Dodd) - Arbitration agreements.	12
SB-217 (Wieckowski) - Evidence: admissibility.	12
ATTORNEYS AND THE PRACTICE OF LAW.....	13
SB-36 (Jackson) - Attorneys: State Bar: Sections of the State Bar.	13
SB-316 (Wieckowski) - Attorneys: pro bono legal aid services.	13
SB-690 (Jackson) - State Bar of California: disclosures.	13
SB-766 (Monning) - International commercial arbitration: representation.	13
AB-360 (Muratsuchi) - The State Bar: pro bono legal assistance: veterans.	14
CHILD ABUSE, ELDER AND DEPENDENT ADULT ABUSE	14
AB-611 (Dababneh) - Mandated reporters of suspected financial abuse of an elder or dependent adult: powers of attorney.	14
AB-859 (Eggman) - Elders and dependent adults: abuse or neglect.	14
CIVIL AND PERSONAL RIGHTS AND DISCRIMINATION LAW.....	14
SB-31 (Lara) - California Religious Freedom Act: state agencies: disclosure of religious affiliation information.	14
SB-169 (Jackson, De León) - Education: sex equity.	15
SB-179 (Atkins, Wiener) - Gender identity: female, male, or nonbinary.	15
SB-219 (Wiener) - Long-term care facilities: rights of residents.	16
SB-225 (Stern) - Human trafficking: notice.	16
SB-270 (Atkins) - Human trafficking recognition and reporting: training: hotels and motels. ...	16
SB-295 (Monning) - Farm labor contractors: sexual harassment prevention.	16
SB-310 (Atkins) - Name and gender change: prisons and county jails.	17
SB-393 (Lara, Mitchell) - Arrests: sealing.	17
SB-491 (Bradford) - Civil rights: discrimination: enforcement.	17
SB-597 (Leyva) - Human trafficking: victim confidentiality.	17
SCR-78 (Jackson) - The Convention on the Elimination of All Forms of Discrimination Against Women.	18
AB-23 (Ridley-Thomas) - Educational programs: single gender schools and classes.	18

AB-46 (Cooper) - Employers: wage discrimination.....	18
AB-260 (Santiago) - Human trafficking.....	18
AB-353 (Voepel) - Employment policy: voluntary veterans' preference.....	18
AB-1148 (Steinorth) - Commercial property: disclosures: disability access.....	19
AB-1379 (Thurmond) - Certified access specialist program: funding.....	19
AB-1556 (Mark Stone) - Employment discrimination: unlawful employment practices.....	19
AB-1615 (Eduardo Garcia) - Gender discrimination: civil actions.....	19
AB-1694 (Committee on Judiciary) - Civil rights.....	20
AJR-14 (Ting, Chiu) - 135th anniversary of the Chinese Exclusion Act.....	20
CIVIL PROCEDURE AND EVIDENCE.....	20
SB-543 (Morrell) - Civil actions: service of documents.....	20
SB-632 (Monning) - Civil discovery: depositions.....	20
SB-642 (Wieckowski) - Civil actions: renewal of judgments.....	21
SB-658 (Wiener) - Jury selection.....	21
SB-755 (Beall) - Civil discovery: mental examination.....	21
AB-383 (Chau) - Civil actions: discovery status conference.....	21
AB-644 (Berman) - Civil procedure: pleadings.....	21
AB-828 (Obernolte) - Civil actions: fee recovery.....	22
AB-905 (Maienschein) - Money judgments of other jurisdictions.....	22
AB-976 (Berman) - Electronic filing and service.....	22
AB-984 (Calderon) - Courts: frivolous actions or tactics.....	22
AB-1093 (Chen) - Service of process.....	22
AB-1214 (Mark Stone) - Levying Officer Electronic Transactions Act.....	23
AB-1583 (Chau) - Proposition 65: enforcement: certificate of merit: factual basis.....	23
AB-1693 (Committee on Judiciary) - Civil actions: intervention.....	23
COMMON INTEREST DEVELOPMENTS (DAVIS-STIRLING ACT).....	23
SB-407 (Wieckowski) - Common interest developments: noncommercial solicitation.....	23
SB-451 (Stone) - Common interest developments.....	24
AB-534 (Gallagher) - Common interest developments: mechanics liens.....	24
AB-634 (Eggman) - Real property: solar energy systems.....	24
AB-690 (Quirk-Silva) - Common interest developments: managers: conflicts of interest.....	24
AB-1412 (Choi) - Common interest developments: notices: volunteer officers: liability.....	25

CONSTITUTIONAL RIGHTS AND FIRST AMENDMENT LAW	25
SB-149 (McGuire, Wiener) - Presidential primary elections: ballot access.....	25
SB-163 (Bradford) - Elections: residence: domicile.....	25
SB-472 (Nielsen) - Public postsecondary education: Campus Free Expression Act.	26
SB-677 (Moorlach) - California Community Colleges: prohibited acts: electronic listening or recording devices.....	26
AB-233 (Gloria) - Pupils: right to wear religious, ceremonial, or cultural adornments at school graduation ceremonies.....	26
AB-1104 (Chau) - The California Political Cyberfraud Abatement Act.	27
ACR-21 (Kiley, Quirk) - Public postsecondary education: free speech policy.....	27
CONSUMER PROTECTION	27
SB-16 (Wieckowski) - Wage garnishment restrictions: exempt earnings: student loans.....	27
SB-19 (Hill) - Public Utilities Commission: duties and responsibilities: governance.....	28
SB-182 (Bradford) - Transportation network company: participating drivers: single business license.....	28
SB-298 (Wieckowski) - Enforcement of money judgments: exemptions.....	28
SB-313 (Hertzberg) - Advertising: automatic renewal and continuous service offers.	28
SB-579 (Galgiani) - Collectibles: sale of autographed collectibles.....	29
SB-648 (Mendoza) - Health and care facilities: private referral agencies.	29
SB-713 (Anderson) - Tanner Consumer Protection Act.....	29
AB-218 (Bonta) - Local agencies: airports: customer facility charges.	30
AB-228 (Gloria, Chiu) - Collectibles: sale of autographed memorabilia.	30
AB-243 (Cooper) - California Beef Commission.	30
AB-314 (Mullin) - Dating service contracts: online services.	30
AB-1102 (Rodriguez) - Health facilities: whistleblower protections.....	30
AB-1108 (Daly) - Self-service storage facilities.	31
AB-1286 (Friedman) - Airports: alternative customer facility charges.	31
AB-1691 (Committee on Judiciary) - Consumer credit reports: consumer credit reporting agencies.	31
CONTRACTORS.....	31
SB-486 (Monning) - Contractors' State License Law: letter of admonishment.....	31
SB-559 (Morrell) - Private Investigator Act: license: limited liability company.....	31
SB-686 (Wilk) - Public contracts: claim resolution.	32

AB-1278 (Low) - Contractor licensing: judgment debtor prohibition.	32
AB-1701 (Thurmond) - Labor-related liabilities: original contractor.....	32
CONTRACTS.....	32
SB-496 (Cannella, De León) - Indemnity: design professionals.....	32
AB-618 (Low, Gomez) - Local Agency Public Construction Act: job order contracting: school districts: community college districts.	33
AB-1159 (Chiu) - Cannabis: legal services.	33
AB-1491 (Caballero) - Sales of dogs and cats: contracts.....	33
CORPORATIONS, LIMITED LIABILITY CORPORATIONS (LLCs) AND LIMITED LIABILITY PARTNERSHIPS (LLPs).....	34
SB-340 (Hertzberg) - Corporations: dissolution: bankruptcy.....	34
AB-1535 (Maienschein) - Corporations: dissolutions: separate shareholder agreements.	34
COURTS, COURT FACILITIES, COURT EMPLOYMENT, COURT INTERPRETERS, AND COURT REPORTERS	34
SB-38 (Roth) - Courts: judgeships.....	34
SB-39 (Roth) - Suspension and allocation of judgeships.	34
SB-403 (Cannella) - Sale of county courthouses.	34
SB-467 (Wilk) - Civil actions: appearance by electronic means.	35
SB-484 (Roth) - Deposition reporting services: unlawful business practices.	35
SB-576 (Wiener) - Jury commissioners: juror data collections and maintenance.	35
AB-83 (Santiago) - Collective bargaining: Judicial Council.	36
AB-414 (Medina) - Suspension and allocation of vacant judgeships.....	36
AB-452 (Bloom) - Courts.....	36
AB-740 (Reyes) - Oaths and affirmations.	36
AB-1443 (Levine) - Court records.....	36
AB-1450 (Oberholte) - Court reporters: electronic transcripts.	37
EMPLOYMENT AND LABOR	37
SB-63 (Jackson) - Unlawful employment practice: parental leave.....	37
SB-76 (Nielsen) - Excluded employees: arbitration.	37
SB-306 (Hertzberg) - Retaliation actions: complaints: administrative review.....	37
SB-548 (Atkins, Leyva) - Public Employment Relations Board: petitions: expedited resolution.	38
SB-550 (Pan) - Public school employment: meeting and negotiating: legal actions: settlement offer: attorney's fees.	38

AB-31 (Rodriguez) - Whistleblowers: California State Auditor.....	38
AB-403 (Melendez) - Legislature: Legislative Employee Whistleblower Protection Act.	38
AB-569 (Gonzalez Fletcher) - Discrimination: reproductive health.	39
AB-1008 (McCarty, Gipson, Holden, Reyes, Weber) - Employment discrimination: conviction history.....	39
AB-1017 (Santiago) - Collective bargaining agreements: arbitration: litigation.....	39
AB-1710 (Committee on Veterans Affairs) - Prohibited discrimination against service members.....	39
ENVIRONMENTAL AND TOXIC SUBSTANCES	40
SB-49 (De León, Stern) - California Environmental, Public Health, and Workers Defense Act of 2017.....	40
SB-50 (Allen) - Federal public lands: conveyances.....	40
SB-51 (Jackson) - Professional licensees: environmental sciences and climate change: whistleblower and data protection.	40
AB-313 (Gray) - Water.....	41
AB-619 (Dahle) - Sierra Lakes County Water District.....	41
AB-1438 (Committee on Environmental Safety and Toxic Materials) - State Water Resources Control Board: environmental laboratories: public water systems: certificates and permits: procedures.....	41
FAMILY, DOMESTIC PARTNERSHIPS, ADOPTIONS, CHILD CUSTODY AND SUPPORT	41
SB-170 (Leyva) - Child custody: preferences of the child.....	41
SB-273 (Hill) - Marriage and domestic partnership: minors.....	42
SB-469 (Skinner) - Child support guidelines: low-income adjustments.....	42
AB-369 (Waldron) - Appeals: child custody orders or judgments.....	42
AB-712 (Bloom) - Civil actions: change of venue.....	42
AB-724 (Choi) - Foreign adoption: domestication.....	42
AB-1396 (Burke) - Surrogacy.....	43
AB-1692 (Committee on Judiciary) - Judiciary omnibus.....	43
GOVERNMENT AGENCIES: PUBLIC RECORDS ACT AND BROWN ACT	43
SB-529 (Nguyen) - Inspection of public records.....	43
SB-657 (Bates) - California Public Records Act: reverse public records actions.....	43
SB-806 (Glazer) - Charter schools: operation: for-profit entities.....	43
AB-459 (Chau) - Public records: video or audio recordings: crime.....	44
AB-1022 (Irwin) - Information technology: Technology Recovery Plans: inventory.....	44

AB-1455 (Bocanegra) - The California Public Records Act: exemptions.	44
AB-1479 (Bonta) - Public records: custodian of records: civil penalties.	44
HEALTH CARE ISSUES.....	45
SB-241 (Monning) - Medical records: access.....	45
SB-349 (Lara) - Chronic dialysis clinics: staffing requirements.	45
SB-481 (Pan) - Long-term health facilities: informed consent.	45
SB-575 (Leyva) - Patient access to health records.	46
SB-687 (Skinner) - Health facilities: emergency services: Attorney General.	46
SR-9 (Jackson, Allen, Atkins, Beall, Bradford, De León, Dodd, Galgiani, Glazer, Hernandez, Hertzberg, Hill, Hueso, Lara, Leyva, McGuire, Mendoza, Mitchell, Monning, Newman, Pan, Portantino, Roth, Skinner, Stern, Wieckowski, Wiener)	46
SR-12 (Atkins, Galgiani, Jackson, Leyva, Mitchell, Skinner).....	46
AB-651 (Muratsuchi) - Nonprofit health facilities: sale of assets: Attorney General approval. .	47
AB-1119 (Limón) - Developmental and mental health services: information and records: confidentiality.	47
HOUSING LAW, LANDLORD/TENANT, AND MOBILEHOMES.....	47
SB-147 (Dodd) - Mobilehome parks: residency.	47
SB-167 (Skinner) - Housing Accountability Act.....	47
SB-470 (Stone) - The Mobilehome Residency Law: tenancy: termination.	48
SB-542 (Leyva) - Manufactured Housing Act of 1980: notice of transfer and release of liability.	48
SB-722 (Moorlach) - Mobilehomes: principal residences: exceptions.	48
AB-294 (Gipson) - Mobilehome parks: disclosure.	48
AB-646 (Kalra) - Rental property: disclosures: flood hazard areas: areas of potential flooding.	49
AB-678 (Bocanegra) - Housing Accountability Act.	49
AB-932 (Ting) - Shelter crisis: homeless shelters.....	49
AB-1269 (Mark Stone) - Mobilehome Residents and Senior Protection Act.	49
IMMIGRANT RIGHTS	50
SB-6 (Hueso) - Tribal gaming: compact ratification.	50
SB-29 (Lara) - Law enforcement: immigration.....	50
SB-785 (Wiener) - Evidence: immigration status.	50
SJR-1 (Vidak) - Immigration.	50
SJR-9 (Vidak) - Federal Encourage New Legalized Immigrants to Start Training Act.....	51

AB-21 (Kalra, Chiu, O'Donnell) - Public postsecondary education: Access to Higher Education for Every Student.....	51
AB-291 (Chiu, Bonta, Gonzalez Fletcher, Kalra) - Housing: immigration.	51
AB-299 (Calderon) - Hiring of real property: immigration or citizenship status.	51
AB-343 (McCarty, Gonzalez Fletcher, Nazarian) - Public postsecondary education: holders of certain special immigrant visas.	51
AB-349 (McCarty, Gonzalez Fletcher, Nazarian) - Civil service: preference: special immigrant visa holder.	52
AB-386 (Gonzalez Fletcher) - Legal services for deported veterans.	52
AB-450 (Chiu) - Employment regulation: immigration worksite enforcement actions.	52
AB-638 (Caballero, Gonzalez Fletcher) - Immigration consultants.	52
AB-699 (O'Donnell, Chiu, Kalra) - Educational equity: immigration and citizenship status.	52
AB-1690 (Committee on Judiciary) - Personal rights: compensatory relief.	53
AJR-10 (Santiago) - Access to Counsel Act.	53
MINORS, JUVENILE COURTS, AND DEPENDENCY PROCEEDINGS	53
SB-213 (Mitchell) - Placement of children: criminal records check.	53
SB-245 (Leyva) - Foster youth: sexual health education.	53
SB-462 (Atkins) - Juveniles: case files: access.	53
AB-404 (Mark Stone) - Foster care.	54
AB-597 (Mark Stone) - Child abuse and neglect: information: computerized database system.	54
AB-604 (Gipson) - Nonminor dependents: extended foster care benefits.	54
AB-953 (Baker) - Protective orders: personal information of minors.	54
AB-1006 (Maienschein) - Foster youth.	55
AB-1332 (Bloom) - Juveniles: dependents: removal.	55
AB-1371 (Mark Stone, Maienschein) - Juveniles: ward, dependent, and nonminor dependent parents.	55
AB-1401 (Maienschein) - Juveniles: protective custody warrant.	55
AB-1446 (Cooley) - Dependent children: periodic review hearing.	55
MISCELLANEOUS.....	56
SB-204 (Dodd) - Domestic violence: protective orders.	56
SB-235 (Allen) - Elections: ballot designation requirements.	56
SB-292 (Bates) - Counties: contract legal counsel: auditor-controller.	56
SB-331 (Jackson) - Evidentiary privileges: domestic violence counselor-victim privilege.	56

SB-485 (Nielsen, Newman) - Veterans' homes.....	57
SB-573 (Lara) - Student financial aid: student service programs.....	57
SJR-10 (Anderson) - Falun Gong.....	57
SR-23 (Wiener, Atkins, Beall, Bradford, De León, Dodd, Hernandez, Hill, Hueso, Jackson, Lara, McGuire, Mendoza, Mitchell, Newman, Pan, Portantino, Wieckowski).....	57
AB-210 (Santiago) - Homeless multidisciplinary personnel team.	58
AB-334 (Cooper) - Sexual assault.....	58
AB-430 (Irwin, Low) - Marriage: solemnization.	58
AB-688 (Calderon) - Enforcement of money judgments: exemptions.	58
AB-772 (Daly) - Unclaimed property: publication of notice.....	58
AB-1034 (Chau) - Government interruption of communications.....	59
AB-1682 (Burke) - State government: Department of Justice: Children's Justice Fund.	59
PRIVACY.....	59
SB-21 (Hill) - Law enforcement agencies: surveillance: policies.....	59
SB-157 (Wieckowski) - Invasion of privacy: distribution of sexually explicit materials: protection of plaintiff's identity.....	59
SB-184 (Morrell) - Social security number truncation program.....	60
SB-244 (Lara) - Privacy: agencies: personal information.....	60
SB-327 (Jackson) - Information privacy: connected devices.	60
SB-350 (Galgiani) - Incarcerated persons: health records.....	60
SB-466 (Bates) - Rental passenger vehicle transactions: electronic surveillance technology: AMBER Alert.....	61
SB-734 (Fuller) - Voters: online voter registration.....	61
AB-40 (Santiago) - CURES database: health information technology system.....	61
AB-76 (Chau) - Adult-use marijuana: marketing.....	61
AB-331 (Eggman, Gloria) - County recorders: veterans: recorded documents.	62
AB-375 (Chau) - Broadband Internet access service providers: customer privacy.....	62
AB-1185 (O'Donnell) - Rental passenger vehicles.....	62
PROBATE, TRUSTS AND ESTATES, CONSERVATORSHIPS AND GUARDIANSHIPS.....	62
SB-153 (Anderson) - Estates and trusts: donative transfers.....	62
SB-333 (Anderson) - Trusts: modification or termination.....	63
SB-413 (Morrell) - Dementia: major neurocognitive disorder.....	63
SB-438 (Roth) - Juveniles: legal guardianship: successor guardian.....	63

AB-307 (Maienschein) - Allocation of principal or income.	63
AB-308 (Maienschein) - Procedures for litigation.	63
AB-309 (Maienschein) - Testamentary additions to trusts.....	64
AB-1290 (Oberholte) - Lawyer-client privilege: holder of the privilege.	64
REAL PROPERTY AND MORTGAGES	64
SB-479 (Morrell) - Mortgages: default procedures: trustee's or attorney's fees.....	64
AB-794 (Gallagher) - County officers: recorder: record correction.....	64
AB-1139 (Reyes) - Real property: transfer fees: notices.	64
TORT LIABILITY	65
SB-387 (Jackson) - The False Claims Act.	65
SB-718 (Anderson) - Terrorism: civil action.	65
SB-720 (Allen) - Government tort liability: immunity: beach fire pits.....	65
AB-1116 (Grayson) - Peer Support and Crisis Referral Services Act.....	65
AB-1219 (Eggman) - Food donations.	66
AB-1480 (Quirk) - Pest control: violations and penalties: civil penalty.	66
AB-1495 (Maienschein) - Civil liability: sexual abuse: children.....	66
UNFAIR COMPETITION AND BUSINESS PRACTICES/ANTI-TRUST	66
AB-492 (Grayson) - Advertising and solicitations: government documents.....	66
AB-814 (Bloom) - Consumer protection: enforcement powers: investigatory subpoena.	67

ADMINISTRATIVE LAW

SB-378 (Portantino) - Alcoholic beverages: licenses: emergency orders.

This bill would authorize and provide a process for the Department of Alcoholic Beverage Control to temporarily suspend or condition a license by temporary restraining order, subject to judicial review.

Status: Held in the Assembly Appropriations Committee

AB-552 (Irwin) - United Water Conservation District.

This bill authorizes the United Water Conservation District to seek a variety of additional remedies against water-producing facilities that are delinquent in payment of groundwater charges or otherwise in non-compliance.

Status: Chapter 294, Statutes of 2017

AB-944 (Limón) - California Spiny Lobster Commission.

This bill provides for the establishment of the California Spiny Lobster Commission as necessary for the efficient creation and management of a research program to develop improved harvesting and processing practices, an integrated approach to fishery management, and more efficient resource assessment, monitoring, and protection tools.

Status: Chapter 503, Statutes of 2017

ARBITRATION AND MEDIATION

SB-33 (Dodd) - Arbitration agreements.

This bill adds an additional determination to the list of exclusions from compelled arbitration. This bill provides arbitration is not compelled when the court determines that a petitioner is a state or federally chartered depository institution that seeks to apply a written agreement to arbitrate, contained in a contract consented to by a consumer, to a purported contractual relationship with that consumer created fraudulently by the petitioner without the consumer's consent and by unlawfully using the consumer's personal identifying information.

Status: Chapter 480, Statutes of 2017

SB-217 (Wieckowski) - Evidence: admissibility.

This bill provides that the admissibility of financial disclosures mandated by Family Code Sections 2104 and 2105 in relevant family law cases is not limited by the mediation confidentiality provisions of the Evidence Code even if prepared for the purpose of, in the course of, or pursuant to, a mediation or a mediation consultation.

Status: Chapter 60, Statutes of 2017

ATTORNEYS AND THE PRACTICE OF LAW

SB-36 (Jackson) - Attorneys: State Bar: Sections of the State Bar.

This bill authorizes the State Bar of California (State Bar) to collect annual membership dues for 2018, reforms the State Bar through the separation of the Sections of the State Bar, and enacts numerous governmental reforms of the State Bar.

Status: Chapter 422, Statutes of 2017

SB-316 (Wieckowski) - Attorneys: pro bono legal aid services.

This bill would establish an aspirational benchmark of 50 pro bono service hours per year for each California attorney. This bill would require attorneys to report their pro bono hours and legal aid contributions, but, would make clear that failure to report hours to the State Bar and failure to reach the 50-hour benchmark are not grounds for discipline or other administrative action. This bill would also allow attorneys to choose whether to have their pro bono hours worked and contributions made public.

Status: Held in the Assembly Appropriations Committee

SB-690 (Jackson) - State Bar of California: disclosures.

This bill allows the State Bar of California to disclose information it is currently prohibited from disclosing and that law schools need in order to comply with regulatory and accreditation requirements. This bill remedies unintended consequences that resulted from subjecting records of the State Bar to the California Public Records Act. This bill provides that any information received from an educational or testing entity that is collected by the State Bar for the purpose of conducting the Law School Bar Exam Performance Study shall be confidential and shall not be disclosed pursuant to any state law, except that aggregate, summary, or statistical data that does not identify any person and does not provide substantial risk of identification of any person may be disclosed, as specified.

Status: Chapter 433, Statutes of 2017

SB-766 (Monning) - International commercial arbitration: representation.

This bill would authorize an individual who is not admitted to practice law in California to provide legal services in an international commercial arbitration or related proceeding if the individual is admitted to practice law in the United States or a foreign jurisdiction; is a member in good standing; and is subject to effective regulation and discipline by a duly constituted professional body or public authority. An individual rendering legal services pursuant to this bill would be subject to the jurisdiction of the courts and the disciplinary authority of the State Bar. This bill would direct the State Bar to annually report to the Supreme Court regarding the number and nature of any complaints that it has received against these attorneys and any actions it has taken in response to these complaints.

Status: In the Senate Judiciary Committee

AB-360 (Muratsuchi) - The State Bar: pro bono legal assistance: veterans.

This bill requires the State Bar to administer a program to coordinate pro bono civil legal assistance to veterans and their families who otherwise cannot afford legal services.

Status: Chapter 401, Statutes of 2017

CHILD ABUSE, ELDER AND DEPENDENT ADULT ABUSE

AB-611 (Dababneh) - Mandated reporters of suspected financial abuse of an elder or dependent adult: powers of attorney.

This bill authorizes a mandated reporter of suspected elder or dependent adult financial abuse to refuse to honor a power of attorney, as defined, if that mandated reporter makes a report that the elder or dependent adult may be subject to financial abuse, as specified.

Status: Chapter 408, Statutes of 2017

AB-859 (Eggman) - Elders and dependent adults: abuse or neglect.

This bill would have applied a preponderance of the evidence standard to any claim brought against a residential care facility for the elderly or a skilled nursing facility, except when operated by an acute care hospital as specified, for remedies sought pursuant to the Elder Abuse and Dependent Adult Civil Protection Act, upon circumstances in which spoliation of evidence has been committed by the defendant, as specified.

In his veto message, Governor Brown stated that he does not believe changing the standard of proof is warranted at this time because under existing law judges have numerous sanctions at their disposal. The Governor explained that these sanctions offer judges a number of options for recourse when intentional destruction or concealment of evidence is found.

Status: Vetoed by the Governor

CIVIL AND PERSONAL RIGHTS AND DISCRIMINATION LAW

SB-31 (Lara) - California Religious Freedom Act: state agencies: disclosure of religious affiliation information.

This bill, to be known as the California Religious Freedom Act, directs California state and local governments to refrain from initiating, participating in, or assisting with any program to create a religious list, registry, or database, or using information about people's national origin or ethnicity to achieve the same basic purpose.

Status: Chapter 826, Statutes of 2017

SB-169 (Jackson, De León) - Education: sex equity.

This bill would have added sexual violence to the definition of sexual harassment in the Education Code. Furthermore, this bill would have directed all California K-12 and post-secondary educational institutions receiving financial assistance from the State to implement the standards for sexual harassment prevention issued by the U.S. Department of Education Office of Civil Rights in its Dear Colleague Letter of April 4, 2011. Specifically, the institutions would have been required to, among other specified things: designate one employee as a sex equity coordinator; adopt and publish grievance procedures providing for prompt and equitable resolution of sexual harassment complaints; and take immediate action, when it finds that sexual harassment has created a hostile environment, to eliminate the hostile environment, prevent its recurrence, and address its effects on the complainant and the campus community. When an appropriate state enforcement agency finds that an educational institution has not taken prompt and effective steps to respond to sexual harassment, then, after giving the educational institution an opportunity to comply voluntarily, the enforcement agency would have had the discretion to initiate proceedings to withdraw state financial assistance.

In his veto message, Governor Brown invoked "strong" recently enacted laws intended to deal with the problem of sexual assault at educational institutions. Governor Brown indicated his belief that additional time and study of the impact of those laws is needed to determine whether additional legislation is needed and, if so, what its content should be, and committed to convening "a group of knowledgeable persons" to help chart the way forward.

Status: Vetoed by the Governor

SB-179 (Atkins, Wiener) - Gender identity: female, male, or nonbinary.

This bill provides for a third gender option on the state driver's license, identification card, and birth certificate. This bill also restructures the process for individuals to change their name to conform with their gender identity and creates a new procedure for an individual to secure a court-ordered change of gender. Most of the bill's provisions become effective on September 1, 2018. This bill provides that if an objection is timely filed on a court order to recognize a change in gender, the court may set a hearing if the objection shows good cause but shall grant the petition for gender change at the hearing if it determines it is not made for any fraudulent purpose and provides that if a petition is filed seeking to conform the petitioner's name to the petitioner's gender identity and no objection is timely filed, the court shall grant the petition without a hearing.

Status: Chapter 853, Statutes of 2017

SB-219 (Wiener) - Long-term care facilities: rights of residents.

This bill enacts the Lesbian, Gay, Bisexual and Transgender Long-Term Care Facility Residents' Bill of Rights and makes it unlawful for any long-term care facility, as defined, to take specified actions on the basis of a person's actual or perceived sexual orientation, gender identity, gender expression, or human immunodeficiency virus status.

Status: Chapter 483, Statutes of 2017

SB-225 (Stern) - Human trafficking: notice.

This bill requires the notice, provided for in Civil Code Section 52.6, to include language indicating that victims, or those who witness human trafficking, can text a special hotline to access help and services, and requires the Department of Justice to update the model notice accordingly.

Status: Chapter 565, Statutes of 2017

SB-270 (Atkins) - Human trafficking recognition and reporting: training: hotels and motels.

This bill would require hotels and motels that provide lodging services to train employees who are likely to interact or come into contact with victims of human trafficking. The employees would be trained on recognizing the signs of human trafficking and how to report those signs to the appropriate law enforcement agency. An approved training program would be developed by the Department of Justice and posted online. Hotels and motels would be able to use privately developed programs with Department of Justice approval.

Status: Held in the Senate Appropriations Committee

SB-295 (Monning) - Farm labor contractors: sexual harassment prevention.

This bill makes several additions to the law that governs obtaining and renewing a farm labor contractor license. The intent behind these changes is to increase compliance with sexual harassment prevention training requirements. Specifically, this requires: (1) that sexual harassment prevention training for each agricultural employee be given in the language understood by that employee; (2) that, as part of their license renewal application, farm labor contractors provide the California Labor Commissioner with a complete list of all materials or resources used to provide sexual harassment prevention training to their employees in the prior year; (3) that, as part of their license renewal application, farm labor contractors also include the total number of agricultural employees trained in sexual harassment prevention in the prior year; and (4) that the Labor Commissioner shall add up the number of sexual harassment prevention trainees annually and post the total on its Web site. This bill also authorizes the Labor Commissioner to assess a civil penalty of \$100 for each violation of certain sexual harassment prevention training requirements.

Status: Chapter 424, Statutes of 2017

SB-310 (Atkins) - Name and gender change: prisons and county jails.

This bill permits inmates and parolees under the jurisdiction of the California Department of Corrections and Rehabilitation (CDCR) to petition the courts for a change of name and official gender identification without the need for prior authorization. Those under the jurisdiction of CDCR must notify the department of the petition; those in county jails must notify the corresponding sheriff's department, giving those entities the opportunity to present objections to the proposed change in court. This bill also requires state prisons and county jails to use the new name, once approved by the court, in all subsequent documentation.

Status: Chapter 856, Statutes of 2017

SB-393 (Lara, Mitchell) - Arrests: sealing.

This bill provides a mechanism for a person to petition a court to seal records of arrests that did not result in a conviction, as defined, with certain exceptions.

Status: Chapter 680, Statutes of 2017

SB-491 (Bradford) - Civil rights: discrimination: enforcement.

This bill would have instructed the California Department of Fair Employment and Housing (DFEH) to establish an advisory group to explore the possibility of authorizing local governments to enforce the state's anti-discrimination laws by surveying existing local practices, studying the feasibility of such a change, and reporting back to the Legislature with an implementation plan and draft legislation.

In his veto message, Governor Brown expressed concern that the bill is drafted too broadly: "it is not clear that the advisory group would focus solely on employment protections governed by FEHA." The veto message nonetheless directs DFEH to "create an advisory group to explore allowing the provisions of FEHA to be enforced by local authorities and prepare a report to my office and the Legislature with findings and recommendations by December 31, 2018."

Status: Vetoed by the Governor

SB-597 (Leyva) - Human trafficking: victim confidentiality.

This bill makes the address confidentiality program administered by the Secretary of State, known as the Safe at Home program, available to victims of human trafficking, and makes additional conforming changes. This bill also expands the program to include household members of victims of domestic violence, sexual assault, stalking, and human trafficking, as specified.

Status: Chapter 570, Statutes of 2017

SCR-78 (Jackson) - The Convention on the Elimination of All Forms of Discrimination Against Women.

This resolution would make a series of findings regarding ongoing disparities and discrimination against women in the State of California in contravention of the international Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW). This resolution would further urge state government and the private sector to adhere to the principles of CEDAW, to analyze their policies, programs, employment practices, budget allocations, and service provisions in light of those principles, and to remedy any identified shortcomings.

Status: In the Assembly Judiciary Committee

AB-23 (Ridley-Thomas) - Educational programs: single gender schools and classes.

This bill permits public schools in school districts with an average daily attendance of 400,000 or more to maintain existing gender segregated schools and classes, subject to specified conditions. Establishment of the gender segregated schools or programs is dependent on the adoption of policies addressing compliance with federal prohibitions on gender-based discrimination and is subject to a biannual evaluation requirement. This bill prohibits the establishment of new gender segregated schools and classes. This bill sunsets on January 1, 2025.

Status: Chapter 654, Statutes of 2017

AB-46 (Cooper) - Employers: wage discrimination.

This bill confirms that the Equal Pay Act extends to public sector employment. The main thrust of the Equal Pay Act is to prohibit employers from compensating their employees at different rates for substantially similar work unless the employer can demonstrate that a bona fide reason other than race, gender, or ethnicity justifies the differential.

Status: Chapter 776, Statutes of 2017

AB-260 (Santiago) - Human trafficking.

This bill includes hotels, motels, and bed and breakfast inns, not including personal residences, on the list of establishments that must post notices containing resources for potential victims of human trafficking and slavery.

Status: Chapter 547, Statutes of 2017

AB-353 (Voepel) - Employment policy: voluntary veterans' preference.

This bill would establish the Voluntary Veterans' Preference Employment Policy Act to allow private employers to give veteran preference in employment decisions. This bill failed passage in the Senate Committee on Judiciary. AB 1383 (Jones, 2016), a bill nearly identical to this one, also was voted down by the Senate Judiciary Committee because of concerns regarding the impact the creation of a program that would give

preference to a population that is 92 percent male would have on women and LGBT persons.

Status: Failed passage in the Senate Judiciary Committee. Reconsideration granted.

AB-1148 (Steinorth) - Commercial property: disclosures: disability access.

This bill inserts a definition of “commercial property” for purposes of disability access inspection disclosures, with the effect of limiting the disability access inspection disclosure requirements to properties that are being offered for sale or lease to persons operating, or intending to operate, a public accommodation or a facility to which the general public is invited. This bill took effect immediately as an urgency statute.

Status: Chapter 87, Statutes of 2017

AB-1379 (Thurmond) - Certified access specialist program: funding.

This bill makes changes to the funding behind the Certified Access Specialist Program (CASp), a program that trains and certifies specialists in assessing whether physical structures such as schools, parks, and shopping malls, comply with the applicable disability access laws. Specifically, this bill: (1) extends the fee on business licenses and permits that fund the CASp program; (2) temporarily increases those fees; and (3) reconfigures the formula by which the resulting revenue is distributed; all in order to increase the number of CASp certified local building inspectors in California.

Status: Chapter 667, Statutes of 2017

AB-1556 (Mark Stone) - Employment discrimination: unlawful employment practices.

This bill replaces, with gender neutral language, all existing references to “female,” “he,” “she,” and other gender-specific terms in the California Fair Employment and Housing Act and the Moore-Brown-Roberti Family Rights Act, thereby achieving more inclusive statutes and clarifying that all Californians are protected against discrimination, including pregnancy discrimination, regardless of their gender identity.

Status: Chapter 799, Statutes of 2017

AB-1615 (Eduardo Garcia) - Gender discrimination: civil actions.

This bill instructs the Department of Consumer Affairs to develop and distribute informational materials describing the rights and obligations of California businesses relating to charging different prices for services based on the gender of the customer being served. In addition, this bill requires anyone bringing a legal claim against a business for gender discriminatory pricing to provide, at the outset of the lawsuit informational materials regarding the business’ rights and responsibilities under these laws.

Status: Chapter 156, Statutes of 2017

AB-1694 (Committee on Judiciary) - Civil rights.

This bill would clarify existing law and avoid legal confusion by explicitly identifying the Ralph and Tom Bane Civil Rights Acts in the Civil Code, thus distinguishing them from their Civil Code neighbor, the Unruh Civil Rights Act. This bill would also make conforming changes to cross references in the Insurance Code.

Status: Held at the Senate Desk

AJR-14 (Ting, Chiu) - 135th anniversary of the Chinese Exclusion Act.

This resolution marks the 135th anniversary of the signing of the Chinese Exclusion Act, describes the racial hostility that gave rise to it; draws parallels to the immigration policies of the present federal administration; and calls upon that administration to revoke the three key Executive Orders which implement those policies, parts of which were blocked by federal court orders.

Status: Resolution Chapter 120, Statutes of 2017

CIVIL PROCEDURE AND EVIDENCE**SB-543 (Morrell) - Civil actions: service of documents.**

This bill expands the option of personal service in the civil litigation context, including for the service of applications for determination of good faith settlements, discovery, and the exchange of expert witness information.

Status: Chapter 64, Statutes of 2017

SB-632 (Monning) - Civil discovery: depositions.

When before this Committee, this bill would have limited the deposition of a deponent in asbestos litigation to seven hours of total testimony when a physician attests that the deponent is either over 70 years of age and the deponent's health is such that a deposition of more than seven hours will prejudice the deponent's well-being, or that, without regard to age of the deponent, the deponent suffers from an illness or condition that raises substantial medical doubt of the survival of the deponent beyond six months. An additional seven hours of deposition testimony would have been authorized if it was found that it does not endanger the health of the deponent. Subsequent amendments would limit these protections to deponents suffering from mesothelioma, raising substantial medical doubt of the survival of the deponent beyond six months. A court would be able to grant an additional seven hours of deposition testimony for no more than 14 hours of total testimony if it finds that an extension is in the interest of fairness, and determines that the health of the deponent does not appear to be endangered by the grant of additional time.

Status: Assembly Inactive File

SB-642 (Wieckowski) - Civil actions: renewal of judgments.

This bill would specify that a judgment debtor applying for an order of the court vacating a renewal of a judgment must serve notice of the motion personally or by first-class mail within three days of the application for the order. This bill would also make a stylistic change.

Status: Assembly Inactive File

SB-658 (Wiener) - Jury selection.

This bill removes some discretion from trial judges in conducting voir dire in civil cases. This bill also restructures the provisions governing such voir dire and provides certain factors that a court must consider in exercising its discretion. The bill provides that the court must consider and discuss the form and subject matter of voir dire questions with counsel, requires the court to provide the specified juror lists to counsel at the earliest practical time, and makes other technical amendments.

Status: Chapter 337, Statutes of 2017

SB-755 (Beall) - Civil discovery: mental examination.

This bill limits a mental examination of a child, in any civil action where there is credible evidence that the child has been sexually abused, to psychological testing of no more than three hours, including any breaks. This bill only allows the examination to extend beyond three hours if the court decides to grant an extension for good cause.

Additionally, this bill requires the examiner to have expertise in child abuse and trauma.

Status: Chapter 133, Statutes of 2017

AB-383 (Chau) - Civil actions: discovery status conference.

This bill gives courts discretion to hold informal discovery conferences upon request of a party or on their own motion to discuss disputed discovery issues. This bill provides the procedures and timelines for such conferences. The outcome of such a discovery conference does not preclude the filing of any discovery motion or prejudice the disposition of such a motion.

Status: Chapter 189, Statutes of 2017

AB-644 (Berman) - Civil procedure: pleadings.

This bill requires a party that intends to file a motion to strike or a motion for judgment on the pleadings to first meet and confer with the party who filed the relevant pleading in person or by phone, according to specified timelines and procedures. This bill allows courts to order conferences of the parties after successful motions to strike or motions for judgment on the pleadings, if amended pleadings or subsequent motions in response to those pleadings are filed. This bill places certain limitations on amended pleadings or subsequent motions. This bill includes a sunset date of January 1, 2021.

Status: Chapter 273, Statutes of 2017

AB-828 (Oberholte) - Civil actions: fee recovery.

This bill provides that electronic presentations of exhibits, including costs of rental equipment and electronic formatting, may be allowed as allowable costs if they were reasonably helpful to aid the trier of fact.

Status: Chapter 583, Statutes of 2017

AB-905 (Maienschein) - Money judgments of other jurisdictions.

This bill implements changes to the Tribal Court Civil Money Judgment Act and the Uniform Foreign Country Money Judgment Act recommended in a recent California Law Revision Commission Report mandated by the Legislature, including changes to ensure the foreign court has personal jurisdiction over the case under its own laws. This bill also makes other changes to the discretionary grounds for nonrecognition of a foreign-country or tribal court's judgment.

Status: Chapter 168, Statutes of 2017

AB-976 (Berman) - Electronic filing and service.

This bill expands the use of permissive and mandatory electronic filing and service in civil courts as well as in criminal, probate, and juvenile courts. It provides clear rules governing the processes, the timing, and the safeguards that must be in place. It provides that unrepresented parties are exempt from mandatory electronic filing and service. This bill requires that any court mandating electronic filing or service must provide access to more than one electronic filing service provider.

Status: Chapter 319, Statutes of 2017

AB-984 (Calderon) - Courts: frivolous actions or tactics.

This bill permits a court to order a party, the party's attorney, or both, to pay the reasonable expenses, including attorney's fees, incurred by another party as a result of actions or tactics, made in bad faith. If the alleged action or tactic is the making or opposing of a written motion or the filing and service of a complaint, cross-complaint, answer, or other responsive pleading that can be withdrawn or appropriately corrected, the offending party is afforded a 21-day safe harbor within which it can withdraw or appropriately correct the challenged action or tactic. This bill makes clear that the relevant statute, Section 128.5 of the Code of Civil Procedure, applies a subjective standard and only applies to cases filed after January 1, 2015. This bill clearly establishes all other standards, conditions, and procedures by which sanctions under Section 128.5 must be imposed.

Status: Chapter 169, Statutes of 2017

AB-1093 (Chen) - Service of process.

This bill provides guidelines for effecting service on a person when the only address reasonably known is a private mailbox obtained through a commercial mail receiving agency (CMRA). Specifically, it provides that service of process may be effected on the

first delivery attempt by leaving a copy of the summons and complaint with the CMRA in the manner described in subdivision (d) of Section 17538.5 of the Business and Professions Code.

Status: Chapter 129, Statutes of 2017

AB-1214 (Mark Stone) - Levying Officer Electronic Transactions Act.

This bill would require an electronic record transmitted to a levying officer to include the mailing address of the sender in addition to the information required under current law.

Status: In the Senate Judiciary Committee

AB-1583 (Chau) - Proposition 65: enforcement: certificate of merit: factual basis.

This bill modifies disclaimers related to the Safe Drinking Water and Toxic Enforcement Act of 1986 (Proposition 65); requires the California Attorney General to serve a letter related to alleged violations of the act, as specified; and clarifies discovery provisions related to the certificate of merit. Specifically, if the Attorney General, after reviewing alleged violations of the Act, finds there is no merit to them, the bill requires the Attorney General to serve a letter to the noticing party and the alleged violator stating the Attorney General believes there is no merit to the action. This bill also amends the required disclaimer to make clear that agencies besides the federal Food and Drug Administration may certify a product and that a certification by an agency does not necessarily mean that the product is exempt from Proposition 65 requirements. This bill also provides that the basis for a certificate of merit is discoverable only to the extent that the information is relevant to the subject matter of the action and not subject to an applicable privilege.

Status: Chapter 510, Statutes of 2017

AB-1693 (Committee on Judiciary) - Civil actions: intervention.

This bill amends the provisions of the Code of Civil Procedure governing interventions to recognize an “answer in intervention” in addition to the existing “complaint in intervention” and makes other clarifying and non-substantive changes to modernize that statute.

Status: Chapter 131, Statutes of 2017

COMMON INTEREST DEVELOPMENTS (DAVIS-STIRLING ACT)

SB-407 (Wieckowski) - Common interest developments: noncommercial solicitation.

This bill clarifies the rights of homeowners and residents in common interest developments (CIDs) to engage in politically expressive activities within the CID. Specifically, this bill makes it unlawful for a CID’s governing documents or operating rules to prohibit homeowners or residents from: assembling peacefully; inviting public

officials, candidates for public office, and representatives of homeowner organizations to meet with homeowners and residents as well as their invitees and guests; using common areas for political meetings; canvassing and petitioning other CID members and residents; and distributing information, without prior permission, about matters of general public political concern and matters relating specifically to life in the CID.

Status: Chapter 236, Statutes of 2017

SB-451 (Stone) - Common interest developments.

This bill would make an association governing a common interest development immune from lawsuits alleging that the association's governing documents do not contain a provision authorizing the association to stop harassment of a member by another member.

Status: In the Senate Judiciary Committee

AB-534 (Gallagher) - Common interest developments: mechanics liens.

This bill makes three modifications to the law so as to clarify and facilitate the operation of mechanics liens in the context of work performed on the common areas of common interest developments. Specifically, this bill: (1) imputes to all owners a CID association's authorization to perform work on a common area; (2) allows the claimant on a mechanic's lien to notify the association instead of every individual owner; and (3) clarifies that an individual property owner within a CID can remove a mechanic's lien that applies to multiple units within a CID by obtaining and recording a lien release bond for that owner's pro rata share of the overall claim.

Status: Chapter 44, Statutes of 2017

AB-634 (Eggman) - Real property: solar energy systems.

This bill prohibits homeowners' associations (HOAs) from requiring approval of the membership of the common interest development when an owner wishes to install a solar energy system on the roof of the building in which they reside. This bill also requires the owner to: 1) notify each owner of a unit in the building on which the installation is located of the application to install a solar energy system; and 2) maintain a homeowner liability coverage policy at all times. The HOA may impose other specified conditions on the owner.

Status: Chapter 818, Statutes of 2017

AB-690 (Quirk-Silva) - Common interest developments: managers: conflicts of interest.

This bill imposes disclosure requirements on common interest development property managers with the aim of increasing transparency around: (1) the fees charged for the

provision of legal documents relating to the purchase and sale of property within the CID; and (2) the process by which the property manager purchases services for the CID.

Status: Chapter 127, Statutes of 2017

AB-1412 (Choi) - Common interest developments: notices: volunteer officers: liability.

This bill makes two minor adjustments to the laws governing common interest developments. First, it directs homeowners' associations to continue to use the last provided address for each member of the association, rather than reverting to the address of the member's separate property each year. Second, the bill extends to the residential, volunteer directors of a mixed-use CID the same limitations on liability that residential, volunteer directors of an exclusively residential CID enjoy.

Status: Chapter 278, Statutes of 2017

CONSTITUTIONAL RIGHTS AND FIRST AMENDMENT LAW

SB-149 (McGuire, Wiener) - Presidential primary elections: ballot access.

This bill would have enacted the Presidential Tax Transparency and Accountability Act requiring, as a precondition for appearing on a California primary election ballot, candidates for U.S. President to file copies of their income tax returns for the five most recent taxable years with the California Secretary of State's Office (SOS). After redacting the returns for privacy purposes, the SOS would have then made the returns available to the public through its Web site.

In his veto message, the Governor explained that a qualified candidate's ability to appear on the ballot is fundamental to our democratic system, and, for that reason, he hesitates "to start down a road that well might lead to an ever escalating set of differing state requirements for presidential candidates."

Status: Vetoed by the Governor

SB-163 (Bradford) - Elections: residence: domicile.

This bill would clarify and emphasize the Legislature's intent that, in determining the domicile of a Member of the California Legislature or a Representative in the Congress of the United States, a court should apply the conclusive presumption that his or her domicile is the residence address at which the person is registered to vote, rather than engaging in a review of other evidence.

Status: In the Senate Judiciary Committee

SB-472 (Nielsen) - Public postsecondary education: Campus Free Expression Act.

This bill, which would be known as the Campus Free Expression Act, would declare that the outdoor areas of the Universities of California, the California State Universities, and California Community Colleges are traditional public forums for the purposes of First Amendment law. In those outdoor areas, California's public postsecondary institutions would only be able to make and enforce reasonable restrictions related to the time, place, and manner of speech, and any such restriction would have to be narrowly tailored to serve a significant institutional interest. In addition, such restrictions would have to be content neutral and viewpoint neutral. Finally, any restrictions on campus speech would have to allow for ample alternative means of expression and for the ability of campus community members to spontaneously and contemporaneously distribute literature and assemble. To help enforce compliance with its mandate, this bill would create a corresponding civil right of action with a one year statute of limitations. The Attorney General and the person whose right to engage in free expression on campus is infringed by a violation of this bill's provisions would be able to file a lawsuit seeking injunctive relief, compensatory damages, court costs, reasonable attorney's fees and liquidated damages of at least \$500, plus \$50 for each day the violation continues. The total damages available to a plaintiff or multiple plaintiffs, excluding court costs and attorney's fees, would be \$5,000.

Status: Held in the Senate Appropriations Committee

SB-677 (Moorlach) - California Community Colleges: prohibited acts: electronic listening or recording devices.

This bill would allow any person to use an electronic listening or recording device in California community college classrooms without the consent of the instructor if the person had a reasonable belief that the person was recording activities in the classroom that violate state or federal law or regulation, or applicable local agency policy. It would also prohibit any person acting on behalf of a higher education institution to prevent a student from, or to retaliate against a student for, various actions, including disclosing information to a government or law enforcement agency, or other authority, or to the media, or to social media, if the student has reasonable cause to believe that the information discloses a violation of state or federal statute, or a violation of or noncompliance with a local, state, or federal rule or regulation, or applicable local agency policy.

Status: Failed passage in the Senate Judiciary Committee. Reconsideration granted.

AB-233 (Gloria) - Pupils: right to wear religious, ceremonial, or cultural adornments at school graduation ceremonies.

This bill would have specified that a pupil has the right to wear religious, ceremonial, or cultural adornments at school graduation ceremonies, subject to the limitation that the provisions of the bill could not have been construed to restrict the authority of a school

to prohibit an item that is likely to cause a substantial disruption of, or interference with, the ceremony or to expand or diminish certain pupil rights relating to dress codes and freedom of speech.

In his veto message, Governor Brown indicated his belief that existing law sufficiently protects students' right to free expression. Where disputes arise, the Governor wrote, he believes that principals and democratically elected school boards are in the best position to make appropriate decisions.

Status: Vetoed by the Governor

AB-1104 (Chau) - The California Political Cyberfraud Abatement Act.

This bill expands the California Political Cyberfraud Abatement Act to cover Web sites purporting to support or oppose candidates for public office. The California Political Cyberfraud Abatement Act makes it unlawful for anyone, with intent to mislead, deceive, or defraud, to deny a person access to a political Web site, deny a person the opportunity to register a domain name for a political Web site, or to impersonate a political Web site in a way that would cause a reasonable person, after reading the Internet Web site, to believe the site actually represents the views of the proponent or opponent of a ballot measure or of a candidate for public office.

Status: Chapter 715, Statutes of 2017

ACR-21 (Kiley, Quirk) - Public postsecondary education: free speech policy.

This concurrent resolution encourages all private and public universities in California to adopt free speech statements similar to those issued by the University of Chicago and the University of California at Irvine, both of which urge university communities to embrace a robust exchange of ideas, even when such ideas may be abhorrent or deeply discomfoting to many listeners.

Status: Resolution Chapter 103, Statutes of 2017

CONSUMER PROTECTION

SB-16 (Wieckowski) - Wage garnishment restrictions: exempt earnings: student loans.

This bill would reduce, from 25 percent to 15 percent, the maximum amount that a judgment creditor could garnish from someone's wages in order to collect on a private student loan debt. Maximum garnishments for low-wage workers would be even less.

Status: Failed Passage on the Assembly Floor

SB-19 (Hill) - Public Utilities Commission: duties and responsibilities: governance.

This bill provides a suite of reforms of the operations of the California Public Utilities Commission (CPUC), including: the transfer, by July 1, 2018, of four transportation-related functions from the CPUC to other agencies or jurisdictions; clarifies and, in some cases, codifies the responsibilities and oversight of various positions; clarifies CPUC notification requirements for contracting of outside legal services; and other reforms.

Status: Chapter 421, Statutes of 2017

SB-182 (Bradford) - Transportation network company: participating drivers: single business license.

This bill prohibits local jurisdictions from requiring a transportation network company driver to obtain more than one business license, regardless of the number of jurisdictions in which they operate. It requires a driver to obtain a business license in the local jurisdiction in which the driver is domiciled. However, if that jurisdiction of domicile does not require a business license, no other jurisdiction is able to require the driver to obtain a business license. The jurisdiction of domicile is also prohibited from requiring a driver to obtain a business license unless the driver has operated in that local jurisdiction for more than 30 days in the preceding fiscal year. This bill provides that personally identifiable information submitted to a local jurisdiction pursuant to this bill shall not be disclosed on a publicly accessible Internet Web site.

Status: Chapter 769, Statutes of 2017

SB-298 (Wieckowski) - Enforcement of money judgments: exemptions.

This bill would extend and clarify a deposit account holder's timeline for filing a claim of exemption when a judgment creditor seeks to extract money from the account through a levy. This bill would also establish an automatic exemption from bank account levies, of up to \$2,250, unless the levy would satisfy a judgment for wages owed, child support, or spousal support.

Status: Failed Passage on the Assembly Floor

SB-313 (Hertzberg) - Advertising: automatic renewal and continuous service offers.

This bill fortifies consumer protections surrounding "automatic service renewal" or "continuous service" offers. Under existing law, businesses making such offers are required to follow certain procedures, including presenting the terms of such offers clearly and conspicuously; receiving a consumer's affirmative consent to the agreement, and providing contact information and an easy-to-use mechanism for cancellation. This bill inserts additional consumer protections regarding price, terms, and cancellation.

Status: Chapter 356, Statutes of 2017

SB-579 (Galgiani) - Collectibles: sale of autographed collectibles.

When passed out of this Committee, this bill would have amended the Autographed Memorabilia Act to exclude certain enumerated items from the purview of the Act and removed the requirement to provide the name of the third party from whom a dealer has bought or obtained a collectible, unless litigation ensues. It would have made clear that the Act does not apply to sales taking place wholly outside of the state. The bill was subsequently amended significantly to make various other changes to the Autographed Memorabilia Act, including changes to the definitions of "autographed collectible" and "dealer," replacing the previously required certificate of authenticity with an express warranty, and restructuring the penalty provisions. AB 228 (Gloria, Ch. 696, Stats. 2017) made many similar changes to the Act and was chaptered into law.

Status: Assembly Inactive File

SB-648 (Mendoza) - Health and care facilities: private referral agencies.

Existing law regulates the licensing of referral agencies that refer seniors and their families to skilled nursing homes or intermediate care facilities. This bill would extend those requirements to residential care facilities for the elderly, adult residential facilities, and residential care facilities for persons with chronic life-threatening illness. Specifically, this bill would define "referral agency," require disclosure from the facilities to potential residents of these referral agreements, and prohibit the sharing of personal information by referral agencies unless provided conditions are met. This bill would require that the facilities maintain signed acknowledgement of disclosures and referral agencies to maintain records of client consent to sharing of personal information, as specified. This bill would also require referral agencies to maintain liability insurance of at least \$1,000,000 per a referred person and \$3,000,000 in the total annual aggregate for negligent acts or omissions. Additionally, this bill would add an owner, operator, or employee of a private referral agency to the existing list of mandated reporters of elder or domestic adult abuse. This bill would require the California Department of Social Services (CDSS) to submit a report to the Legislature analyzing the effectiveness of existing statutory remedies related to private referral agencies by January 1, 2023. This bill would also require CDSS to keep track of any consumer complaints arising from consumer interactions with a private referral agency and allow CDSS to levy civil penalties against these agencies pursuant to Section 1569.49 of the Health & Safety Code.

Status: Held in the Senate Appropriations Committee

SB-713 (Anderson) - Tanner Consumer Protection Act.

This bill would further expand California's "Lemon Law" into the commercial sector by including vehicles over 10,000 pounds that are used exclusively for business purposes and that have not exceeded 100,000 miles on the odometer.

Status: In the Senate Judiciary Committee

AB-218 (Bonta) - Local agencies: airports: customer facility charges.

This bill removes the provision that provides that authorization to impose customer facility charges (CFC) becomes inoperative when the bonds used for financing are paid. This bill also removes a provision granting Oakland International Airport the ability to impose a CFC without any form of indebtedness or after such a form is paid. On January 1, 2023, the relevant statutes will revert back to current law. This bill also provides that a per-contract CFC, or "traditional CFC," shall not exceed \$10 and that an airport shall not require a rental company to collect more than one CFC for a single rental. These latter changes are permanent.

Status: Chapter 311, Statutes of 2017

AB-228 (Gloria, Chiu) - Collectibles: sale of autographed memorabilia.

This bill amends the Autographed Memorabilia Act. The bill revises and recasts the definitions of "dealer" and "autographed collectible"; revises the information required to be given to the purchaser of an autographed collectible; changes the definition of a dealer; modifies posting requirements; creates a new three-day cancellation, as specified; adds an urgency clause; makes findings and declarations related to an exemption to the definition of a dealer; revises the current penalties; and, makes other technical and substantive changes related to autographed memorabilia.

Status: Chapter 696, Statutes of 2017

AB-243 (Cooper) - California Beef Commission.

This bill would establish the California Beef Commission. It would provide the Commission with broad authority, including authorization to negotiate directly with governmental agencies and to educate those effecting policy likely to impact California cattle producers or beef and beef products.

Status: In the Senate Judiciary Committee

AB-314 (Mullin) - Dating service contracts: online services.

This bill amends provisions of law applying to online dating services contracts. This bill amends or exempts such online dating service providers from various existing requirements, including provisions in existing law that limit the financing options and duration of dating services contracts if the initial term of the online dating services contract is one year or less and subsequent renewal terms are one year or less.

Status: Chapter 578, Statutes of 2017

AB-1102 (Rodriguez) - Health facilities: whistleblower protections.

This bill increases penalties on persons who willfully violate the patient and health worker whistleblower protection law.

Status: Chapter 275, Statutes of 2017

AB-1108 (Daly) - Self-service storage facilities.

This bill updates two aspects of the California laws that regulate the self-storage industry to better fit the Internet age. First, this bill allows self-storage businesses to provide legal notices to customers by email, with the consent of the customer and subject to specified conditions. Second, this bill clarifies that self-storage companies may use Internet auction sites when conducting public sale of storage unit contents.

Status: Chapter 227, Statutes of 2017

AB-1286 (Friedman) - Airports: alternative customer facility charges.

This bill extends the date by which an airport must initiate the process for obtaining the authority to require or increase an alternative customer facility charge for authorized purposes from January 1, 2018, to January 1, 2025.

Status: Chapter 325, Statutes of 2017

AB-1691 (Committee on Judiciary) - Consumer credit reports: consumer credit reporting agencies.

This bill would clean up Civil Code Section 1785.13 relating to credit reporting by eliminating a provision declared unconstitutional over 20 years ago and by correcting an outdated cross-reference to another code section.

Status: Held at the Assembly Desk

CONTRACTORS

SB-486 (Monning) - Contractors' State License Law: letter of admonishment.

This bill authorizes the Contractors State License Board and its Registrar of Contractors to issue a written and detailed letter of admonishment to an applicant, licensee, or registrant, instead of issuing a citation, when an investigation gives the Registrar probable cause to believe that a licensee, registrant, or applicant has committed acts or omissions that are grounds for denial, suspension, or revocation of a license or registration. This bill also provides for an office conference to contest the letter of admonishment and specifies circumstances under which the letter of admonishment may be issued as well as requires the letter of admonishment be disclosed to the public for a period of one year from the date of service.

Status: Chapter 308, Statutes of 2017

SB-559 (Morrell) - Private Investigator Act: license: limited liability company.

This bill authorizes a licensed private investigator to continue to organize as a limited liability company (LLC) until January 1, 2021; requires the licensee to report claims against its liability insurance or if they will become an LLC to the Bureau of Security and

Investigative Services; recasts and revises hourly credits a candidate for licensure may receive with a specified educational degree; prohibits the total amount of time credited to an applicant for these degrees from exceeding 2,000 hours of experience in investigation work; revises and recasts the definition of a “qualified manager”; and makes other technical, updating, conforming and clarifying changes.

Status: Chapter 569, Statutes of 2017

SB-686 (Wilk) - Public contracts: claim resolution.

Existing law prescribes various requirements regarding the formation, content, and enforcement of state and local public contracts. Existing law establishes, for contracts entered into on or after January 1, 2017, a claim resolution process applicable to any claim by a contractor in connection with a public works project against a public entity. In the case in which a claimant disputes the public entity’s response or the public entity fails to respond, existing law requires a public entity to schedule a meet and confer conference for the settlement of the dispute. This bill would instead require the public entity to conduct the meet and confer conference within that same period.

Status: In the Senate Judiciary Committee

AB-1278 (Low) - Contractor licensing: judgment debtor prohibition.

This bill specifies that if a judgment is entered against a licensee, then a qualifying person or personnel of record is automatically prohibited from serving as a qualifying individual or other personnel of record, unless the judgment is satisfied.

Status: Chapter 506, Statutes of 2017

AB-1701 (Thurmond) - Labor-related liabilities: original contractor.

This bill makes general contractors liable for the wages, fringe benefits, or contributions of all workers on a private construction project, in the event that the subcontractor directly employing the workers fails to pay them.

Status: Chapter 804, Statutes of 2017

CONTRACTS

SB-496 (Cannella, De León) - Indemnity: design professionals.

This bill provides that a design professional, as defined, shall only have the duty to defend an indemnitee for claims against the indemnitee that arise out of, pertain to, or relate to, the negligence, recklessness, or willful misconduct of the design professional, as specified. This bill states that all provisions, clauses, covenants, and agreements contained in, collateral to, or affecting any contract for design professional services that purport to require a design professional to indemnify or defend claims against an indemnitee except as specified above shall be unenforceable. This bill specifies that a design professional’s cost to defend an indemnitee shall not exceed the design professional’s proportionate percentage of fault, but that in the event one or more

defendants is unable to pay its share of defense costs, the design professional shall meet and confer with the other parties regarding unpaid defense costs, as specified. This bill specifies that the above provisions shall not pertain to contracts where a project-specific general liability policy insures all project participants or to written design-build joint venture agreements. This bill specifies that as used therein “indemnitee” does not include any agency of the State of California.

Status: Chapter 8, Statutes of 2017

AB-618 (Low, Gomez) - Local Agency Public Construction Act: job order contracting: school districts: community college districts.

This bill authorizes California community college districts that have entered in Project Labor Agreements to utilize “Job Order Contracting,” a simplified contracting system for public entities in which contractors competitively bid an adjustment factor to be applied to a catalog of routine construction, maintenance, and repair projects with pre-set unit prices based on generally accepted industry standards. This bill sunsets on January 1, 2022.

Status: Chapter 296, Statutes of 2017

AB-1159 (Chiu) - Cannabis: legal services.

This bill provides that attorney-client privilege applies to legal services rendered in compliance with state and local laws on medicinal cannabis or adult-use cannabis, and confidential communications provided for the purpose of rendering those services are confidential communications between client and lawyer, provided the lawyer also advises the client on conflicts with respect to federal law. This bill makes a number of legislative findings and declarations, while also providing that medicinal cannabis or commercial marijuana activity conducted in compliance with California law and any applicable local standards, requirements, and regulations shall be deemed to be all of the following: (1) a lawful object of a contract; (2) not contrary to, an express provision of law, any policy of express law, or good morals; and (3) not against public policy.

Status: Chapter 530, Statutes of 2017

AB-1491 (Caballero) - Sales of dogs and cats: contracts.

This bill declares, as void against public policy, a contract for the purchase of a dog or cat which is made contingent on the making of payments over a period of time, or other types of lease-to-own agreements that do not immediately transfer ownership of the animal to the purchaser. A consumer taking possession of a dog or cat transferred under such contracts shall be deemed the owner of the dog or cat and shall also be entitled to the return of all amounts the consumer paid under the contract.

Status: Chapter 761, Statutes of 2017

CORPORATIONS, LIMITED LIABILITY CORPORATIONS (LLCs) AND LIMITED LIABILITY PARTNERSHIPS (LLPs)

SB-340 (Hertzberg) - Corporations: dissolution: bankruptcy.

This bill enables a court appointed trustee, liquidating agent, responsible officer or other representative, to sign and verify a certificate for dissolution when the corporation has been otherwise shut down as a result of a bankruptcy reorganization plan that was approved by the corporation's creditors and the court.

Status: Chapter 267, Statutes of 2017

AB-1535 (Maienschein) - Corporations: dissolutions: separate shareholder agreements.

This bill clarifies that, with respect to the rules governing the dissolution of a corporation, a corporation's articles of incorporation may include a reference to a separate, written agreement between two or more shareholders pertaining to the purchase of shares.

Status: Chapter 721, Statutes of 2017

COURTS, COURT FACILITIES, COURT EMPLOYMENT, COURT INTERPRETERS, AND COURT REPORTERS

SB-38 (Roth) - Courts: judgeships.

This bill would appropriate \$14,813,000 from the General Fund to be used by the judicial branch to fund the cost of 10 of these 50 authorized superior court judgeships and accompanying staff. This bill would increase the number of justices from seven to eight in Division 2 of the Court of Appeal for the Fourth Appellate District, providing an appropriation of \$1,202,000 from the General Fund to fund this appellate judge and accompanying staff.

Status: In the Senate Judiciary Committee

SB-39 (Roth) - Suspension and allocation of judgeships.

This bill would require that up to four vacant judgeships be allocated from superior courts with more authorized judgeships than their assessed judicial need to superior courts with fewer authorized judgeships than their assessed judicial need. This bill would also require that the allocation of vacant judgeships be in accordance with a methodology approved by the Judicial Council, as specified.

Status: Held in the Senate Appropriations Committee

SB-403 (Cannella) - Sale of county courthouses.

This bill authorizes the Judicial Council to sell the Chico, Corning, Clovis, Firebaugh, Reedley, Avenal, and Corcoran superior courthouses if the sale meets certain requirements existing law sets for disposal of court facilities. This bill requires that the

Judicial Council consult with and first offer the right to purchase the property to the county in which the property is located. The Judicial Council is required to deposit the net proceeds from the sale of these courthouses into the Immediate and Critical Needs Account of the State Court Facilities Construction Fund. This bill additionally makes legislative findings in support of its provisions and takes effect immediately as an urgency statute.

Status: Chapter 358, Statutes of 2017

SB-467 (Wilk) - Civil actions: appearance by electronic means.

This bill would permit a party, who has provided notice, to appear by electronic means in a court that provides for remote access to a conference, hearing, or proceeding, in the following civil cases: probate, guardianship, conservatorship, and family law proceedings. Electronic means currently includes telephone appearances. This bill would expand it to include video teleconferencing, or other electronic means.

Additionally, this bill would require the Judicial Council to adopt rules and establish fees effectuating the policies and provisions made by this act by no later than July 1, 2019, and would make conforming changes to other provisions of law.

Status: In the Assembly Judiciary Committee

SB-484 (Roth) - Deposition reporting services: unlawful business practices.

This bill would make it unlawful for a person who is employed by or who independently contracts with an entity that arranges for deposition officers to give or receive any gift, incentive, reward, or anything of value as inducement or compensation in connection with the provision of services by a deposition officer. Although these practices are already prohibited under California regulatory law for covered persons and entities, this bill would empower the Attorney General, a district attorney, or a city attorney to enforce this professional standard of conduct against all specified persons engaging in this conduct.

Status: In the Assembly Judiciary Committee

SB-576 (Wiener) - Jury commissioners: juror data collections and maintenance.

This bill would require jury commissioners to collect and maintain demographic data from all prospective jurors who appear for jury service, including each juror's race, gender, ethnicity, national origin, and ZIP code of residence. The demographic data would be collected to determine if the pool of prospective jurors who appear for jury service pursuant to a jury summons accurately represents a cross section of the population of the area served by the court. The data would be collected on a form developed by the jury commissioner. Such a form would not collect any personal identifying information. The data would be collected upon a juror's arrival to jury duty, along with other information currently collected by the court. All data collected would remain anonymous and would be aggregated by the jury commissioner. The jury

commissioner would be required to biannually produce a report presenting the aggregated data, which would be made available to the public and maintained by each court.

Status: Held in the Senate Appropriations Committee

AB-83 (Santiago) - Collective bargaining: Judicial Council.

This bill establishes the Judicial Council Employer-Employee Relations Act which provides collective bargaining rights to Judicial Council employees.

Status: Chapter 835, Statutes of 2017

AB-414 (Medina) - Suspension and allocation of vacant judgeships.

This bill would require that up to four vacant judgeships be allocated from superior courts with more authorized judgeships than their assessed judicial need to superior courts with fewer authorized judgeships than their assessed judicial need. This bill would also require that the allocation of vacant judgeships be in accordance with a methodology approved by the Judicial Council, as specified. The changes this bill would have made were included in this year's budget.

Status: In the Senate Judiciary Committee

AB-452 (Bloom) - Courts.

This bill changes references to Clerk of the Supreme Court to Clerk/Executive Officer of the Supreme Court, and changes references to Clerk/Administrator of the Court of Appeal to Clerk/Executive Officer of the Court of Appeal. This bill also provides that state law references to the Administrative Office of the Courts means the Judicial Council.

Status: Chapter 36, Statutes of 2017

AB-740 (Reyes) - Oaths and affirmations.

This bill reorganizes the existing statutory provisions regarding the certification of former judges and justices to administer oaths and affirmations. This bill removes the requirement that all applications include a medical certification, but authorizes the Commission on Judicial Performance to require one under certain circumstances. This bill also removes the five-year cap on certifications, making certifications valid indefinitely, except as specified.

Status: Chapter 82, Statutes of 2017

AB-1443 (Levine) - Court records.

This bill updates existing laws governing the retention and destruction of court records. This bill provides guidelines for the retention of gun violence restraining orders and eliminates the requirement that courts provide a listing of all destroyed records to Judicial Council.

Status: Chapter 172, Statutes of 2017

AB-1450 (Obernolte) - Court reporters: electronic transcripts.

This bill requires official reporters or official reporters pro tempore to deliver transcripts in electronic form in compliance with California Rules of Court. This bill provides a five-year grace period for courts and reporters to modernize their equipment and overall technical abilities. This bill prohibits an official reporter or official reporter pro tempore from being required to use a specific vendor, technology, or software to comply with these provisions, unless the official reporter or official reporter pro tempore agrees otherwise. However, absent such an agreement, an official reporter or official reporter pro tempore may select the vendor, technology, and software to comply with this bill's provisions and the attendant California Rules of Court. The bill also provides that in adopting transcript format requirements for the relevant rules of court, consideration shall be given on a technology-neutral basis to the availability of relevant vendors of transcript products, technologies, and software.

Status: Chapter 532, Statutes of 2017

EMPLOYMENT AND LABOR

SB-63 (Jackson) - Unlawful employment practice: parental leave.

This bill makes it an unlawful employment practice for an employer, of 20 or more employees, to refuse to allow an eligible employee to take up to 12 weeks of job protected parental leave to bond with a new child within one year of the child's birth, adoption or foster care placement. This bill also prohibits an employer from refusing to maintain and pay for the employee's continued group health coverage during the duration of the leave.

Status: Chapter 686, Statutes of 2017

SB-76 (Nielsen) - Excluded employees: arbitration.

This bill, to be known as the Excluded Employee Arbitration Act, would give managerial, confidential, supervisory, and other excluded state employees the option, after exhausting normal grievance procedures, of requesting binding arbitration as a method for resolving disputes with their State employers. Under the bill's provisions, the party that loses the arbitration would have to pay the costs of the arbitration, though it is the employee organization – not the individual employee – that pays.

Status: Assembly Inactive File

SB-306 (Hertzberg) - Retaliation actions: complaints: administrative review.

This bill grants the Labor Commissioner authority to seek an immediate and temporary injunction when workers face retaliation for reporting violations of the law. The bill also gives the Labor Commissioner authority to issue citations and penalties directly to enforce retaliation claims, rather than exclusively through the courts. Finally, the bill

authorizes an employee who is bringing a civil action for a retaliation claim to seek injunctive relief from the court.

Status: Chapter 460, Statutes of 2017

SB-548 (Atkins, Leyva) - Public Employment Relations Board: petitions: expedited resolution.

This bill would codify the circumstances in which the Public Employee Relations Board may grant expedited processing to particular cases pending before it and would set forth the timeline and procedure for such expedited processing.

Status: Assembly Inactive File

SB-550 (Pan) - Public school employment: meeting and negotiating: legal actions: settlement offer: attorney's fees.

This bill requires that, if an employer rejects an employee organization's offer to settle a dispute, the employer must pay the employee organization's reasonable attorney fees and expenses unless the employer obtains a judgment or award more favorable to it than the settlement offer was. The fee shifting provision does not apply to unfair practice or arbitration proceedings.

Status: Chapter 812, Statutes of 2017

AB-31 (Rodriguez) - Whistleblowers: California State Auditor.

This bill instructs the State Auditor's Office (SAO) to create a system for the submission of allegations of improper government activities against the SAO. It provides that such allegations will be routed to an independent investigator appointed by the Employment and Administrative Mandate Section of the Department of Justice and the independent investigator will then conduct an investigation into the allegation and, if warranted, issue a report and recommend corrective action.

Status: Chapter 605, Statutes of 2017

AB-403 (Melendez) - Legislature: Legislative Employee Whistleblower Protection Act.

This bill would enact the Legislative Employee Whistleblower Protection Act and would prohibit a Member of the Legislature or legislative employee from directly or indirectly using or attempting to use that person's official authority or influence to intimidate, threaten, coerce, or command a legislative employee for the purpose of interfering with the right of that employee to make a protected disclosure, as defined. This bill would also prohibit retaliation against that employee for making a whistleblower complaint and would provide a right of action against a violating Member, subject to the doctrine of legislative immunity.

Status: Held in the Senate Appropriations Committee

AB-569 (Gonzalez Fletcher) - Discrimination: reproductive health.

This bill would have prohibited an employer, or any person acting on behalf of an employer, from taking any adverse action against an employee or their dependent or family member for their reproductive health decisions, including, but not limited to, the timing thereof, or the use of any drug, device, or medical service. This bill would have specified that an employer who takes any adverse employment action against an employee in violation of these provisions is liable to the aggrieved employee who can recover a penalty and any other appropriate relief to remedy the violation.

In his veto message, Governor Brown expressed his belief that the retaliation covered by this bill is already prohibited by the Fair Employment and Housing Act, with the exception of religious institutions.

Status: Vetoed by the Governor

AB-1008 (McCarty, Gipson, Holden, Reyes, Weber) - Employment discrimination: conviction history.

This bill prohibits an employer, with certain exceptions, from inquiring about or considering a job applicant's conviction history prior to a conditional offer of employment, and sets requirements regarding the consideration of conviction histories in employment decisions.

Status: Chapter 789, Statutes of 2017

AB-1017 (Santiago) - Collective bargaining agreements: arbitration: litigation.

This bill would extend to the public sector attorney fee shifting provisions that already exist for such disputes in the private sector. Specifically, courts would have to award attorney's fees to the prevailing party in any motion to compel arbitration, in any motion to compel compliance with the arbitrator or grievance panel's decision, or in any appeal of the arbitrator's decision, unless the losing party raised substantial issues involving complex or significant matters.

Status: Held at the Senate Desk

AB-1710 (Committee on Veterans Affairs) - Prohibited discrimination against service members.

This bill conforms state law to the federal Uniformed Services Employment and Reemployment

Rights Act by protecting service members from hostile work environments in their civilian jobs.

Status: Chapter 591, Statutes of 2017

ENVIRONMENTAL AND TOXIC SUBSTANCES

SB-49 (De León, Stern) - California Environmental, Public Health, and Workers Defense Act of 2017.

This bill would establish the federal environmental, public health, and labor standards applicable as of January 19, 2017, as baselines below which the corresponding California standards could not fall. This bill would expressly authorize private citizens to petition the courts to make state and local government agencies comply with its terms. This bill would also create a state private right of action whereby private citizens could enforce the state standards, in the event that new federal standards fall below the baseline, or if the federal private right of action to enforce the federal standards is repealed. Finally, this bill would require state agencies to report periodically to the Legislature on compliance.

Status: In the Assembly Rules Committee

SB-50 (Allen) - Federal public lands: conveyances.

This bill establishes a policy of the state to discourage conveyances of federal public lands in California and voids any conveyance of federal public lands in California, unless the State Lands Commission was provided a right of first refusal or the right to transfer the property to another entity, with specified exceptions.

Status: Chapter 535, Statutes of 2017

SB-51 (Jackson) - Professional licensees: environmental sciences and climate change: whistleblower and data protection.

This bill would have prohibited a licensing entity, other than the State Bar of California, from taking disciplinary action, including suspension, loss of credential, registration, or other professional privilege against a public employee for reporting improper governmental activity or disclosing information about scientific or technical research to the public by publishing the information in a scientific or public forum or sharing it with the media, among other means of sharing information. This bill would also have required the Secretary for Environmental Protection to ensure that all scientific information and other data otherwise in the public domain is protected against censorship or destruction by the federal government.

In his veto message, Governor Brown stated that it is difficult to imagine a scenario in which the bill's whistleblower protections would be necessary. As part of the same message, Governor Brown directed the Secretary of the California Environmental Protection Agency to "collaborate with universities and non-profits to compile and preserve all important and relevant scientific federal research and data."

Status: Vetoed by the Governor

AB-313 (Gray) - Water.

This bill would have created a new Water Rights Division within the Office of Administrative Hearings and assigned to it the task of recommending a decision to the State Water Resources Control Board (Board) whenever the alleged violator challenges a Board charge that a water use violation has been committed.

In his veto message, Governor Brown acknowledged the bill's goal of increasing fairness and transparency in the water rights enforcement process, but indicated his belief that the bill would not accomplish that aim. The Governor directed the Secretary of the Environmental Protection Agency to explore a potential role for administrative law judges in the water rights adjudication process.

Status: Vetoed by the Governor

AB-619 (Dahle) - Sierra Lakes County Water District.

This bill permits the Sierra Lakes County Water District to adopt an ordinance regarding the use, monitoring, and installation of petroleum heating oil storage tanks, as defined, both above and below ground.

Status: Chapter 109, Statutes of 2017

AB-1438 (Committee on Environmental Safety and Toxic Materials) - State Water Resources Control Board: environmental laboratories: public water systems: certificates and permits: procedures.

This bill updates the Environmental Laboratory Accreditation Act under which the State Water Board evaluates and certifies environmental testing laboratories by: (1) correcting outdated references to other government programs and agencies; (2) harmonizing the process for challenging environmental laboratory permitting and enforcement actions with other State Water Resources Control Board programs; and (3) adding a process for judicial review of administrative actions.

Status: Chapter 327, Statutes of 2017

FAMILY, DOMESTIC PARTNERSHIPS, ADOPTIONS, CHILD CUSTODY AND SUPPORT

SB-170 (Leyva) - Child custody: preferences of the child.

This bill would require the court to permit a child who is 10 years of age or older to address the court regarding custody or visitation, unless the court determines that doing so is not in the child's best interest.

Status: In the Senate Judiciary Committee

SB-273 (Hill) - Marriage and domestic partnership: minors.

This bill would create additional requirements and court oversight before a minor may marry or establish a domestic partnership. These additional oversights include requiring the court perform the following before granting a minor permission to marry: (1) Family Court Services must separately interview the parties intending to marry and, if applicable, at least one of the parents or the guardian of each party who is a minor; (2) Family Court Services must prepare and submit to the court a written report, containing any finding of potential force, threat, persuasion, fraud, coercion, or duress by either of the parties or their family members relating to the intended marriage; and (3) separate, in camera interviews of each of the parties prior to making a final determination regarding the court order.

Status: Assembly Inactive File

SB-469 (Skinner) - Child support guidelines: low-income adjustments.

This bill removes a 2018 sunset date and replaces it with a January 1, 2021, sunset date, for a version of existing law that is currently operative relating to statewide uniform guidelines for calculating court-ordered child support for the purposes of low-income adjustment.

Status: Chapter 730, Statutes of 2017

AB-369 (Waldron) - Appeals: child custody orders or judgments.

This bill adds a final order or judgment in a bifurcated proceeding regarding child custody or visitation rights to be added to the list of judicial actions that may be appealed.

Status: Chapter 41, Statutes of 2017

AB-712 (Bloom) - Civil actions: change of venue.

This bill enables a court transferring jurisdiction of a family law action to retain jurisdiction to make orders designed to prevent immediate danger or irreparable harm to a party or to the children involved in the matter, or to prevent the immediate loss or damage to property subject to disposition in the matter, if transfer to another court's jurisdiction has not yet been perfected.

Status: Chapter 316, Statutes of 2017

AB-724 (Choi) - Foreign adoption: domestication.

This bill would establish a process to domesticate a foreign adoption decree. The bill would require the state to recognize as full and final a foreign adoption decree, as specified, without the need for readoption or any other legal proceedings, if certain criteria are met.

Status: Senate Inactive File

AB-1396 (Burke) - Surrogacy.

This bill deletes a reference to the parental rights of the surrogate and her spouse or partner and instead requires the court to issue the judgment or order regarding parentage forthwith, unless specified conditions are met. This bill also corrects a mistaken cross-reference to existing law.

Status: Chapter 326, Statutes of 2017

AB-1692 (Committee on Judiciary) - Judiciary omnibus.

This bill makes various changes to the Family Code, including allowing courts to convert certain vacant subordinate judicial officer positions to judgeships; and allowing courts, at parents' request, to provide optional, pre-hearing child custody mediation.

Status: Chapter 330, Statutes of 2017

GOVERNMENT AGENCIES: PUBLIC RECORDS ACT AND BROWN ACT

SB-529 (Nguyen) - Inspection of public records.

This bill would require elections officials to make all nomination documents and all petitions to submit signatures in lieu of filing fees petitions available promptly to anyone requesting to inspect them and without requiring that the records be requested pursuant to the California Public Records Act.

Status: In the Senate Elections and Constitutional Amendments Committee

SB-657 (Bates) - California Public Records Act: reverse public records actions.

This bill would provide a series of requirements for a "reverse public records action," which would be defined as a petition for declaratory or injunctive relief filed by a third party that requests a court to enjoin a decision by a public agency to disclose a public record in response to a request by a requestor. Specifically, the original requestor would be required to be named as a real party of interest, be served with relevant pleadings, and given the opportunity to be heard. The bill would provide for awards of court costs and reasonable attorney fees to the requestor if the court orders disclosure of the relevant record.

Status: In the Senate Judiciary Committee

SB-806 (Glazer) - Charter schools: operation: for-profit entities.

This bill would limit the public's access to the records of charter schools, weaken the public's right to open meetings of charter schools, weaken the application of the Political Reform Act of 1974 and the conflict-of-interest Government Code Section 1090 as applied to charter schools. This bill would also exempt charter schools that are run by nonprofit public benefit corporations from the conflict of interest provisions of

Government Code Section 1090 and instead only apply the conflict of interest provisions that are applicable to non-profit corporations.

Status: Failed Passage in the Senate Judiciary Committee. Reconsideration granted.

AB-459 (Chau) - Public records: video or audio recordings: crime.

This bill provides that public agencies are not required to disclose video or audio created during the commission or investigation of the crimes of rape, incest, sexual assault, domestic violence, or child abuse that depicts the face, intimate body part, or voice of a victim of the incident depicted in the recording. This bill requires the agency to justify withholding such a video or audio recording by demonstrating that the public interest served by not disclosing the recording clearly outweighs the public interest served by disclosure of the recording. This bill provides factors for the agency to consider in making such a determination. This bill requires public agencies to permit a victim of a crime depicted in such videos to inspect the recording and obtain a copy.

Status: Chapter 291, Statutes of 2017

AB-1022 (Irwin) - Information technology: Technology Recovery Plans: inventory.

This bill requires state agencies, as part of their Technology Recovery Plan (TRP), to provide the California Department of Technology (CDT) with an inventory of all critical infrastructure controls and associated assets in their possession. This bill also authorizes, at the request of CDT, any local entity that receives state funds for the purposes of storing, sharing, or transmitting data, or in support of an information technology project with a state entity, to submit a TRP, as specified. CDT is authorized to provide suggestions with regard to TRPs.

Status: Chapter 790, Statutes of 2017

AB-1455 (Bocanegra) - The California Public Records Act: exemptions.

This bill codifies an exemption to the California Public Records Act for documents relating to collective bargaining between a local public agency and its employees that is identical to the exemption that applies to state agencies and their employees.

Status: Chapter 560, Statutes of 2017

AB-1479 (Bonta) - Public records: custodian of records: civil penalties.

This bill would have required public agencies to designate a person or office to act as the agency's custodian of records who would be responsible for responding to any request made pursuant to the California Public Records Act and any inquiry from the public about a decision by the agency to deny a request for records. This bill would have provided that the designation of a custodian of records does not impose a duty upon a requester to direct the request to a designated custodian, nor does it prevent a person or office that is not the designated custodian from disclosing information pursuant to this chapter.

In his veto message, Governor Brown wrote, "I am not convinced this bill would have any measurable impact on the speed or accuracy in responding to Public Record Act requests. While I am open to future discussions about strengthening public record disclosures for all branches of California government, this bill has the potential to further confuse an already complex process."

Status: Vetoed by the Governor

HEALTH CARE ISSUES

SB-241 (Monning) - Medical records: access.

This bill harmonizes California law with existing federal regulations relating to access to protected health information, specifically the form and format of health records and the fees that may be charged by health care providers and health plans to individuals for those records.

Status: Chapter 513, Statutes of 2017

SB-349 (Lara) - Chronic dialysis clinics: staffing requirements.

This bill would require chronic dialysis clinics to meet minimum staffing ratios at all times for nurses, technicians, social workers, and registered dietitians, commencing January 1, 2020, as specified. This bill would require the Department of Public Health (DPH), no later than January 1, 2020, to issue regulations that specify an appropriate amount of transition time between patients, and would require a chronic dialysis clinic, if DPH has not issued regulations by January 1, 2020, to ensure that the minimum transition time is at least 45 minutes. This bill would provide that DPH may grant a waiver to a chronic dialysis clinic in a rural county, as defined, if the waiver does not jeopardize the health, safety, and well-being of affected patients. This bill would also require DPH to inspect chronic dialysis clinics annually and would authorize DPH to assess administrative penalties for violations of the staffing ratios.

Status: Assembly Inactive File

SB-481 (Pan) - Long-term health facilities: informed consent.

This bill would require the physician, a skilled nursing facility, or an intermediate care facility, to promptly notify the resident, orally and in writing, that it has been determined that the resident lacks capacity, and other information, as specified. This bill would require this notification be provided before implementing a medical intervention that requires informed consent for a resident who lacks capacity to make health care decisions and for whom there is no person with legal authority able and willing to make those decisions.

Status: In the Assembly Judiciary Committee

SB-575 (Leyva) - Patient access to health records.

This bill expands a provision of law that entitles a patient to a copy, at no charge, of the relevant portion of the patient's records that are needed to support an appeal regarding eligibility for certain public benefit programs, by including initial applications in addition to appeals, and by expanding the list of public benefit programs to include In-Home Supportive Services, the California Work Opportunity and Responsibility to Kids program, CalFresh, and certain veterans related benefits.

Status: Chapter 626, Statutes of 2017

SB-687 (Skinner) - Health facilities: emergency services: Attorney General.

This bill would have required non-profit corporation that operates a health facility that includes a licensed emergency center to obtain the consent of the Attorney General prior to a planned elimination or reduction in the level of emergency medical services provided.

In his veto message, the Governor recognized the challenges a reduction or elimination of emergency services poses to a community, but ultimately notes how removing a hospital's authority to determine emergency service needs will not solve the underlying financial issues that determine these decisions. The bill was vetoed out of a concern that an Attorney General decision to prohibit a reduction or elimination of emergency services may ultimately hasten the reduction of other services or closure of the hospital.

Status: Vetoed by the Governor

SR-9 (Jackson, Allen, Atkins, Beall, Bradford, De León, Dodd, Galgiani, Glazer, Hernandez, Hertzberg, Hill, Hueso, Lara, Leyva, McGuire, Mendoza, Mitchell, Monning, Newman, Pan, Portantino, Roth, Skinner, Stern, Wieckowski, Wiener)

This resolution makes findings regarding the services and impact of Planned Parenthood, a national non-profit organization providing reproductive health care services.

Status: Adopted by the Senate

SR-12 (Atkins, Galgiani, Jackson, Leyva, Mitchell, Skinner)

This resolution, on the occasion of the 44th anniversary of Roe v. Wade (1973) 410 U.S. 113, makes a series of California Senate findings regarding the positive impact of that decision on the reproductive, economic, and social life of women and the nation as a whole.

Status: Adopted by the Senate

AB-651 (Muratsuchi) - Nonprofit health facilities: sale of assets: Attorney General approval.

This bill revises provisions of law requiring nonprofit corporations that operate a health facility to obtain the consent of the Attorney General prior to entering into any agreement to sell or otherwise transfer control of the facility to another entity, by giving the AG an additional 30 days to review the transaction, requiring the notice of the public comment hearings to be provided in different languages, requiring the AG to consider the impact on cultural interests of the affected community, and requiring the review of health facility transactions regardless of whether or not the nonprofit corporation has a suspended license.

Status: Chapter 782, Statutes of 2017

AB-1119 (Limón) - Developmental and mental health services: information and records: confidentiality.

This bill authorizes, during the provision of emergency services and care, the communication of patient information and records between specified health care professionals and others to effectively treat patients with developmental disabilities and mental health disorders.

Status: Chapter 323, Statutes of 2017

HOUSING LAW, LANDLORD/TENANT, AND MOBILEHOMES

SB-147 (Dodd) - Mobilehome parks: residency.

This bill clarifies the law governing guests, companions, and live-in caregivers in the mobilehome context and modifies those laws to conform with disability accommodation law. Specifically, the bill clarifies that a homeowner living alone may share occupancy with one companion and management shall not impose a fee for that person; allows park management to refuse to allow a homeowner to share his or her mobilehome with a companion if park residency is subject to age restrictions and the proposed companion is unable or unwilling to provide documentation that the proposed companion meets those age restrictions; and places limits on the documentation that a mobilehome park can demand from a resident to support a request for live-in care or supervision.

Status: Chapter 767, Statutes of 2017

SB-167 (Skinner) - Housing Accountability Act.

This bill amends the Housing Accountability Act by subjecting the justifications used by a local agency to disapprove a housing development project to the possibility of heightened judicial scrutiny and imposing additional financial consequences on local agencies found to have disapproved a housing project without adequate justification under the law. The Housing Accountability Act is designed to facilitate housing

development, and the development of affordable housing projects in particular, by limiting the grounds upon which a local agency can refuse to approve such projects or rendering them infeasible through the imposition of burdensome conditions. It is sometimes referred to as the “Anti-NIMBY Act.”

Status: Chapter 368, Statutes of 2017

SB-470 (Stone) - The Mobilehome Residency Law: tenancy: termination.

This bill would create an additional legal basis and an accelerated timeline for mobilehome parks to terminate a mobilehome owner’s tenancy and thereby evict that owner from the park if that owner commits any act that is “outrageous in the extreme” on the park premises or in the immediate vicinity.

Status: Failed Passage in the Senate Judiciary Committee. Reconsideration granted.

SB-542 (Leyva) - Manufactured Housing Act of 1980: notice of transfer and release of liability.

This bill provides that the owner of a new or used manufactured home or mobilehome who sells or transfers ownership of the home shall not be subject to civil or criminal liability for vehicle license fees or local property taxes after: (1) the delivery of possession of the home to the purchaser or transferee; and (2) the submission of a specified notice to the Department of Housing and Community Development.

Status: Chapter 832, Statutes of 2017

SB-722 (Moorlach) - Mobilehomes: principal residences: exceptions.

This bill would change the method for determining whether a mobilehome homeowner or resident qualifies for rent control protections based on whether or not the mobilehome is the homeowner’s sole residence. Under current law, any rent control in a mobilehome park applies only to mobilehomes that are the primary residence of the occupant. A mobilehome is presumed to be the primary residence of the occupant. However, this presumption could be overcome by a showing through a review of public records that the occupant actually lives out of state most of the time or receives a homeowner’s exemption for another property or mobilehome in California. This bill would instead authorize the mobilehome park to use any evidence to determine whether or not the mobilehome is the homeowner’s primary residence and thus protected by rent control. The bill’s provisions would only impact mobilehome leases entered into on or after on January 1, 2018.

Status: In the Senate Judiciary Committee

AB-294 (Gipson) - Mobilehome parks: disclosure.

This bill adds a deadline to the existing requirement that the management of a mobilehome park must disclose the name, business address, and business telephone number of the park owner upon request from a mobilehome owner. Specifically, this bill

mandates park management to provide the required information within 10 business days of receiving a written request for it.

Status: Chapter 31, Statutes of 2017

AB-646 (Kalra) - Rental property: disclosures: flood hazard areas: areas of potential flooding.

This bill requires all leases or rental agreements to contain a notice that the property is located in a special flood hazard area or an area of potential flooding, if the landlord has actual knowledge, as defined, that the rental property is so located. In addition, this bill requires all leases and rental agreements to inform tenants about the availability of hazard information from the Department of Emergency Services and to advise tenants to consider obtaining flood and renters' insurance, since the landlord's insurance will not cover the tenant's personal property in the event it is lost as a result of a natural hazard.

Status: Chapter 502, Statutes of 2017

AB-678 (Bocanegra) - Housing Accountability Act.

This bill amends the Housing Accountability Act by subjecting the justifications used by a local agency to disapprove a housing development project to the possibility of heightened judicial scrutiny and imposing additional financial consequences on local agencies found to have disapproved a housing project without adequate justification under the law. The Housing Accountability Act is designed to facilitate housing development, and the development of affordable housing projects in particular, by limiting the grounds upon which a local agency can refuse to approve such projects or render them infeasible through the imposition of burdensome conditions. It is sometimes referred to as the "Anti-NIMBY Act."

Status: Chapter 373, Statutes of 2017

AB-932 (Ting) - Shelter crisis: homeless shelters.

This bill allows the City of Berkeley, Emeryville, Los Angeles, Oakland, San Diego, the County of Santa Clara, and the City and County of San Francisco to suspend state laws relating to the location, condition, and construction of homeless shelters upon declaration of a shelter crisis by the city and subject to the adoption of local ordinances ensuring reasonable health and safety protections.

Status: Chapter 786, Statutes of 2017

AB-1269 (Mark Stone) - Mobilehome Residents and Senior Protection Act.

This bill would have established a five-year pilot program under the auspices of the Department of Fair Employment and Housing for the administrative investigation and enforcement of complaints alleging violations of the Mobilehome Residency Law. It would have provided that the program (1) be funded through a dedicated annual fee of \$10 per mobilehome statewide; (2) begin collecting the fee January 1, 2018; and (3)

start receiving and investigating complaints no later than July 1, 2020. It also would have provided that the pilot program ends on January 1, 2023.

In his veto message, the Governor explained that he was concerned the bill would significantly expand the operations and duties of the Department of Fair Employment and Housing “without an adequate fee structure that supports the additional workload.”

Status: Vetoed by the Governor

IMMIGRANT RIGHTS

SB-6 (Hueso) - Tribal gaming: compact ratification.

Originally, this bill would have appropriated \$12 million to the California Department of Social Services (DSS) to establish the Due Process for All Act to provide legal services to individuals facing deportation. This bill would have authorized DSS to contract with qualified nonprofit legal services organizations and nonprofit agencies to implement the act. This bill also would have established the California Universal Representation Trust Fund to accept donations for expanding the number of individuals who may be provided legal services under the act. A similar program was funded in the 2017-18 state budget. This bill was subsequently gutted and amended to address a different subject.

Status: Chapter 455, Statutes of 2017

SB-29 (Lara) - Law enforcement: immigration.

This bill establishes, after January 1, 2018, contracting restrictions and new notice and public hearing requirements, as specified, upon local governments and local law enforcement agencies with respect to contracts, building permits, and other official actions involving the federal government, federal agencies, or private corporations seeking to house or detain noncitizens for purposes of civil immigration custody.

Status: Chapter 494, Statutes of 2017

SB-785 (Wiener) - Evidence: immigration status.

This bill would prohibit the disclosure of evidence relating to immigration status in open court or in public court records, until after a confidential, in camera hearing and judicial ruling that the evidence is relevant and not inadmissible.

Status: In the Assembly Public Safety Committee

SJR-1 (Vidak) - Immigration.

This resolution would urge the Congress and the President of the United States to work together to create a comprehensive and workable approach to reform the nation’s immigration system, according to specified principles. In 2015, the same resolution was passed by the Legislature as SJR 2 (Vidak, Resolution Chapter 23, Statutes of 2015). The author brings the same resolution to urge the Congress and the President of the United States to work together to create a comprehensive and workable approach to

reform the nation's immigration system, according to specified principles, and relying on findings that are out of date due to the election of Donald Trump as President and his actions regarding immigrants.

Status: In the Senate Judiciary Committee

SJR-9 (Vidak) - Federal Encourage New Legalized Immigrants to Start Training Act.

This Senate Joint Resolution would make Legislative findings favorable to, and express the Legislature's support for, pending federal legislation that would provide a mechanism for certain undocumented immigrants to obtain lawful permanent residence in the United States through honorable service in the U.S. Armed Forces.

Status: In the Senate Judiciary Committee

AB-21 (Kalra, Chiu, O'Donnell) - Public postsecondary education: Access to Higher Education for Every Student.

This bill requires the California State University, California Community Colleges and each Cal Grant eligible independent institution of higher education and requests the University of California to establish various policies and actions to be implemented by postsecondary institutions in California that safeguard against immigration enforcement activities on campuses.

Status: Chapter 488, Statutes of 2017

AB-291 (Chiu, Bonta, Gonzalez Fletcher, Kalra) - Housing: immigration.

This bill provides a set of legal protections for tenants against unscrupulous landlords who might otherwise try to use immigration status as a way of intimidating tenants who have exercised, or who are about to exercise, their housing rights.

Status: Chapter 489, Statutes of 2017

AB-299 (Calderon) - Hiring of real property: immigration or citizenship status.

This bill forbids all public entities, including state agencies and California State Universities, from using policies, ordinances, or administrative actions to compel landlords to inquire about or disclose the immigration status of current or prospective tenants. Currently, such restrictions apply only to local government entities.

Status: Chapter 490, Statutes of 2017

AB-343 (McCarty, Gonzalez Fletcher, Nazarian) - Public postsecondary education: holders of certain special immigrant visas.

This bill exempts Special Immigrant Visa holders and refugees who have settled in California from paying nonresident tuition at a California Community College.

Status: Chapter 491, Statutes of 2017

AB-349 (McCarty, Gonzalez Fletcher, Nazarian) - Civil service: preference: special immigrant visa holder.

This bill would provide that an Iraqi or Afghan individual who has been issued a Special Immigrant Visa for their assistance to the United States and who passes any entrance exam for state civil service, shall be placed in the top rank of the resulting eligibility list, but not above an applicant with veteran's preference.

Status: In the Senate Judiciary Committee

AB-386 (Gonzalez Fletcher) - Legal services for deported veterans.

This bill would require the California Department of Social Services (CDSS), subject to annual funding, to provide legal services to deported veterans through a contract, as specified. This bill would authorize CDSS to include postconviction relief services to deported veterans in the contract. This bill would also establish the Veteran Reentry Assistance Fund, a continuously appropriated fund, to accept donations from private foundations and other philanthropic entities to expand the number of individuals who may be provided legal services, as specified.

Status: Senate Inactive File

AB-450 (Chiu) - Employment regulation: immigration worksite enforcement actions.

This bill enacts a set of restrictions on California employers to ensure that the assistance they give to federal immigration enforcement activity in the workplace goes no further than what is required by law. The bill requires employers to deny federal immigration agents access to non-public parts of a worksite in the absence of a judicial warrant and requires notice to workers of any work authorization documentation audits by federal immigration agents.

Status: Chapter 492, Statutes of 2017

AB-638 (Caballero, Gonzalez Fletcher) - Immigration consultants.

This bill would revise the Immigrant Consultants Act beginning on January 1, 2019. Specifically, this bill would make it unlawful for a person, for compensation, other than a person authorized to practice law in this state, or a person authorized to represent others under federal law in an immigration matter, or a paralegal acting under the active supervision of an attorney, to engage in the business or act in the capacity of an immigration consultant in this state.

Status: Held in the Senate Appropriations Committee

AB-699 (O'Donnell, Chiu, Kalra) - Educational equity: immigration and citizenship status.

This bill emphasizes that discrimination based on immigration status is prohibited within California's K-12 public schools and requires schools to take additional affirmative steps to eliminate such discrimination. In addition, this bill directs the Attorney General to

publish, and schools to adopt, policies for limiting assistance with immigration enforcement at public schools to the minimum consistent with federal and state law.

Status: Chapter 493, Statutes of 2017

AB-1690 (Committee on Judiciary) - Personal rights: compensatory relief.

This bill clarifies and codifies that the protections against inquiry into immigration status that now apply to civil actions to enforce the state's labor, employment, civil rights and employee housing laws, also extend to disputes regarding consumer protection and to all housing laws.

Status: Chapter 160, Statutes of 2017

AJR-10 (Santiago) - Access to Counsel Act.

This resolution urges the Congress of the United States to support S. 349, the Access to Counsel Act, to ensure that those persons held or detained while attempting to enter the United States, whether at a border crossing or a port of entry, would be guaranteed access to legal counsel.

Status: Resolution Chapter 143, Statutes of 2017

MINORS, JUVENILE COURTS, AND DEPENDENCY PROCEEDINGS

SB-213 (Mitchell) - Placement of children: criminal records check.

This bill streamlines the background check process for prospective foster and adoptive parents by establishing a list of non-exemptible crimes, a list of crimes for which an exemption may be granted and a list of crimes for which exemptions must be granted, absent a reasonable belief that the person is not of good character at present.

Status: Chapter 733, Statutes of 2017

SB-245 (Leyva) - Foster youth: sexual health education.

This bill would require sexual health education to be included in the foster care case plan for youth 10 years of age and older and for the California Department of Social Services to develop a curriculum and training for case management workers and foster care providers, as specified.

Status: In the Assembly Human Services Committee

SB-462 (Atkins) - Juveniles: case files: access.

This bill provides access to information in a juvenile delinquency case file, including a sealed case file, as required by state or federal law or by a grant requirement or for research, provided no personally identifying information is released.

Status: Chapter 462, Statutes of 2017

AB-404 (Mark Stone) - Foster care.

This bill cleans up elements of AB 403 (Stone, Chapter 773, Statutes of 2015), the bill that implements the Continuum of Care Reform effort to reduce the reliance on long-term congregate foster care placements. This bill establishes Intensive Services Foster Care for children with high needs, creates an option to license respite caregivers, and defines outcome requirements for Foster Family Agencies. This bill makes various changes to the Resource Family Approval process, including the means to transfer a resource family approval, remove a resource family from inactive status and makes changes to the appeal process for a denied application. This bill makes other substantive and technical changes.

Status: Chapter 732, Statutes of 2017

AB-597 (Mark Stone) - Child abuse and neglect: information: computerized database system.

This bill authorizes the counties of Santa Clara, Santa Cruz, and San Mateo to jointly establish a computerized database to be used by those counties, provider agencies and local education agencies to share specified identifying information about families at risk for child abuse or neglect. This bill requires any personally identifiable data shared for research purposes to remain confidential, requires participating counties to develop a confidentiality protocol, and requires the database be decommissioned if the statewide child welfare information system is able to share identifying information about families at risk for child abuse or neglect.

Status: Chapter 581, Statutes of 2017

AB-604 (Gipson) - Nonminor dependents: extended foster care benefits.

This bill requires the court to assume transition jurisdiction over a minor or nonminor whose adjudication was vacated because he or she was a victim of human trafficking when the crime was committed, as specified. This bill also grants a nonminor who was adopted but is no longer receiving support from his or her parents the right to petition a court for entry into extended foster care, even if the adoptive parents are still receiving aid for the nonminor.

Status: Chapter 707, Statutes of 2017

AB-953 (Baker) - Protective orders: personal information of minors.

This bill authorizes a minor or a minor's guardian to petition the court to keep all of a minor's information confidential when issuing a protective order under either the Code of Civil Procedure or the Family Code. The court may grant such a petition if the court expressly finds that, among other things, the minor's right to privacy overcomes the right of public access to the information and no less restrictive means exist to protect the minor's privacy. Under this bill, confidential information may be made available to law enforcement to the extent necessary and only for the purpose of enforcing the order.

Status: Chapter 384, Statutes of 2017

AB-1006 (Maienschein) - Foster youth.

This bill requires a social worker or probation officer to provide the prospective adoptive family of a dependent child or ward of the court with information about the importance of working with mental health providers that have specialized adoption clinical training, as specified. This bill defines “specialized permanency services,” as those designed for and with a child to address the child’s history of trauma, separation and loss, as specified. This bill requires the case plan for a child who has been in care for three years or more to describe the specialized permanency services provided, or why such services were not provided, and makes related changes.

Status: Chapter 714, Statutes of 2017

AB-1332 (Bloom) - Juveniles: dependents: removal.

This bill enables the removal of a child from the physical custody of a parent with whom the child did not reside, by providing the juvenile court with statutory authority to find clear and convincing evidence that there would be a substantial danger to the physical health, safety, protection, physical or emotional well-being of the child if placed with that parent.

Status: Chapter 665, Statutes of 2017

AB-1371 (Mark Stone, Maienschein) - Juveniles: ward, dependent, and nonminor dependent parents.

This bill affirms and expands the rights of minors, nonminor dependents and wards of the court who are parents to consult with legal counsel prior to their children being removed from their custody.

Status: Chapter 666, Statutes of 2017

AB-1401 (Maienschein) - Juveniles: protective custody warrant.

This bill authorizes a court to issue a protective custody warrant without first filing a petition in the juvenile dependency court under specified conditions, including that there is a risk to the child’s safety and no reasonable means to protect the child without removal. This bill requires any child taken into protective custody to immediately be delivered to a social worker who shall investigate the facts and circumstances of the case and attempt to maintain the child with the child’s family through the provision of services.

Status: Chapter 262, Statutes of 2017

AB-1446 (Cooley) - Dependent children: periodic review hearing.

This bill would require a periodic court review of any case in which a foster child is residing for more than five consecutive calendar days in emergency shelter care, a temporary shelter care facility, or a transitional shelter care facility, or due to the lack of placement is inappropriately residing in a place that is not a licensed or approved shelter, home or facility. This bill would require the periodic reviews to be held at least

every three days and to include review of efforts made by the social worker to identify and locate adult relatives of the child or nonminor dependent.

Status: Senate Inactive File

MISCELLANEOUS

SB-204 (Dodd) - Domestic violence: protective orders.

This bill enacts the Uniform Recognition and Enforcement of Canadian Domestic Violence Protection Orders Act, which authorizes the enforcement of a valid Canadian domestic violence protection order in a tribunal of this state under certain conditions. This bill prescribes the criteria for a determination of the validity of a protection order under these provisions, as specified, and authorizes the registration of such a protection order in the Domestic Violence Restraining Order System. This bill requires a law enforcement officer of this state to enforce a protection order under these provisions upon determining that there is probable cause to believe that a valid protection order exists and has been violated.

Status: Chapter 98, Statutes of 2017

SB-235 (Allen) - Elections: ballot designation requirements.

This bill enacts new requirements for judicial candidate ballot designations. Specifically, this bill permits a candidate for judicial office to only use one of the following ballot designations, as specified: (1) words designating the city, county, district, state, or federal office held by the candidate at the time of filing the nomination papers; (2) the word "incumbent" if the candidate is a candidate for the same office that he or she holds at the time of filing the nomination papers; or (3) no more than three words designating the current principal professions, vocations, or occupations of the candidate, or the principal professions, vocations, or occupations of the candidate during the calendar year immediately preceding the filing of nomination documents.

Status: Chapter 512, Statutes of 2017

SB-292 (Bates) - Counties: contract legal counsel: auditor-controller.

This bill would allow an auditor-controller to hire outside legal representation where the county counsel has a conflict of interest.

Status: Held in the Assembly Appropriations Committee

SB-331 (Jackson) - Evidentiary privileges: domestic violence counselor-victim privilege.

This bill includes within the definition of "domestic violence victim service organization" a public or private institution of higher education. This change enables domestic violence counselors working for colleges and universities to be entitled to the domestic violence counselor-victim privilege.

Status: Chapter 178, Statutes of 2017

SB-485 (Nielsen, Newman) - Veterans' homes.

This bill requires the California Department of Veterans Affairs to: (1) adopt statewide policies and procedures, by regulation, for operation of the state veteran's home system; (2) implement a statewide electronic health records system; and (3) correct and update outdated terminology and references within the portion of the Military and Veterans Code that governs state veterans' homes.

Status: In the Assembly Veterans Affairs Committee

SB-573 (Lara) - Student financial aid: student service programs.

This bill would authorize the University of California Regents, the California State University Trustees, and the California Community Colleges Board of Governors, to develop and implement a student service program; and, imposes limitations on the collection, retention, and disclosure of information about applicants and participants in the program.

Status: Assembly Inactive File

SJR-10 (Anderson) - Falun Gong.

This Senate Joint Resolution would express the Legislature's support for Falun Gong practitioners and would condemn any government-sanctioned persecution of Falun Gong practitioners. Additionally, this measure would urge the President and the Congress of the United States to condemn any government-sanctioned persecution of Falun Gong practitioners.

Status: In the Senate Rules Committee

SR-23 (Wiener, Atkins, Beall, Bradford, De León, Dodd, Hernandez, Hill, Hueso, Jackson, Lara, McGuire, Mendoza, Mitchell, Newman, Pan, Portantino, Wieckowski)

This resolution makes findings regarding: (1) evidence of Russian interference in the U.S. Presidential election of 2016 intended to aid Donald Trump; (2) evidence of connections between Russia and the 2016 presidential campaign of Donald Trump; (3) misrepresentations by Trump campaign and administration officials regarding their meetings with Russian officials; (4) steps taken by President Obama's administration to preserve evidence of Russian interference in the election; (5) human rights and international law violations committed by Russia and Russian President Vladimir Putin; (6) President Trump's refusal to criticize Mr. Putin; (7) President Trump's refusal to make his tax returns public; and (8) calls from elected officials, including several prominent Republicans, for an independent investigation to look into Russian interference in the election. This resolution also: (1) calls upon the U.S. Congress to conduct a full, independent, and public investigation of any and all connections between the Trump campaign, administration, and Trump businesses and the Russian government, government-owned enterprises and related business interests; (2) states that a bipartisan, independent commission as well as a special prosecutor appointed by

that commission, are needed to investigate the matter; (3) states that President Trump must release his tax returns; and (4) directs the Secretary of the Senate to transmit copies of this resolution to the author for appropriate distribution.

Status: Adopted by the Senate

AB-210 (Santiago) - Homeless multidisciplinary personnel team.

This bill allows counties to develop a homeless adult and family multidisciplinary team in order to facilitate identification and assessment of homeless individuals, and link homeless individuals to housing and supportive services, and to allow service providers to share confidential information to ensure continuity of care.

Status: Chapter 544, Statutes of 2017

AB-334 (Cooper) - Sexual assault.

This bill would extend the statute of limitation for any civil action for recovery of damages suffered as a result of sexual assault, where the assault occurred on or after the plaintiff's 18th birthday, as specified. This bill would also make a number of changes to existing law regarding sexual assault forensic medical examinations (SAFMEs), including the reimbursement rate for SAFMEs of survivors who do not aid or otherwise participate with law enforcement.

Status: In the Senate Public Safety Committee

AB-430 (Irwin, Low) - Marriage: solemnization.

This bill authorizes, to the extent not prohibited by law and provided that the compensation is reasonable, specified officials, including retired judges and retired commissioners, to accept compensation for solemnizing a marriage. This bill contains an urgency clause and takes effect immediately.

Status: Chapter 42, Statutes of 2017

AB-688 (Calderon) - Enforcement of money judgments: exemptions.

This bill exempts those moneys in, contributions to, and distributions from, an Achieving a Better Life Experience Act account from enforcement of money judgments.

Status: Chapter 529, Statutes of 2017

AB-772 (Daly) - Unclaimed property: publication of notice.

This bill authorizes the California State Controller to cause notice, regarding disposition of unclaimed property, to be published in a manner the Controller determines to be reasonable, rather than require notice to be published in a newspaper of general circulation. This bill prohibits the Controller from using: (1) money appropriated for the Controller's audit programs; (2) more than the amount appropriated by the Legislature for publishing notice; (3) a photograph; or (4) an elected official's name while causing notice to be published.

Status: Chapter 200, Statutes of 2017

AB-1034 (Chau) - Government interruption of communications.

This bill takes the existing sections of the public utility code that govern the ability of a government entity to interrupt communication services – under certain emergency circumstances – and modifies and places them in the Penal Code, as recommended by the California law revision commission. The few substantive changes include: providing for a post-interruption judicial review in cases in which the government entity terminates service without prior warning; clarifying references; clarifying the procedure for applying for the court order; and, adding additional exceptions for interruptions.

Status: Chapter 322, Statutes of 2017

AB-1682 (Burke) - State government: Department of Justice: Children's Justice Fund.

Existing law establishes the Attorney General as the head of the Department of Justice. Since 2015, the Department of Justice has included a Bureau of Children's Justice. The bureau investigates and enforces the legal rights of children, including the enforcement of civil rights laws and state criminal laws relating to child abuse and human trafficking. This bill would create in the State Treasury the Children's Justice Fund for the deposit of penalty moneys that are recovered pursuant to any action or settlement of a claim brought by the Bureau of Children's Justice. Subject to appropriation by the Legislature, the bill would require those moneys to be expended by the Bureau of Children's Justice for specified purposes.

Status: Held in the Senate Appropriations Committee

PRIVACY

SB-21 (Hill) - Law enforcement agencies: surveillance: policies.

This bill would require any public agencies that use or gain information from surveillance technologies, as defined, to develop a Surveillance Use Policy detailing the technology and how it will be used by the agency. The policy would have to be submitted to and approved by the public agency's governing body, as specified. Surveillance Technology Use Reports would need to be compiled and posted publicly, detailing the implementation of the policies. A new Surveillance Use Policy would have to be developed and approved before a public agency could request funds for, acquire, use, or gain information from a new surveillance technology.

Status: Held in the Assembly Appropriations Committee

SB-157 (Wieckowski) - Invasion of privacy: distribution of sexually explicit materials: protection of plaintiff's identity.

This bill strengthens the confidentiality provisions applicable to civil actions brought pursuant to Civil Code Section 1708.85. This bill addresses some vulnerabilities in existing protections relating to those civil actions and expands the existing definition of

the “identifying characteristics” that are to be redacted or excluded from court documents. It also further circumscribes access to court files in such cases.

Status: Chapter 233, Statutes of 2017

SB-184 (Morrell) - Social security number truncation program.

This bill allows county recorders to truncate social security numbers in documents recorded prior to 1980.

Status: Chapter 621, Statutes of 2017

SB-244 (Lara) - Privacy: agencies: personal information.

This bill would amend a number of statutes regarding specific government programs that currently collect, record, or use personal information, making it clear that such information is confidential, is exempt from California’s Public Records Act, may only be used for the purpose of furthering the program, and cannot be disclosed absent the consent of the individual to whom the information relates, except in aggregate form or when otherwise required by law or court order.

Status: Assembly Inactive File

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

This bill would require manufacturers of connected devices to equip those devices with reasonable security features appropriate to the nature of the device. This bill would require any connected device sold or provided in this state to a consumer to provide notice through the use of words or icons on the device’s packaging, or on the product’s, or on the manufacturer’s Internet Web site, of the devices’ information collection functions, the types of information collected, how the consumer can obtain information about security patches and feature updates, the process by which the connected device collects the information, the frequency of such collection, and what types of interactions with the device may trigger collection. This bill also would require manufacturers to obtain consent before collecting or transmitting information beyond what is necessary in order to fulfill a user transaction or for the stated functionality of the connected device, but specifies that a consumer can revoke consent at any time.

Status: Senate Inactive File

SB-350 (Galgiani) - Incarcerated persons: health records.

This bill would require the disclosure of medical, dental, and mental health information, by electronic transmission when possible, between a county correctional facility, a county medical facility, a state correctional facility, a state hospital, or a state-assigned mental health provider when an inmate is transferred from or between state and county facilities, as specified.

Status: Held in the Senate Appropriations Committee

SB-466 (Bates) - Rental passenger vehicle transactions: electronic surveillance technology: AMBER Alert.

This bill allows a rental company to use and obtain information from electronic surveillance technology regarding one of its rental vehicles when that vehicle is the subject of an AMBER Alert. If the rental company so uses the technology, it is required to notify law enforcement that one of its vehicles is the subject of an AMBER Alert.

Status: Chapter 163, Statutes of 2017

SB-734 (Fuller) - Voters: online voter registration.

This bill would require the Secretary of State to capture and maintain the Internet Protocol (“IP”) address from which each online voter registration is submitted. The IP addresses captured would be kept confidential and could not be disclosed to anyone.

Status: In the Senate Judiciary Committee

AB-40 (Santiago) - CURES database: health information technology system.

This bill authorizes an approved health care practitioner, pharmacist and any person acting on behalf of a practitioner or pharmacist to access information contained in the Controlled Substance Utilization Review and Evaluation System (CURES) through a Health IT System if the entity that operates the Health IT System meets certain requirements. An entity that operates a Health IT System must enter into a Memorandum of Understanding with the Department of Justice that addresses technical specifications of the Health IT System, which are universal for all systems, to ensure the security of CURES data. The bill prohibits the MOU from governing, impacting or restricting the use of CURES data or imposing any additional burdens on compliance with the federal Health Insurance Portability and Accountability Act of 1996.

Status: Chapter 607, Statutes of 2017

AB-76 (Chau) - Adult-use marijuana: marketing.

Current law, the Privacy Rights for California Minors in the Digital World (PRCMDC), prohibits operators of Internet Web sites, online services, online applications, and mobile applications (Operators) that are directed to minors, from marketing certain products or services, such as tobacco and alcohol, to minors. The PRCMDC also prohibits Operators of the same services that are not directed towards minors, from marketing such products or services to a minor, if the Operator has actual knowledge that a minor is using the Web site or online service. This bill would add any marijuana, marijuana product, marijuana business, or any instrument or paraphernalia that is designed for the smoking or ingestion of marijuana or marijuana products to the list of products or services subject to the PRCMDC and change the prohibitory age to 21 with regard to the marijuana advertisements.

Status: Held in the Senate Appropriations Committee

AB-331 (Eggman, Gloria) - County recorders: veterans: recorded documents.

This bill requires county recorders to establish nonpublic indexes in which they shall record and maintain military discharge documents filed by veterans and other authorized persons, and also allows veterans and other authorized persons, who have discharge documents recorded on or after January 1, 1980, to request such documents be moved to a nonpublic index.

Status: Chapter 399, Statutes of 2017

AB-375 (Chau) - Broadband Internet access service providers: customer privacy.

This bill would enact the California Broadband Internet Privacy Act in an effort to reinstate the consumer privacy protections afforded by rules finalized by the Federal Communications Commission in October 2016, but eliminated by the Trump Administration and Congress.

Status: Senate Inactive File

AB-1185 (O'Donnell) - Rental passenger vehicles.

This bill would allow rental car companies to use, access, or obtain information relating to a renter's use of a rental vehicle obtained using electronic surveillance technology when the vehicle has not been returned following three calendar days after the contracted return date or the end of any extension. The bill would also permit a rental company to use an electronic sign to comply with various signage requirements imposed under existing law.

Status: In the Senate Judiciary Committee

PROBATE, TRUSTS AND ESTATES, CONSERVATORSHIPS AND GUARDIANSHIPS

SB-153 (Anderson) - Estates and trusts: donative transfers.

This bill rewords the existing presumption of fraud or undue influence for donative transfers to specified persons who are in a position with the transferor that would allow them to exercise improper sway over the donative transfer. This bill clarifies that the presumption of fraud and undue influence applies when the fiduciary transcribed the document. Additionally, this bill replaces the term "gift" with the term "donative transfer" for the purposes of these provisions, existing law uses the terms interchangeably, and states that it is the intent of the Legislature that these provisions also supplement the common law of fraud.

Status: Chapter 56, Statutes of 2017

SB-333 (Anderson) - Trusts: modification or termination.

This bill revises and recasts provisions relating to the modification or termination of an irrevocable trust to delete the provision prohibiting a court from terminating an irrevocable trust that is subject to a valid restraint on the transfer of a beneficiary's interest and instead authorize the court to terminate a trust with this restraint if the court finds good cause to do so. This bill specifies that a court is authorized to limit the class of beneficiaries whose consent is necessary to modify or terminate a trust when the class is described as "heirs" or "next of kin." This bill also authorizes the trust to be modified or terminated by the written consent of the settlor and all beneficiaries without court approval of the modification or termination. This bill also makes clarifying changes.

Status: Chapter 61, Statutes of 2017

SB-413 (Morrell) - Dementia: major neurocognitive disorder.

This bill replaces references to the term "dementia" with the term "major neurocognitive disorders" in existing law with regard to licensure and operation of residential care facilities for the elderly and conservatorships. This bill also makes technical, nonsubstantive changes to these provisions.

Status: Chapter 122, Statutes of 2017

SB-438 (Roth) - Juveniles: legal guardianship: successor guardian.

This bill authorizes the assessment of a legal guardian for a foster child to also include the naming of a prospective successor guardian if one is identified. This bill, in the event of the incapacity or death of an appointed guardian, authorizes the named successor guardian to be assessed and appointed pursuant to the existing procedures that govern the appointment of a legal guardian.

Status: Chapter 307, Statutes of 2017

AB-307 (Maienschein) - Allocation of principal or income.

This bill provides revised directions for how a trustee is required to allocate money to beneficiaries of an estate or trust as either principal or income. Provides that the directions include, among others, how a trustee is to determine that a distribution is a return of capital that is allocated as principal.

Status: Chapter 577, Statutes of 2017

AB-308 (Maienschein) - Procedures for litigation.

This bill expands the notice provided to interested individuals in probate actions, specifically requiring the notice to include a description of the subject property and a description of the relief sought. Additionally, this bill clarifies the application of the Code of Civil Procedure's discovery rules to the Probate Code, by adding to the Probate Code when a petitioner may commence discovery. This bill does not expand whom discovery may be obtained from or allow discovery to commence any earlier.

Status: Chapter 32, Statutes of 2017

AB-309 (Maienschein) - Testamentary additions to trusts.

This bill provides that a written instrument executed within 60 days after the execution of the testator's will may be used to devise the testator's property as long as the trust is identified in the testator's will and its terms are set forth in the written instrument.

Status: Chapter 33, Statutes of 2017

AB-1290 (Obernolte) - Lawyer-client privilege: holder of the privilege.

This bill would clarify that attorney client privilege shall not be construed to require or permit an attorney to disclose, or waive privilege regarding, any information protected by the duty of confidentiality an attorney owes their client, even when the client is a conservatee or ward. Additionally, this bill would require the California Law Revision Commission to conduct a study and prepare a report addressing who should hold the lawyer-client privilege if a client is a conservatee or ward. This bill would also require the report to be submitted on or before January 1, 2020.

Status: Senate Inactive File

REAL PROPERTY AND MORTGAGES

SB-479 (Morrell) - Mortgages: default procedures: trustee's or attorney's fees.

This bill raises, from \$425 to \$475, the maximum amount that a trustee may demand and receive for trustee's or attorney's fees arising out of a foreclosure sale. This bill also recasts the existing provisions that set forth the formula for calculating maximum fees associated with a trustee's sale, thus making them easier to read and understand.

Status: Chapter 217, Statutes of 2017

AB-794 (Gallagher) - County officers: recorder: record correction.

This bill enacts procedures allowing officials in a county recorder's office to correct errors in the index of recorded documents.

Status: Chapter 349, Statutes of 2017

AB-1139 (Reyes) - Real property: transfer fees: notices.

This bill requires anyone seeking payment of a property transfer fee to record notice that the existence of the fee may make it more difficult for the property owner or a prospective buyer to obtain financing unless the transfer fee provides a "direct benefit," as defined, to the property in question.

Status: Chapter 148, Statutes of 2017

TORT LIABILITY

SB-387 (Jackson) - The False Claims Act.

This bill re-aligns the civil penalty provisions of California's False Claims Act with those of the Federal False Claims Act. This re-alignment will allow California to continue collecting a 10 percent federal incentive bonus for Medicaid-related false claim recoveries. This bill further provides for automatic adjustments to the penalty range in accordance with federal law by indexing California's penalties to the Federal Civil Penalties Inflation Adjustment Act of 1990.

Status: Chapter 121, Statutes of 2017

SB-718 (Anderson) - Terrorism: civil action.

This bill would subject property used for committing or aiding an act of terrorism, as defined, to civil forfeiture and create a new cause of action through which the victim of an act of terrorism could recover damages from anyone who aided or committed an act of terrorism. Under this bill, an "act of terrorism" would include, among others things, killing a human being, arson, felony vandalism, robbery, rape, torture, looting, and threatening others with bodily harm, if, in committing the act, the offender has the intent to intimidate or coerce the civilian population, influence the policy of a unit of government by intimidation or coercion, or affect the conduct of a unit of government by intimidation or coercion.

Status: Failed Passage in the Senate Judiciary Committee. Reconsideration granted.

SB-720 (Allen) - Government tort liability: immunity: beach fire pits.

This bill would have immunized a public entity and its employees from any liability for damage or injury to a person or property as a result of a fire or the remnants of a fire, including, but not limited to, embers and ash, that arises from the use of a fire pit, fire ring, fire circle, or barbecue grill, located in an area designated for that use, at a park, beach, or recreational area, owned or controlled by the public entity. This bill was subsequently amended with provisions unrelated to Senate Judiciary Committee's jurisdiction.

Status: In the Senate Judiciary Committee

AB-1116 (Grayson) - Peer Support and Crisis Referral Services Act.

This bill would establish the Peer Support and Crisis Referral Services Act. It would provide that communications between emergency services personnel and a peer support team member, or a crisis hotline or crisis referral service, are privileged. This bill would immunize a peer support team member from liability arising from the provision of peer support services. A peer support team member would need to complete a peer support training course to be eligible for the protections of this bill. The course would be required to include topics on peer support and stress management, including a specified

list of issue areas such as precrisis education, confidentiality obligations, and grief support.

Status: Senate Inactive File

AB-1219 (Eggman) - Food donations.

This bill enacts the California Good Samaritan Food Donation Act, which strengthens immunity protections for the donation of food, extends this immunity protection to other entities that donate food, rather than just food facilities, and requires local food facility enforcement officers to promote the recovery of food fit for human consumption during their routine inspections with handouts describing the immunity provisions associated with the donation of food. This bill permits “food facilities” to donate food directly to end recipients.

Status: Chapter 619, Statutes of 2017

AB-1480 (Quirk) - Pest control: violations and penalties: civil penalty.

This bill authorizes the Director of the Department of Pesticide Regulation to levy a civil penalty against a person who commits fraudulent activity related to the pesticide applicator licensing process.

Status: Chapter 152, Statutes of 2017

AB-1495 (Maienschein) - Civil liability: sexual abuse: children.

This bill would create a cause of action for child victims of sexual exploitation that provides for civil penalties of anywhere from \$10,000 and \$50,000 per unlawful act; damages, including medical and counseling expenses; injunctive relief; restitution and disgorgement; and reasonable attorneys’ fees and costs. It would also provide for temporary restraining orders to be issued where appropriate.

Status: Held in the Senate Appropriations Committee

UNFAIR COMPETITION AND BUSINESS PRACTICES/ANTI-TRUST

AB-492 (Grayson) - Advertising and solicitations: government documents.

This bill provides that, notwithstanding any other law, a nongovernmental entity may solicit a fee for providing a copy of a public record only if that solicitation contains certain disclosures, including clear language indicating the entity is not a governmental agency and information regarding how to obtain such records directly from a governmental entity. This bill also provides a public right of action for any violations of its terms. This bill only applies to direct solicitation of an individually identified person, residence, or business location.

Status: Chapter 293, Statutes of 2017

AB-814 (Bloom) - Consumer protection: enforcement powers: investigatory subpoena.

This bill would grant city attorneys of cities having a population in excess of 750,000, or to a city attorney of a city and county, the power to conduct investigations, including the ability to issue pre-litigation subpoenas, when they reasonably believe there has been a violation of California's Unfair Competition Law, Business and Professions Code Section 17200 et seq. Any investigation carried out pursuant to the powers this bill creates would be required to be conducted in accordance with the procedures set forth in Government Code Section 11180 et seq., including all applicable principles relating to immunity from self-incrimination.

Status: Senate Inactive File