

CALIFORNIA STATE LEGISLATURE  
SENATE COMMITTEE ON JUDICIARY

**2019 – 2020**  
**LEGISLATIVE**  
**BILL SUMMARIES**



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**CALIFORNIA STATE LEGISLATURE**

**Senate Judiciary Committee**

**2019 - 2020 Legislative Bill Summaries**

### Author's Note

During the 2019-2020 Regular Legislative Session, 430 measures were referred to the Senate Judiciary Committee. This report contains summaries of the bills referred to the Judiciary Committee during the 2019-2020 Regular Legislative Session. Bills that were passed by the Legislature and became law are followed by the chapter number and year enacted. For bills that did not become law, the last location of the bill in the legislative process is shown. Veto messages are included for bills vetoed by Governor Gavin Newsom. Bills are listed categorically based on the main subjects of the bill.

Due to the COVID-19 Pandemic and the unprecedented nature of the 2020 Legislative Session, all Senate Policy Committees worked under a compressed timeline. This timeline did not allow many bills to be referred and heard by more than one committee, as a typical timeline would have allowed. Additionally, because of the compressed timeline, this Committee did not hear all bills that were in our possession in 2020. The fact that a bill was held in the Senate Judiciary Committee does necessarily indicate the bill was problematic to the Chair or Committee.

Additional information on these measures may be obtained online at <http://leginfo.legislature.ca.gov/> or by calling the Senate Committee on Judiciary at (916) 651-4113.

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## **ADMINISTRATIVE LAW**

### **SB-229 (Hertzberg) - Discrimination: complaints: administrative review.**

This bill elaborates on the appeal and enforcement mechanisms that are available when the Labor Commissioner issues a citation to an employer for violating the Labor Code's anti-retaliation provisions. Most significantly, the bill spells out what happens in the event that the employer does not comply with the citation voluntarily: the Labor Commissioner may convert the citation into a court judgment and a judicial order for injunctive or other non-monetary relief.

**Status:** Chapter 721, Statutes of 2019

### **SB-688 (Monning) - Failure to pay wages: penalties.**

This bill empowers the California Labor Commissioner to cite employers and other persons for failure to pay workers the promised rate of pay. Existing law limited that citation power to situations involving failure to pay the minimum wage.

**Status:** Chapter 723, Statutes of 2019

### **SB-788 (Committee on Governmental Organization) - Alcoholic beverages: appeals: decision: tied-house restrictions.**

This bill clarifies, for purposes of the Alcoholic Beverage Control Act, that an emergency order issued by the Department of Alcoholic Beverage Control is not a "final decision."

The bill also provides that a superior court shall have jurisdiction to review an emergency decision issued by the Department of Alcoholic Beverage Control.

**Status:** Chapter 257, Statutes of 2019

### **AB-355 (Daly) - Public Employee Relations Board: Orange County Transportation Authority.**

This bill transfers jurisdiction over unfair labor practice charges at the Orange County Transportation Authority from the judicial system to the Public Employee Relations Board. Consistent with law applicable to other entities under PERB jurisdiction, the bill also authorizes parties to a labor dispute to appeal PERB decisions and orders to the courts through a petition for a writ of extraordinary relief filed within 30 days of the PERB ruling.

**Status:** Chapter 713, Statutes of 2019

### **AB-403 (Kalra) - Division of Labor Standards Enforcement: complaint.**

This bill extends the time that a victim of workplace retaliation has to file a claim with the California Labor Commissioner from six months to two years and authorizes an attorneys' fee award to a worker who prevails on a whistleblower claim. Governor Newsom vetoed the bill, urging the Legislature to "consider an approach that is consistent with other anti-retaliation statute of limitations in the Labor Code which are set to one year."

**Status:** Vetoed by the Governor

**AB-673 (Carrillo) - Failure to pay wages: penalties.**

This bill empowers employees to recover penalties for failure to pay wages on time. Existing law limited such recovery to the Labor Commissioner.

**Status:** Chapter 716, Statutes of 2019

**AB-1251 (Santiago) - Civil procedure: writs of mandate.**

This bill would have required a local agency to provide notification of the timelines for seeking judicial review and the local agency's duty to prepare a complete record of the proceedings whenever the local agency: (1) suspends, demotes, or dismisses an officer or employee; (2) revokes or denies an application for a permit, license, or other entitlement; or (3) denies an application for a retirement benefit or allowance. This bill was subsequently gutted and amended to address unrelated subjects.

**Status:** Held in Senate Rules Committee

**AB-1947 (Kalra) - Employment violation complaints: requirements: time.**

This bill extends the time that workers have to file a claim with the California Labor Commissioner if their employer retaliates against them for exercising their workplace rights under the Labor Code. This bill also authorizes an attorneys' fee award to a worker who prevails on a whistleblower claim.

**Status:** Chapter 344, Statutes of 2020

**ANIMALS**

**SB-313 (Hueso) - Animals: prohibition on use in circuses.**

This bill prohibits a person from sponsoring, conducting, or operating a circus in this state that uses any animal, except for a domestic dog, domestic cat, or domesticated horse, prohibits a person from exhibiting or using any animal in a circus in this state, except for a domestic dog, domestic cat, or domesticated horse, and establishes a civil penalty for a violation of these prohibitions to be enforced, as specified.

**Status:** Chapter 768, Statutes of 2019

**AB-44 (Friedman) - Fur products: prohibition.**

This bill, as of January 1, 2023, makes it unlawful to sell, offer for sale, display for sale, trade, or otherwise distribute for monetary or nonmonetary consideration, a fur product in this state, or to manufacture a fur product in this state for sale, with specified exceptions, as provided. A violation of these provisions subjects a person to a civil penalty, as specified.

**Status:** Chapter 764, Statutes of 2019

**AB-128 (Gloria) - Horses: protection.**

This bill requires the operator of an auction yard to determine whether an animal has an implanted microchip or has been tattooed or branded with any identifying mark before the animal may be sold at auction, and to post all identifying information on its Internet Web site and through any active social media accounts in which the operator of the auction yard participates, as specified. This bill requires a person who purchases an animal at an auction to sign a sworn statement under the penalty of perjury agreeing to

comply with provisions of the Penal Code relating to the slaughter and sale of horses or horsemeat for human consumption. This bill requires an operator of such an auction to maintain records that accurately document compliance with these provisions, as provided. This bill also makes changes to a required posting notice to be displayed at a public auction or sale where equines are sold.

**Status:** Chapter 765, Statutes of 2019

## **ARBITRATION AND MEDIATION**

### **SB-179 (Nielsen) - Excluded employees: arbitration.**

This bill would have given 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. In his message vetoing the bill, Governor Newsom wrote: "Expanding the right to arbitrate to state managers and supervisors will result in increased costs not contemplated in the 2020 Budget at a time when the State is facing massive cost pressures due to the COVID-19 pandemic."

**Status:** Vetoed by the Governor.

### **SB-707 (Wieckowski) - Arbitration agreements: enforcement.**

This bill provides that if an employment or consumer arbitration requires the drafting party to pay fees and costs regarding the arbitration and those fees or costs are not paid within 30 days after the due date, then the drafting party is in material breach of the arbitration agreement, is in default of the arbitration, and waives its right to compel arbitration, and authorizes the employee or consumer to the arbitration agreement to compel arbitration or proceed in court, as specified. This bill requires the court to impose a monetary sanction on the drafting party in material breach of the arbitration agreement and authorizes the court to impose other sanctions on the drafting party if the drafting party fails to pay costs or fees, as specified. This bill also requires arbitration companies to include specified demographic data regarding its arbitrators as self-reported by the arbitrators in a report arbitration companies are already required to make under existing law, as provided.

**Status:** Chapter 870, Statutes of 2019

### **AB-51 (Gonzalez) - Employment discrimination: enforcement.**

This bill prohibits California employers from forcing employees to waive, as a condition of employment, continued employment, or the receipt of any employment-related benefit, their right to have future legal disputes over incidents of harassment, discrimination, civil rights-related retaliation, or Labor Code violations heard in the dispute resolution forum of their choice. The bill also protects California workers from retaliation if they refuse to agree to such a waiver.

**Status:** Chapter 711, Statutes of 2019

**AB-692 (Maienschein) - Attorneys: arbitration of attorney’s fees.**

This bill amends exceptions to the Mandatory Fee Arbitration Act (MFAA) and provides for the tolling of the limitations period applicable to specified attorney misconduct claims pending the resolution of arbitration carried out pursuant to the MFAA.

**Status:** Chapter 13, Statutes of 2019

**AB-3271 (Kiley) - Enrollment agreements.**

This bill would have authorized a minor to disaffirm a provision in an educational institution’s enrollment agreement that purports to waive a legal right, remedy, forum, proceeding, or procedure, regardless of whether a parent or legal guardian has signed the enrollment agreement on the minor’s behalf, to the extent that the provision is construed to require the minor to waive a legal right, remedy, forum, proceeding, or procedure arising out of a criminal sexual assault or criminal sexual battery, as defined, on that minor. The bill would have defined “educational institution” as a public or private school maintaining a kindergarten or any of grades 1 through 12. The bill would have provided that the Legislature finds and declares that it is unconscionable for a parent, on behalf of the parent’s minor child, to be required to waive a legal right, remedy, forum, proceeding, or procedure, including the right to file and pursue a civil action, belonging to that minor child with respect to claims arising out of a criminal sexual assault or criminal sexual battery as a condition of enrollment in an educational institution.

**Status:** Held in Senate Judiciary Committee

**ATTORNEYS AND THE PRACTICE OF LAW**

**SB-176 (Jackson) - State Bar of California.**

This bill authorizes the collection of attorney licensing fees. This bill amends Business and Professions Code Section 6140 to provide that the State Bar may assess a licensing fee for active licensees of \$438 for 2020. This bill amends Business and Professions Code Section 6141 to provide that the State Bar may assess a licensing fee for inactive licensees of \$108 for 2020. This bill also contains provisions that raise the salary cap that qualifies attorneys to pay reduced licensing fees. The previous year’s State Bar fee bill included provisions that required an audit of the State Bar by the Auditor’s Office and a study by the LAO. The audit and study were designed to inform the Legislature’s deliberations regarding a potential increase in fees. The Auditor’s audit was released on April 30, 2019, and the LAO’s study was released on June 26, 2019. This bill authorizes increases in active licensing fees and inactive licensing fees in an amount consistent with the recommendations of the State Auditor and LAO. The bill also expresses the intent of the Legislature that the State Bar use licensee fees for active and inactive licensees in a manner that is consistent with the Auditor’s report.

**Status:** Chapter 698, Statutes of 2019

**SB-187 (Wieckowski) - Rosenthal Fair Debt Collection Practices Act.**

This bill amends definitions in the Rosenthal Fair Debt Collection Practices Act, removing the exception for attorneys in the definition of “debt collector” and clarifying that the definition of “consumer debt” includes mortgage debt.

**Status:** Chapter 545, Statutes of 2019

**SB-544 (Umberg) - Attorneys.**

This bill prohibits the staff of the State Bar of California or the members of the examining committee from considering or reviewing an applicant's medical records relating to mental health when reviewing whether an applicant is of good moral character, or from requesting or seeking to review any medical records relating to mental health, except if the applicant seeks to use the record to either demonstrate that the applicant is of good moral character or as a mitigating factor to explain a specific act of misconduct.

**Status:** Chapter 152, Statutes of 2019

**AB-242 (Kamlager-Dove) - Courts: attorneys: implicit bias: training.**

This bill authorizes the Judicial Council of California to develop training on implicit bias for judges and subordinate judicial officers, as specified. This bill also requires the State Bar of California to adopt regulations to require the continuing education curriculum for all licensees under the State Bar Act to include training on implicit bias and the promotion of bias-reducing strategies, as provided.

**Status:** Chapter 418, Statutes of 2019

**AB-330 (Gabriel) - Appointed legal counsel in civil cases.**

This bill increases fees on specified court filings by \$15 in order to fund an expansion of legal representation for low-income litigants in three kinds of potentially life-altering civil matters: probate conservatorships, housing-related matters including eviction, and family law.

**Status:** Chapter 217, Statutes of 2019

**AB-558 (Petrie-Norris) - State Bar of California: service members: legal services.**

This bill amends provisions in the State Bar Act that require 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 to extend these efforts to active duty service members and their families.

**Status:** Chapter 303, Statutes of 2019

**AB-692 (Maienschein) - Attorneys: arbitration of attorney's fees.**

This bill amends exceptions to the Mandatory Fee Arbitration Act (MFAA) and provides for the tolling of the limitations period applicable to specified attorney misconduct claims pending the resolution of arbitration carried out pursuant to the MFAA.

**Status:** Chapter 13, Statutes of 2019

**AB-2723 (Chiu) - Civil actions: entry of judgment: written stipulation.**

Section 664.6 of the Code of Civil Procedure authorizes courts to enter judgment pursuant to the terms of a settlement stipulated to by the parties to a civil action. Currently the parties themselves must stipulate in writing or orally before the court to the terms of the settlement. This bill authorizes attorneys, on behalf of their clients, and the agents of insurers, on behalf of the insurer, to so stipulate in certain civil cases. The bill provides that an attorney who signs the writing on behalf of a party without the party's

express authorization shall be subject to professional discipline absent good cause.  
**Status:** Chapter 290, Statutes of 2020

**AB-3362 (Committee on Judiciary) - State Bar: open meetings: discipline: attorneys: foreign legal consultants: annual license fees.**

This bill is the annual State Bar of California licensing fee bill that reauthorizes the State Bar to collect attorney licensing fees. The bill authorizes the State Bar to collect annual license fees of \$395 for active licensees and \$97.40 for inactive licensees for 2021, a decrease from 2020, and increases the annual legal services fee to \$45. The bill includes various reforms to the State Bar Act, such as reforms related to recouping funds paid out of the Client Security Fund, public comment related to items to be heard in closed session by the Board of Trustees of the State Bar, and the discipline of attorneys. The bill also provides that if any of the first three administrations of the law students' examination includes the June 2020 administration, an applicant will be permitted an additional fourth administration of the examination to pass due to the COVID-19 pandemic.

**Status:** Chapter 360, Statutes of 2020

## **BUSINESS ENTITIES**

**SB-522 (Hertzberg) - Business entities: filings.**

This bill changes the naming requirements for corporations by deleting the existing naming requirements and instead applying a distinguishable name in the records of the Secretary of State standard, and removes exceptions under the Uniform Limited Partnership Act of 2008 and the California Revised Limited Liability Company Act that allow a limited partnership (LP) or a limited liability company (LLC) to have the same name as another LP or LLC registered with the Secretary of State. The bill also prohibits the name of an LP from being one that is likely to mislead the public, as determined by the Secretary of State, and authorizes the enjoining of the use of a name by an LP or an LLC in violation of the naming requirements, notwithstanding registration by the Secretary of State. The bill requires general filings with the Secretary of State to contain the corporate name and number as they appear in the Secretary of State's records.

**Status:** Chapter 361, Statutes of 2020

**AB-1181 (Limón) - Charitable organizations.**

This bill would have, on and after January 1, 2021, required a charitable organization that receives a noncash pharmaceutical drug, nonprescription drug, medication, medical device, or medical supply contribution that is restricted by the donor so it cannot be used in the United States, to value that noncash contribution using the fair value of the end recipient market or value a reasonable estimate thereof if the end recipient market value cannot be ascertained following a reasonable inquiry, with exceptions. This bill would have prohibited the reporting of noncash contributions in a charitable organization's audited financial statements, reports filed with the California Attorney General, or solicitation materials in a way that is misleading or likely to cause confusion. In his veto message, Governor Newsom indicated that the bill could "pose burdensome implementation challenges for the charities impacted by its provisions" and that his

"[a]dministration is open to exploring other less burdensome ways to address this issue."

**Status:** Vetoed by the Governor

## **CHILD ABUSE, ELDER AND DEPENDENT ADULT ABUSE**

### **SB-314 (Dodd) - Elders and dependent adults: abandonment.**

This bill includes abandonment, as defined, in the enhanced remedies section of the Elder Abuse and Dependent Adult Civil Protection Act.

**Status:** Chapter 21, Statutes of 2019

### **SB-398 (Durazo) - Protection and advocacy agency.**

This bill conforms California's laws governing its protection and advocacy system to current federal laws and regulations to ensure the rights and safety of individuals with disabilities.

**Status:** Chapter 548, Statutes of 2019

### **SB-492 (Galgiani) - Elder or dependent adult abuse.**

Existing law provides that an alleged victim of elder or dependent adult abuse may refuse or withdraw consent at any time to an investigation by an adult protective services agency or long-term care ombudsman program, as specified. This bill would have automatically deemed consent to be granted if the alleged abuser is the alleged victim's "personal representative," a term defined to include a conservator, person with a durable power of attorney, or successor trustee. The bill would have required that such an investigation be reported to the local law enforcement agency that has a primary investigative role.

**Status:** Held in Senate Public Safety Committee

### **SB-496 (Moorlach) - Financial abuse of elder or dependent adults.**

This bill (1) adds broker-dealers and investment advisors to the categories of persons who are mandated reporters of suspected abuse of an elder or dependent adult; (2) allows mandated reporters who report suspected abuse to notify a trusted contact person previously designated by the elder or dependent adult for that purpose, as specified; and (3) allows mandated reporters to temporarily delay requested account transactions and disbursements of elder or dependent adults, as specified.

**Status:** Chapter 272, Statutes of 2019

### **AB-218 (Gonzalez) - Damages: childhood sexual assault: statute of limitations.**

This bill extends the time for commencement of actions for childhood sexual assault to 40 years of age or five years from discovery of the injury; provides enhanced damages for a cover up, as defined, of the assault; and provides a three-year window in which expired claims are revived.

**Status:** Chapter 861, Statutes of 2019

**AB-328 (Maienschein) - Estates and trusts: undue influence.**

This bill presumptively renders invalid donative transfers to caregivers who marry the dependent adult in their care, except in certain circumstances.

**Status:** Chapter 10, Statutes of 2019

**AB-1179 (Blanca Rubio) - Child custody: allegations of abuse: report.**

This bill requires that a child custody evaluation, investigation, or assessment ordered by a court upon determining that there is a serious allegation of child sexual abuse, must, beginning January 1, 2021, be completed on a form developed by Judicial Council.

**Status:** Chapter 127, Statutes of 2019

**AB-1396 (Obernolte) - Protective orders: elder and dependent adults.**

This bill authorizes a court to order a restrained party who abused an elder or dependent adult to attend clinical counseling or anger management courses.

**Status:** Chapter 628, Statutes of 2019

## **CIVIL AND PERSONAL RIGHTS AND DISCRIMINATION LAW**

**SB-142 (Wiener) - Employees: lactation accommodation.**

This bill enacts a series of legal changes intended to make it easier for working parents to express and store breast milk at their place of employment. Specifically, this bill: (1) requires employers to provide their employees a space for lactation with specified characteristics; (2) creates penalties for failure to provide the required time or conditions for lactation breaks; (3) explicitly references the prohibition on discriminating against or retaliating against an employee for exercising rights related to lactation; and (4) requires employers to develop a lactation policy with specified components.

**Status:** Chapter 720, Statutes of 2019

**SB-171 (Jackson) - Employers: annual report: pay data.**

This bill would have required large employers to report pay and job title information broken down by gender, race, and ethnicity to the Department of Fair Employment and Housing on an annual basis.

**Status:** Held in Assembly Appropriations Committee

**SB-188 (Mitchell) - Discrimination: hairstyles.**

This bill specifies that race, a category protected against workplace discrimination under California's Fair Employment and Housing Act, includes traits historically associated with race, such as hair texture and protective hairstyles like braids, locks, and twists.

**Status:** Chapter 58, Statutes of 2019

**SB-218 (Bradford) - Employment: discrimination enforcement: local government.**

This bill would have authorized local governments within the County of Los Angeles to enact and enforce workplace anti-discrimination laws, including establishing remedies and penalties for violations, and subject to specified procedural requirements. Governor Newsom vetoed the bill, asserting that "[a]s crafted, this measure could create

confusion, inconsistent enforcement of the law and increase costs without a corresponding increase in worker protections." At the same time, the Governor invited the Legislature to "come back with a measure that makes it clear that local enforcement measures are exclusively focused on local ordinances."

**Status:** Vetoed by the Governor

**SB-222 (Hill) - Discrimination: veteran or military status.**

This bill underscores that housing discrimination on account of military or veteran status is unlawful in California by explicitly stating so within the Fair Employment and Housing Act (FEHA). In addition, by defining a Veterans Affairs Supportive Housing (VASH) voucher as a source of income for purposes of FEHA, this bill prohibits landlords from discriminating against a tenant on the basis that the tenant pays part or all of the rent using a VASH voucher.

**Status:** Chapter 601, Statutes of 2019

**SB-234 (Skinner) - Family daycare homes.**

This bill proposes a series of clarifications and modifications of zoning and landlord-tenant laws designed to protect and promote the operation of residentially based family childcare facilities. In particular, key elements of the bill: (1) require local governments to treat large-family child care homes (up to 12-14 children) as residential use for purposes of all local ordinances; (2) prevent landlords from rejecting tenant applicants solely based on the tenant's intention to provide child care at the property; (3) clarify that licensed family day care homes are permitted to operate in apartments and other types of multifamily units; and (4) ensure that family child care providers receive notice of their rights and access to remedies under the law.

**Status:** Chapter 244, Statutes of 2019

**SB-310 (Skinner) - Jury selection.**

This bill makes those persons convicted of felonies, except as specified, eligible to serve as jurors, excluding from eligibility those incarcerated in a prison or jail or on parole, post-release community supervision, felony probation, or mandated supervision for the conviction of a felony.

**Status:** Chapter 591, Statutes of 2019

**SB-320 (Jackson) - Gender: discrimination: pricing.**

This bill would have extended the Gender Tax Repeal Act's prohibition on gender-based price discrimination. The Act currently prohibits businesses from charging men different prices than women, and vice versa, for services. This bill would have extended that prohibition to the sale of consumer goods, as well.

**Status:** Failed passage in the Senate Judiciary Committee

**SB-493 (Jackson) - Education: sex equity.**

This bill establishes baseline standards and procedures that California colleges and universities must follow, in order to continue receiving state funds, in regard to incidents of sexual harassment, sexual battery, sexual violence, and sexual exploitation that impact equal access to educational opportunity.

**Status:** Chapter 303, Statutes of 2020

**SB-495 (Durazo) - Child custody.**

This bill prohibits a court from considering sex, gender identity, gender expression, or the sexual orientation of a parent, legal guardian, or relative in making a best interest determination for purposes of awarding child custody or visitation rights.

**Status:** Chapter 551, Statutes of 2019

**SB-591 (Galgiani) - Incarcerated persons: health records.**

This bill requires that psychiatrists or psychologists from the Department of State Hospitals, the Department of Corrections and Rehabilitation, or the Board of Parole Hearings be given access to the health records of prisoners being temporarily held at a county correctional facility, a county medical facility, or a state-assigned mental health provider.

**Status:** Chapter 649, Statutes of 2019

**SB-630 (Stern) - Human trafficking.**

This bill provides that state law governing employee training and the posting of notices regarding human trafficking and slavery does not prevent the enactment of local ordinances, rules, or regulations preventing slavery or human trafficking, and does not supersede or preempt such local action if duplicating or supplementing the state law.

**Status:** Chapter 57, Statutes of 2019

**SB-680 (Wieckowski) - Names.**

This bill would have modernized and amended various statutes, including the Song-Beverly Credit Card Act, to remove references to "maiden names."

**Status:** Died on the Assembly Floor

**SB-741 (Galgiani) - Change of gender.**

This bill would have provided processes for petitioners changing their names and/or gender to update their marriage certificates and the birth certificates of their children within the framework provided under existing law. The bill was vetoed by the Governor, who stated in part: "I strongly support the overall policy of changing vital records to accurately reflect gender identity. Unfortunately, this bill fails to give the State Registrar, which is within [the California Department of Public Health] CDPH, clear authority to issue a new marriage certificate. As a result, CDPH would only be able to amend the marriage certificates under other applicable amendment statutes, resulting in the original gender, and the fact that there was a change to the listed gender, visible and open to the public. I am concerned that this would shine a spotlight on any individual who has changed their gender and I believe that this runs contrary to the intent of this legislation. This is an important policy and I am committed to working with the Legislature and sponsors during the next legislative session to protect individual privacy."

**Status:** Vetoed by the Governor

**SB-973 (Jackson) - Employers: annual report: pay data.**

This bill requires large employers to report pay and job title information broken down by gender, race, and ethnicity to the Department of Fair Employment and Housing on an

annual basis.

**Status:** Chapter 363, Statutes of 2020

**SB-1241 (Lena Gonzalez) - Discrimination in employment: employment tests and selection procedures.**

This bill would have created a presumption that an employer's decision relating to hiring or promotion based on a test or other selection procedure is not discriminatory, if the test or procedure meets specified criteria. Those criteria would have included, among other things, that the test or procedure is job-related and meets a business necessity, and that the test or procedure utilizes pretested assessment technology that, upon use, resulted in an increase in the hiring or promotion of a protected class compared to prior workforce composition.

**Status:** Held in the Senate Judiciary Committee

**SR-7 (Leyva) - Women's Reproductive Health.**

This resolution marks the 46th anniversary of the U.S. Supreme Court's decision in the case Roe v. Wade (1973) 410 U.S. 113, which established the constitutional right to choose whether or not to carry a pregnancy to term.

**Status:** Adopted by the Senate

**SR-72 (Pan) - World War II Japanese American Concentration Camps.**

This resolution recognizes California and the Senate's past actions contributing to the reprehensible treatment of Japanese Americans leading up to, and during, World War II; and apologizes for the Senate's responsibility for its role in the unjust exclusion, removal, and internment of Japanese Americans, as well as the Senate's failure to support and defend the civil rights and liberties of Japanese Americans at that time.

**Status:** Held in Senate Judiciary Committee

**AB-9 (Reyes) - Employment discrimination: limitation of actions.**

This bill extends the deadline by which victims of workplace harassment, discrimination, or civil-rights-related retaliations must file their allegation with the Department of Fair Employment and Housing or forever forgo any redress. Prior to this bill, a victim must have filed within one year of the most recent incident giving rise to the claim. This bill gives victims three years to file instead.

**Status:** Chapter 709, Statutes of 2019

**AB-32 (Bonta) - Detention facilities: private, for-profit administration services.**

This bill, in line with California's interest in ensuring the safety and welfare of its residents, abolishes the private for-profit prison industry from our state in order to protect incarcerated individuals within our state border from serious harm.

**Status:** Chapter 739, Statutes of 2019

**AB-175 (Gipson) - Foster care: rights.**

This bill reorganizes, clarifies, and expands the Foster Youth Bill of Rights (FYBR). The bill also requires the State Foster Care Ombudsperson to provide trainings and assistance to stakeholders and to recommend FYBR updates to the Legislature.

**Status:** Chapter 416, Statutes of 2019

**AB-302 (Berman) - Parking: homeless students.**

This bill would have, from July 1, 2021 to December 31, 2023, required that a community college district either grant homeless students overnight access to on-campus parking facilities so that they may sleep in their vehicles, or provide such students with specified housing services.

**Status:** Died on the Senate Floor

**AB-446 (Choi) - Discrimination: housing: victims of domestic violence.**

This bill would have added “victim of abuse” – defined as a survivor of domestic violence, elder or dependent adult abuse, human trafficking, sexual assault, or stalking – to the categories protected against housing discrimination by the Fair Employment and Housing Act.

**Status:** Held in the Senate Judiciary Committee

**AB-749 (Mark Stone) - Settlement agreements: restraints in trade.**

This bill voids no-rehire provisions in settlement agreements resolving employment disputes in which the worker filed an official complaint, unless the employer has made a good faith determination that the worker engaged in sexual harassment or sexual assault. The bill applies prospectively to any settlement agreement entered into on, or after, January 1, 2020.

**Status:** Chapter 808, Statutes of 2019

**AB-931 (Boerner Horvath) - Local boards and commissions: representation: appointments.**

This bill prohibits the membership of appointed boards and commissions in cities with a population of 50,000 or more from having more than 60 percent of the same gender identity on or after January 1, 2030; and specifies that smaller boards and commissions must not be comprised of members having the same gender identity.

**Status:** Chapter 813, Statutes of 2019

**AB-1472 (Mark Stone) - California Dungeness Crab Commission.**

As originally passed by this Committee, this bill would have created the California Dungeness Crab Commission to promote the marketing and production of the Dungeness crab. However, the bill's contents were subsequently replaced. As amended, the bill would have instead changed the Ralph Civil Rights Act of 1976, which provides a civil remedy for violence or intimidation based on specified protected characteristics, including race, to apply to instances in which a person knowingly or with reckless disregard makes a false police report. The bill would also have provided that such false police reports are not privileged communications, thereby eliminating a defense to a claim under the bill's provisions.

**Status:** Held in Senate Judiciary Committee

**AB-1497 (Holden) - Hosting platforms.**

This bill makes people who offer their property for short-term rental through online platforms subject to the California Fair Employment and Housing Act (FEHA), thus prohibiting such “hosts” from discriminating on the basis of race, color, religion, sex,

gender, gender identity, gender expression, sexual orientation, marital status, national origin, ancestry, familial status, source of income, disability, or genetic information.

**Status:** Chapter 599, Statutes of 2019

**AB-1561 (Cristina Garcia) - Planning and zoning: housing element.**

This bill would have required local planning agencies to analyze the civil rights impacts of any government constraints on the maintenance, improvement, or development of housing when updating the Housing Elements of their General Plan. The bill was subsequently gutted and amended to address unrelated subjects.

**Status:** Chapter 195, Statutes of 2020

**AB-1573 (Holden) - Collegiate athletes: Student Athlete Bill of Rights.**

This bill adds three provisions of law designed to support and protect the rights of student athletes at institutions of higher learning. Specifically, the bill: (1) authorizes schools to establish degree-completion funds; (2) directs schools to develop, post, and disseminate specified information regarding existing student athlete rights; and (3) prohibits schools from retaliating against student athletes who report violations of student athletes' rights.

**Status:** Chapter 382, Statutes of 2019

**AB-1607 (Boerner Horvath) - Gender discrimination: notification.**

This bill requires a city or county, upon issuing a business license, to provide the business with written notice about the legal prohibition on gender-based pricing discrimination for services and the related posting requirements. The city or county is authorized to increase the fee it charges for a business license to offset the cost of providing the written notice.

**Status:** Chapter 293, Statutes of 2019

**AB-1735 (Bauer-Kahan) - Evidence: privileges: human trafficking caseworker-victim privilege.**

This bill amends the human trafficking caseworker privilege in various ways, including changes to existing definitions, the scope of the privilege, and the parties covered. Specifically, it expands who is covered by the privilege, modernizes the training required for caseworkers, and expands what is considered a "confidential communication."

**Status:** Chapter 197, Statutes of 2019

**AB-1782 (Chau) - Personal information: contact tracing.**

Originally, this bill would have required those operating automated license plate recognition (ALPR) systems and those accessing or using ALPR data to have policies that include procedures to ensure nonanonymized ALPR information is timely destroyed, except as specified, and that all ALPR information that is shared is anonymized. It was subsequently gutted and amended to regulate public entities and businesses engaging in technology-assisted contact tracing (TACT). The bill would have provided clear guidelines on who can engage in TACT, what information can be collected, and how long it can be kept. It would have implemented use and disclosure limitations. The bill would have required the affirmative, informed consent of a user before any data can be collected or used and prohibited any discrimination based on

participation in TACT.

**Status:** Held in the Senate Appropriations Committee

**AB-1820 (Committee on Judiciary) - Personal rights: civil liability and enforcement.**

This bill clarifies that the Department of Fair Employment and Housing may bring causes of action to enforce federal civil rights laws.

**Status:** Chapter 834, Statutes of 2019

**AB-2143 (Mark Stone) - Settlement agreements: employment disputes.**

This bill allows an employer to include a no-rehire clause in a settlement agreement with a worker who filed an official complaint in good faith if, before the worker filed the complaint, the employer made and documented a good faith determination that the worker engaged in sexual harassment, sexual assault, or any criminal conduct.

**Status:** Chapter 73, Statutes of 2020

**AB-3121 (Weber) - Task Force to Study and Develop Reparation Proposals for African Americans.**

This bill establishes a task force to study and develop proposals for reparations to African Americans, with special consideration for African Americans who are descendants of persons enslaved in the United States.

**Status:** Chapter 319, Statutes of 2020

**AB-3133 (Aguiar-Curry) - Refugees: resettlement.**

This bill prohibits local governments from withholding consent to refugee resettlement within their jurisdictions where such withholding will have the purpose or effect of discriminating on the basis of a protected characteristic, such as race, ethnicity, gender, religion, or country of origin.

**Status:** Chapter 189, Statutes of 2020

**ACR-99 (Low) - Civil rights: lesbian, gay, bisexual, or transgender people.**

This resolution calls upon the people of California to model equitable treatment of all people, especially those persons who identify as lesbian, gay, bisexual, transgender, or queer (LGBTQ), and to embrace the benefits of acceptance. It further calls upon religious leaders to counsel on LGBTQ matters from a place of love, compassion, and knowledge of the harms of conversion therapy.

**Status:** Resolution Chapter 166, Statutes of 2019

**ACR-110 (Wicks) - Access to reproductive care and abortion services.**

This resolution would have declared that California is a "Reproductive Freedom State for All" and is committed to guaranteeing the constitutionally protected right to safe abortion services, improving and expanding access to reproductive health care, and ensuring that all individuals have access to comprehensive, affordable insurance coverage that includes pregnancy-related care.

**Status:** Held in Senate Judiciary Committee

**ACR-125 (Jones-Sawyer) - Bias and discrimination in hiring reduction through new technology.**

This resolution would have made findings about the failure of existing recruitment and hiring procedures to eliminate bias and would have urged policymakers in both federal and state government to explore ways to promote the development and use of new technologies to reduce such discrimination.

**Status:** Held in Senate Judiciary Committee

**CIVIL PROCEDURE AND EVIDENCE**

**SB-17 (Umberg) - Civil discovery: sanctions.**

This bill provides for certain initial disclosures to be made in civil actions upon order of the court following stipulation by the parties. The bill exempts application to small claims actions. This bill requires courts to impose a sanction when it makes certain findings in conjunction with specified discovery requests. The bill creates a rebuttable presumption that an unrepresented litigant acted in good faith absent clear and convincing evidence otherwise.

**Status:** Chapter 836, Statutes of 2019

**SB-25 (Caballero) - California Environmental Quality Act: projects funded by qualified opportunity zone funds or other public funds.**

This bill would have required courts to resolve California Environmental Quality Act lawsuits against projects financed in whole or in part by a “qualified opportunity fund” or other specified means and meeting other specified conditions, within 270 days, to the extent feasible.

**Status:** Held in Assembly Natural Resources

**SB-41 (Hertzberg) - Civil actions: damages.**

This bill provides that estimations, measures, or calculations of past, present, or future damages for lost earnings or impaired earning capacity resulting from personal injury or wrongful death shall not be reduced based on race, ethnicity, or gender.

**Status:** Chapter 136, Statutes of 2019

**SB-60 (Atkins) - Jury duty: fees.**

This bill would have clarified that Legislative employees are ineligible to receive fees for jury service where they receive regular compensation and benefits while performing such service.

**Status:** Died on the Assembly Floor

**SB-370 (Umberg) - Discovery: response to inspection demands.**

This bill modifies the format in which documents requested in civil discovery must be provided. It requires that any documents or category of documents produced in response to a demand for inspection, copying, testing, or sampling be identified with the specific request number to which the documents respond.

**Status:** Chapter 208, Statutes of 2019

**SB-384 (Morrell) - Housing.**

This bill would have: (1) expedited administrative and judicial review under the California Environmental Quality Act for approvals granted for housing development projects with 50 or more residential units, (2) prohibited a court exercising such judicial review from staying or enjoining the project except in limited circumstances, and (3) increased an existing income-tax exclusion for first-time homeowners who realize a gain from the sale of their home.

**Status:** Failed passage in Senate Environmental Quality Committee

**SB-435 (Moorlach) - Family law: evidence.**

This bill, for certain family law proceedings, would have (1) presumptively allowed hearsay in certain business records and expert testimony to establish the character and value of property, and (2) automatically allowed hearsay statements contained in a timely filed child custody report, subject to a right of cross-examination.

**Status:** Failed passage in Senate Judiciary

**SB-444 (Umberg) - University of California: Berkeley and Irvine law schools: Pro Se Indigent Litigant Pilot Project.**

This bill would have provided for the creation of pilot projects, implemented by University of California law schools in coordination with California courts, to explore the use of artificial intelligence and other machine-learning processes to address access to justice issues faced by pro se indigent litigants in their respective courts.

**Status:** Died in Assembly Higher Education Committee

**SB-621 (Glazer) - California Environmental Quality Act: court actions or proceedings: affordable housing projects.**

This bill would have required the courts to resolve California Environmental Quality Act lawsuits against projects that qualify as "affordable housing" under the bill and that meet other specified conditions, within 270 days, to the extent feasible.

**Status:** Died in Assembly Natural Resources Committee

**SB-645 (Monning) - Civil discovery: depositions.**

This bill provides, notwithstanding Section 2025.290 of the Code of Civil Procedure, that in any civil action for injury or illness that results in mesothelioma or silicosis, a deposition examination of the plaintiff by all counsel, other than the plaintiff's counsel of record, shall be limited to seven hours of total testimony if a licensed physician attests in a declaration served on the parties that the deponent suffers from mesothelioma or silicosis, raising substantial medical doubt of the survival of the deponent beyond six months. Courts are given limited discretion to extend this time.

**Status:** Chapter 212, Statutes of 2019

**SB-659 (Borgeas) - California Environmental Quality Act: attorney's fees: infill housing.**

This bill would have allowed a court, upon making certain findings, to award reasonable attorney's fees in a California Environmental Quality Act action related to infill housing development projects.

**Status:** Held in Senate Appropriations

**SB-741 (Galgiani) - Change of gender.**

This bill would have provided processes for petitioners changing their names and/or genders to update their marriage certificates and the birth certificates of their children within the framework provided under existing law. The bill was vetoed by the Governor, who stated in part: "I strongly support the overall policy of changing vital records to accurately reflect gender identity. Unfortunately, this bill fails to give the State Registrar, which is within CDPH, clear authority to issue a new marriage certificate. As a result, CDPH would only be able to amend the marriage certificates under other applicable amendment statutes, resulting in the original gender, and the fact that there was a change to the listed gender, visible and open to the public. I am concerned that this would shine a spotlight on any individual who has changed their gender and I believe that this runs contrary to the intent of this legislation. This is an important policy and I am committed to working with the Legislature and sponsors during the next legislative session to protect individual privacy."

**Status:** Vetoed by the Governor

**SB-898 (Wieckowski) - Enforcement of judgments: exemptions.**

This bill revises the statutes setting forth the amounts of various types of property owned by a judgment debtor that are statutorily exempt from enforcement of a money judgment so that the amounts match the currently-in-effect amounts implemented by the Judicial Council in 2019. This bill also adds an exemption from enforcement of a judgment for money held in a college savings account owned by the debtor that was established pursuant to the Golden State ScholarShare Trust Act (Ed. Code, § 69980 et seq., referred to as a "ScholarShare account"); for amounts contributed to the debtor's ScholarShare account within the two years preceding a debtor's petition for bankruptcy, the exemption is limited to a per-year, per-beneficiary maximum of "the amount of the annual gift tax exclusion under Section 2503(b) of the Internal Revenue Code of 1986, as amended, in effect at the time of the contribution," which is currently \$15,000.

**Status:** Chapter 81, Statutes of 2020

**SB-994 (Bates) - Juror selection: information sharing.**

This bill would have required jury commissioners to share information provided in prospective juror questionnaires with the county elections official of the relevant county for the purpose of the county elections official conducting voter roll maintenance activities, such as removing persons from the voter rolls who are deceased, admitted noncitizens, or those otherwise ineligible to register to vote.

**Status:** Held in the Senate Judiciary Committee

**SB-1105 (Umberg) - Civil actions: settlement.**

Currently the parties themselves must stipulate in writing or orally before the court to the terms of a settlement. This bill would have authorized attorneys, on behalf of their clients, to request the court retain jurisdiction and making clear that the court may dismiss the case without prejudice upon granting a Code of Civil Procedure Section 664.6 request.

**Status:** Died in the Assembly Judiciary Committee

**SB-1146 (Umberg) - Civil procedure: electronic filing and remote depositions.**

This bill makes permanent two of the emergency measures adopted by the Judicial Council to ensure civil litigation can move forward during the COVID-19 pandemic: allowing parties to electronically serve documents on represented parties and to opt to have represented parties serve them electronically; and allowing depositions to be taken with the deposition officer at a different location than the deponent. This bill also provides that, during the COVID-19 state of emergency declared on March 4, 2020, and for 180 days thereafter, trial continuances and postponements made after March 19, 2020, also extend all relevant case deadlines (such as discovery deadlines).

**Status:** Chapter 112, Statutes of 2020

**SB-1148 (Jones) - Mortgages and deeds of trust: foreclosure.**

This bill alters the default geographic range in which a mortgage trustee may publish a notice of foreclosure sale in a nonjudicial foreclosure, which will, in some circumstances, expand the scope of permissible newspapers in which to publish, with the goal of increasing competition among newspapers and a reduction in publication costs. This bill also prohibits certain courts' practice of charging first-filing or motion filing fees for declarations of nonmonetary status, filed when a mortgage trustee is a party to an action solely by virtue of their status as trustee, by stating that a mortgage trustee's declaration of nonmonetary status is not a motion or responsive filing.

**Status:** Chapter 203, Statutes of 2020

**SB-1334 (Chang) - Civil damages: protective order.**

This bill would have expanded the circumstances under which a trial court could permit pretrial discovery into a defendant's assets, where the plaintiff can show there is a risk that the defendant will fraudulently convey assets in order to avoid paying any eventually entered judgment.

**Status:** Held in Senate Judiciary Committee

**AB-218 (Gonzalez) - Damages: childhood sexual assault: statute of limitations.**

This bill extends the time for commencement of actions for childhood sexual assault to 40 years of age or five years from discovery of the injury; provides enhanced damages for a cover up, as defined, of the assault; and provides a three-year window in which expired claims are revived.

**Status:** Chapter 861, Statutes of 2019

**AB-418 (Kalra) - Evidentiary privileges: union agent-represented worker privilege.**

This bill would have established an evidentiary privilege from disclosure for communications between a union agent and a represented employee or represented former employee.

**Status:** Died on the Senate Floor

**AB-424 (Gabriel) - Depositions: audio or video recordings.**

This bill would have clarified that a stenographic transcript accompanying an audio or video recording of deposition testimony offered into evidence must be prepared by a certified shorthand reporter. It would also restate the ability of parties to modify the act's procedures for the recording of oral depositions by means of audio or video technology.

**Status:** Held in the Senate Judiciary Committee

**AB-602 (Berman) - Depiction of individual using digital or electronic technology: sexually explicit material: cause of action.**

This bill provides a cause of action for the nonconsensual disclosure of sexually explicit material depicting individuals in realistic digitized performances, or "deepfakes."

**Status:** Chapter 491, Statutes of 2019

**AB-622 (Chen) - Service of process or subpoena.**

This bill requires guards or other security personnel, if any, to grant access to a covered multifamily dwelling, as defined, for the sole purpose of performing service of process or serving a subpoena.

**Status:** Chapter 12, Statutes of 2019

**AB-669 (Holden) - Attorney General: assurance of voluntary compliance.**

This bill authorizes the Attorney General to resolve disputes by acceptance of assurances of voluntary compliance. Pursuant to the bill, the Attorney General is authorized to accept an assurance of voluntary compliance, in lieu of a stipulated judgment, to resolve an action brought in the name of the people of California. Such agreements must be filed with, and be subject to the approval of, the court.

**Status:** Chapter 97, Statutes of 2019

**AB-692 (Maienschein) - Attorneys: arbitration of attorney's fees.**

This bill amends exceptions to the Mandatory Fee Arbitration Act (MFAA) and provides for the tolling of the limitations period applicable to specified attorney misconduct claims pending the resolution of arbitration carried out pursuant to the MFAA.

**Status:** Chapter 13, Statutes of 2019

**AB-800 (Chu) - Civil actions: confidentiality.**

This bill seeks to ensure that participants in the Safe at Home program are not dissuaded from participating in civil actions out of fear that identifying information about the victims will be publicly available to those who seek to harm them. This bill accomplishes this goal by allowing active participants in the Safe at Home Program to participate in a civil proceeding under a pseudonym and with other protections when that person is a party in the proceeding.

**Status:** Chapter 439, Statutes of 2019

**AB-1116 (Grayson) - Firefighters: peer support.**

This bill establishes the California Firefighter Peer Support and Crisis Referral Services Act. It provides restrictions on the disclosure of "confidential communications" between emergency services personnel and a peer support team member, or a crisis hotline or crisis referral service. This bill immunizes a peer support team member from specified

liability arising from the provision of peer support services.

**Status:** Chapter 388, Statutes of 2019

**AB-1117 (Grayson) - Peace officers: peer support.**

This bill establishes the Law Enforcement Peer Support and Crisis Referral Services Program. It provides restrictions on the disclosure of "confidential communications" between emergency services personnel and a peer support team member, or a crisis hotline or crisis referral service. This bill immunizes a peer support team member from specified liability arising from the provision of peer support services.

**Status:** Chapter 621, Statutes of 2019

**AB-1123 (Reyes) - Safe Drinking and Toxic Enforcement Act of 1986: appeal: notice to the Attorney General.**

This bill requires certain notice be provided to the Attorney General before certain proceedings alleging violations of the Safe Drinking and Toxic Enforcement Act of 1986, or implicating its application or construction, are filed in the Supreme Court, court of appeal, or the appellate division of the superior court.

**Status:** Chapter 187, Statutes of 2019

**AB-1349 (Oberholte) - Civil actions: discovery.**

This bill requires parties to provide certain discovery requests and responses thereto in an electronic format within three court days of the request, except as specified. The bill also provides that a party may provide the requested electronic materials in any format, and may transmit the document by any method, as agreed upon by the parties, except as specified.

**Status:** Chapter 190, Statutes of 2019

**AB-1361 (Oberholte) - Civil actions: satisfaction of money judgments.**

This bill clarifies that a payment of a portion of a money judgment, associated costs, and interest does not waive the right to appeal other portions of the money judgment.

**Status:** Chapter 48, Statutes of 2019

**AB-1510 (Reyes) - Sexual assault and other sexual misconduct: statutes of limitations on civil actions.**

This bill revives certain otherwise-time-barred claims for damages arising from sexual assault and other inappropriate conduct of a sexual nature, as specified. This bill amends the definitions and scope of the statute of limitations applying to sexual assault claims. The statute of limitations for damages arising from a sexual assault that occurred when the victim was an adult is 10 years from the date of the last actionable conduct or three years from the discovery of the resulting injury.

Partially in response to the allegations against Dr. George Tyndall and the University of Southern California (USC), this bill revives a specific set of claims that would otherwise be time-barred because of the applicable statute of limitations arising out of sexual assault or other inappropriate sexual conduct for one year starting January 1, 2020.

**Status:** Chapter 462, Statutes of 2019

**AB-1515 (Friedman) - Planning and zoning: community plans: review under the California Environmental Quality Act.**

This bill prohibits a court that issues an order to remedy an updated community plan's noncompliance with the California Environmental Quality Act from including in that order a remedy, based on that noncompliance, against certain development project approvals or applications that were completed before the issuance of the order.

**Status:** Chapter 269, Statutes of 2019

**AB-1637 (Smith) - Unclaimed Property Law.**

This bill authorizes the State Controller to transfer property reported to the state under the Unclaimed Property Law (UPL) in the name of a local agency or state agency directly to that agency without the filing of a claim by the agency, and provides that existing immunity from suit under the UPL also applies to the transfer of this property.

**Status:** Chapter 320, Statutes of 2019

**AB-1735 (Bauer-Kahan) - Evidence: privileges: human trafficking caseworker-victim privilege.**

This bill amends the human trafficking caseworker privilege in various ways, including changes to existing definitions, the scope of the privilege, and the parties covered. Specifically, it expands who is covered by the privilege, modernizes the training required for caseworkers, and expands what is considered a "confidential communication."

**Status:** Chapter 197, Statutes of 2019

**AB-1821 (Committee on Judiciary) - Contracts.**

This bill authorizes the award of attorney's fees, costs, and expenses to the fullest extent permissible for prevailing plaintiffs in cases brought pursuant to Title 16, Part 433 of the Code of Federal Regulations. The prevailing rule in California for many years was that consumers exercising the rights afforded by the "Holder Rule" were eligible to receive attorneys' fees in excess of the amounts paid on the underlying contract. However, a recent California appellate court ruling overturned this longstanding precedent. This bill returns the law to its previous form, allowing the award of attorneys' fees in these consumer protection cases.

**Status:** Chapter 116, Statutes of 2019

**AB-2165 (Robert Rivas) - Electronic filing and service of documents.**

This bill amends the statute governing electronic filing of court documents to clarify and update requirements relating to signing electronically filed documents, notices of rejection of electronically filed documents, electronic filing fees, and court-ordered electronic filing.

**Status:** Chapter 215, Statutes of 2020

**AB-2198 (Ting) - Unclaimed property: secure payment of claims.**

This bill would have authorized the Controller to implement additional measures designed to streamline secure payment of claims to claimants under the Unclaimed Property Law in order to streamline the claims process by authorizing the Controller to minimize the number of documents a claimant is required to submit for property under \$5,000, allow electronic submission of documentation through the Controller's website

on claims deemed appropriate by the Controller, and authorize the direct deposit of an approved claim by electronic fund transfer.

**Status:** Held in the Senate Appropriations Committee

**AB-2445 (Reyes) - Civil actions: wrongful death.**

This bill authorizes legal guardians to assert wrongful death claims as if they were the decedent's parents, where the deceased parents of the decedent would be entitled to bring such an action. It further provides that the legal guardians are eligible to bring such a claim, whether or not otherwise qualified, if they were dependent on the decedent.

**Status:** Chapter 51, Statutes of 2020

**AB-2463 (Wicks) - Enforcement of money judgments: execution: homestead.**

This bill prohibits a judgment creditor from forcing a judgment debtor to sell their principal place of residence to satisfy a consumer debt, unless the debt was secured by the residence, or under other limited circumstances specified in the bill.

**Status:** Chapter 218, Statutes of 2020

**AB-2717 (Chau) - Motor vehicles: unattended children: liability.**

This bill exempts from civil and criminal liability a person who takes any reasonable steps that are necessary to remove a child from a motor vehicle if the person holds a reasonable belief that the child's safety is in immediate danger from heat, cold, lack of adequate ventilation, or other circumstances that could reasonably be expected to cause suffering, disability, or death to the child, so long as the person complies with certain requirements.

**Status:** Chapter 352, Statutes of 2020

**AB-2723 (Chiu) - Civil actions: entry of judgment: written stipulation.**

Section 664.6 of the Code of Civil Procedure authorizes courts to enter judgment pursuant to the terms of a settlement stipulated to by the parties to a civil action. Currently the parties themselves must stipulate in writing or orally before the court to the terms of the settlement. This bill authorizes attorneys, on behalf of their clients, and the agents of insurers, on behalf of the insurer, to so stipulate in certain civil cases. The bill provides that an attorney who signs the writing on behalf of a party without the party's express authorization shall be subject to professional discipline absent good cause.

**Status:** Chapter 290, Statutes of 2020

**AB-2875 (Oberholte) - Civil actions: summary judgment: service.**

This bill would have clarified that the required 75-day notice period for motions for summary judgment is extended by two court days if notice of the motion is served electronically.

**Status:** Held in the Senate Judiciary Committee

**AB-3062 (Oberholte) - Civil actions: pleadings and motions.**

This bill would have removed the sunsets on various sections of the Code of Civil Procedure that provide various procedures aimed at increasing judicial efficiency and encouraging informal resolution amongst the parties to civil actions. These changes

ultimately were made in AB 3364 (Assembly Committee on Judiciary, Ch. 36, Stats. 2020).

**Status:** Held in the Senate Judiciary Committee

**AB-3092 (Wicks) - Sexual assault and other sexual misconduct: statutes of limitations on civil actions.**

In response to numerous sexual misconduct allegations against Dr. James Heaps and the response from the University of California, Los Angeles (UCLA), where he worked, this bill revives certain claims arising out of sexual assault or other inappropriate sexual conduct committed by a physician associated with UCLA that would otherwise be time-barred because of the applicable statute of limitations for one year starting January 1, 2021. This revival does not apply to claims litigated to finality or compromised by written settlement.

**Status:** Chapter 246, Statutes of 2020

**AB-3366 (Committee on Judiciary) - Judicial emergencies.**

This bill empowers the Chairperson of the Judicial Council to authorize certain actions by the courts in response to specified emergency conditions affecting them sua sponte, rather than in response to requests by individual courts.

**Status:** Chapter 76, Statutes of 2020

**COMMON INTEREST DEVELOPMENTS (DAVIS-STIRLING ACT)**

**SB-323 (Wieckowski) - Common interest developments: elections.**

This bill enacts a series of reforms to the laws governing board of director elections in common interest developments, commonly referred to as homeowners associations or HOAs. In broad strokes, the reforms seek to increase the regularity, fairness, formality, and transparency associated with such elections. Of particular note, this bill: (1) requires that elections take place at regular intervals; (2) prohibits HOAs from disqualifying members from running for the board of directors except on narrow, specified grounds; and (3) restricts HOAs from disenfranchising members.

**Status:** Chapter 848, Statutes of 2019

**SB-326 (Hill) - Common interest developments.**

This bill makes two changes to the laws governing homeowners associations (HOAs). First, it establishes a mandatory inspection regime for exterior elevated elements, such as balconies, decks, walkways, stairways, and railings, within HOAs. Second it nullifies any provision in an HOA's governing documents that purports to condition or limit the ability of the HOA to bring construction defect litigation against the developer or builder of the HOA.

**Status:** Chapter 207, Statutes of 2019

**SB-434 (Archuleta) - Common interest developments: managing agent: production of client property and client records upon termination of management agreement.**

This bill would have required the property manager of a homeowners association, upon termination of the management agreement and written request from the association, to return the association's property and records to it through specified procedures and timelines.

**Status:** Died on the Senate Floor

**SB-652 (Allen) - Entry doors: display of religious items: prohibitions.**

This bill requires landlords and homeowners associations to allow their tenants and members to affix small religious items to the door or doorframe of the tenants' and members' homes.

**Status:** Chapter 154, Statutes of 2019

**SB-754 (Moorlach) - Common interest developments: board members: election by acclamation.**

This bill permits candidates for the board of directors of large homeowners associations to be seated by acclamation in the event that there are no more candidates than vacant seats, provided specified preconditions have been met.

**Status:** Chapter 858, Statutes of 2019

**AB-670 (Friedman) - Common interest developments: accessory dwelling units.**

This bill prohibits homeowner associations (HOAs) from banning construction or use of an accessory dwelling unit or junior accessory dwelling unit, but allows HOAs to impose reasonable rules on the construction or use of such units, so long as those rules do not effectively prevent or unreasonably restrict their construction or use within the HOA.

**Status:** Chapter 178, Statutes of 2019

## **CONSTITUTIONAL RIGHTS**

**SB-27 (McGuire) - Presidential primary elections: ballot access: tax returns.**

This bill requires candidates for President of the United States and Governor of California to submit a copy of their federal income tax returns for the five most recent taxable years to the California Secretary of State's Office (SOS), together with a version redacted for privacy, as a precondition for having their names appear on a California primary election ballot. The SOS would then make the redacted returns available to the public through its website.

Status: Chapter 121, Statutes of 2019. (Note: after enactment, the United States District Court for the Eastern District of California issued an order enjoining this bill's enforcement. (*Griffin v. Padilla* (E.D.Cal. 2019) 417 F. Supp. 3d 1291.) The State of California appealed this ruling to the Ninth Circuit Court of Appeal. Meanwhile, the Supreme Court of California took up a separate challenge to the bill based on the state constitution. The Supreme Court of California ruled that the bill's requirement for a

presidential primary candidate to submit tax returns to the California SOS conflicts with article II, Section 5(c) of the California Constitution, which directs the Legislature to "provide for partisan elections for presidential candidates [...] including an open presidential primary whereby the candidates on the ballot are those found by the Secretary of State to be recognized candidates throughout the nation or throughout California for the office of President of the United States [...]." (Patterson v. Padilla (2019) 8 Cal.5th 220.) As a result of the state Supreme Court decision, the Ninth Circuit Court of Appeal ruled that the pending federal appeal was moot.)

**Status:** Chapter 121, Statutes of 2019

### **SB-40 (Wiener) - Conservatorship: serious mental illness and substance use disorders.**

This bill amends a pilot program that, for participating counties, establishes a conservatorship procedure applicable to individuals who are incapable of caring for their own health and well-being due to a serious mental illness and substance use disorder. In broad strokes, this bill: (1) compresses the timeframes for the conservatorship, including changing the one-year conservatorship to a six-month conservatorship; (2) makes a prerequisite of that conservatorship a 28-day temporary conservatorship; (3) makes the trigger-point for the temporary conservatorship the person's eighth 72-hour involuntary detention in a 12-month period; (4) provides that the establishment of a conservatorship is subject to a judicial determination regarding the person's eligibility for assisted outpatient treatment; and (5) establishes additional protections to ensure that the conservatorship scheme is more narrowly drawn.

**Status:** Chapter 467, Statutes of 2019

### **SB-225 (Durazo) - Citizens of the state.**

This bill allows all California residents to serve on appointed government boards and commissions, regardless of citizenship or immigration status. Additionally, the bill eliminates unconstitutional components of the existing statutory definition for California state citizenship.

**Status:** Chapter 790, Statutes of 2019

### **SB-371 (Caballero) - Schoolbuses: stop requirements.**

This bill would have authorized school districts to install automated schoolbus video enforcement systems for schoolbus passing violations.

**Status:** Died on the Senate Floor

### **SB-652 (Allen) - Entry doors: display of religious items: prohibitions.**

This bill requires landlords and homeowners associations to allow their tenants and members to affix small religious items to the door or doorframe of the tenants' and members' homes.

**Status:** Chapter 154, Statutes of 2019

### **SB-890 (Pan) - Privacy: video recording of a crime: social media.**

This bill would have required social media websites, and other websites that allow users to create and share content (collectively "social media platforms"), to remove photos or videos depicting crimes upon request of a victim of the crime or, if the victim is

deceased, the family of the victim, when the photo or video was posted by the perpetrator of the crime and the take-down request includes a police report number relating to the alleged crime; and would have imposed a \$1,000-per-day civil penalty if a social media platform does not comply with the take-down request within two hours of receipt. This bill was heard by the Senate Judiciary Committee but no vote was taken.  
**Status:** Held in Senate Judiciary Committee

**SR-7 (Leyva) - Women’s Reproductive Health.**

This resolution marks the 46th anniversary of the U.S. Supreme Court’s decision in the case Roe v. Wade (1973) 410 U.S. 113, which established the constitutional right to choose whether or not to carry a pregnancy to term.

**Status:** Adopted by the Senate

**SR-66 (Leyva)**

This resolution marks the 47th anniversary of the U.S. Supreme Court’s decision in the case Roe v. Wade (1973) 410 U.S. 113, which established a person’s constitutional right to choose whether or not to carry a pregnancy to term.

**Status:** Adopted by the Senate

**SR-72 (Pan) - World War II Japanese American Concentration Camps.**

This resolution recognizes California and the Senate’s past actions contributing to the reprehensible treatment of Japanese Americans leading up to, and during, World War II; and apologizes for the Senate’s responsibility for its role in the unjust exclusion, removal, and internment of Japanese Americans, as well as the Senate’s failure to support and defend the civil rights and liberties of Japanese Americans at that time.

**Status:** Held in Senate Judiciary Committee

**AB-730 (Berman) - Elections: deceptive audio or visual media.**

This bill prohibits anyone, within 60 days of an election and with actual malice, from distributing video, audio, or images of a candidate that have been intentionally manipulated to appear authentic, with the intent to injure the candidate’s reputation or to deceive a voter into voting for or against the candidate, unless the manipulated video, audio, or image includes a disclosure stating that it has been manipulated.

**Status:** Chapter 493, Statutes of 2019

**AB-931 (Boerner Horvath) - Local boards and commissions: representation: appointments.**

This bill prohibits the membership of appointed boards and commissions in cities with a population of 50,000 or more from having more than 60% of the same gender identity on or after January 1, 2030; and specifies that smaller boards and commissions must not be comprised of members having the same gender identity.

**Status:** Chapter 813, Statutes of 2019

### **AB-3121 (Weber) - Task Force to Study and Develop Reparation Proposals for African Americans.**

This bill establishes a task force to study and develop proposals for reparations to African Americans, with special consideration for African Americans who are descendants of persons enslaved in the United States.

**Status:** Chapter 319, Statutes of 2020

### **AB-3133 (Aguiar-Curry) - Refugees: resettlement.**

This bill prohibits local governments from withholding consent to refugee resettlement within their jurisdictions where such withholding will have the purpose or effect of discriminating on the basis of a protected characteristic, such as race, ethnicity, gender, religion, or country of origin.

**Status:** Chapter 189, Statutes of 2020

## **CONSUMER PROTECTION**

### **SB-180 (Chang) - Gene therapy kits: advisory notice and labels.**

This bill requires a seller of gene therapy kits to place a notice on their website and on the packaging of the kit that states the kit is not for self-administration.

**Status:** Chapter 140, Statutes of 2019

### **SB-187 (Wieckowski) - Rosenthal Fair Debt Collection Practices Act.**

This bill amends definitions in the Rosenthal Fair Debt Collection Practices Act, removing the exception for attorneys in the definition of “debt collector” and clarifying that the definition of “consumer debt” includes mortgage debt.

**Status:** Chapter 545, Statutes of 2019

### **SB-208 (Hueso) - Consumer Call Protection Act of 2019.**

This bill establishes the Consumer Call Protection Act of 2019. It requires telecommunications service providers to implement certain protocols to verify and authenticate caller identification for calls carried over an internet protocol network. It authorizes the Attorney General and the California Public Utilities Commission to work together to enforce Section 227 of Title 47 of the United States Code.

**Status:** Chapter 471, Statutes of 2019

### **SB-318 (Hertzberg) - Consumer protections: contracts and agreements to finance or secure a bail bond or immigration bond.**

This bill would have clarified that the California Consumer Legal Remedies Act, Contract Translation Act, Rosenthal Fair Debt Collections Practices Act, and Consumer Credit Contract notice provisions apply to bail bond and immigration bonds.

**Status:** Failed passage in Assembly Insurance Committee

### **SB-320 (Jackson) - Gender: discrimination: pricing.**

This bill would have extended the Gender Tax Repeal Act’s prohibition on gender-based price discrimination. The Act currently prohibits businesses from charging men different prices than women, and vice versa, for services. This bill would have extended that

prohibition to the sale of consumer goods, as well.

**Status:** Failed passage in the Senate Judiciary Committee

**SB-342 (Hertzberg) - Unfair Competition Law: ticket websites.**

This bill makes it unlawful to register, traffic in, or use the name of a professional sports team or the names of professional sports leagues, among others, in a domain or subdomain name of a website to sell tickets in a fraudulent, deceptive, or misleading manner. The bill provides a private right of action to a person who suffers an economic injury as a result of such misconduct.

**Status:** Chapter 162, Statutes of 2020

**SB-425 (Hill) - Health care practitioners: licensee's file: probationary physician's and surgeon's certificate: unprofessional conduct.**

This bill requires every health care facility in the state, health care service plan, or other entity with any arrangement authorizing a licensed health care professional to provide care for patients to report allegations of sexual abuse and sexual misconduct made against a licensed health care professional by a patient to that licensed health care professional's licensing board within 15 days of receiving a written allegation of sexual abuse or sexual misconduct from a patient, as provided. The bill also makes other changes related to disciplinary actions and enforcement procedures of the Medical Board of California.

**Status:** Chapter 849, Statutes of 2019

**SB-472 (Caballero) - Earned income access service providers.**

This bill would have established a licensing framework under the California Financing Law for wage-based and work-based advance providers, as provided.

**Status:** Held in Assembly Banking and Finance Committee

**SB-482 (Hueso) - Consumer loans: restrictions.**

This bill would have placed certain requirements on finance lenders in connection with consumer loans made under the California Financing Law.

**Status:** Held in the Senate Judiciary Committee

**SB-506 (Hueso) - Energy crisis litigation.**

This bill authorizes the Attorney General to represent the Department of Finance and to succeed the Electricity Oversight Board, as specified, in any litigation or settlement to obtain ratepayer recovery for the effects of the 2000–02 energy crisis. The bill provides guidance for the distribution of associated proceeds.

**Status:** Chapter 150, Statutes of 2019

**SB-561 (Jackson) - California Consumer Privacy Act of 2018: consumer remedies.**

This bill would have amended the public and consumer enforcement mechanisms in the California Consumer Privacy Act (CCPA). The bill would have also authorized the Attorney General to provide general guidance on compliance with the CCPA.

**Status:** Held in the Senate Appropriations Committee

**SB-616 (Wieckowski) - Enforcement of money judgments: exemptions.**

This bill extends and clarifies 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 also establishes an automatic exemption from bank account levies, with specified exceptions, of no more than the minimum basic standard of adequate care for a family of four, as defined and annually adjusted by the State Department of Social Services (currently \$1,724).

**Status:** Chapter 552, Statutes of 2019

**SB-619 (Hueso) - Promise Zones: credit reporting pilot program: educational services.**

This bill would have required landlords of large rental housing developments within a Promise Zone to report rental payment information by a tenant to a consumer reporting agency, and would have required the Department of Business Oversight to contract with a third party to analyze the resulting data on tenant credit scores. This bill was subsequently gutted and amended to address other matters.

**Status:** Held in Assembly Rules Committee

**SB-639 (Mitchell) - Medical services: credit or loan.**

This bill prohibits all healing arts licensees, or an employee or agent of a licensee, from arranging for or establishing an open-end credit or loan that contains deferred interest provisions, and from arranging for or establishing an open-end credit or loan for patients who are under anesthesia or sedation or are in treatment areas, as specified. This bill also requires licensees who accept Medi-Cal to specify what treatments are and are not covered by Medi-Cal, and explain if Medi-Cal would cover an alternate, medically appropriate service. The bill updates and simplifies language in required patient notices. This bill's provisions are operative on July 1, 2020.

**Status:** Chapter 856, Statutes of 2019

**SB-753 (Stern) - Public social services: emergency notification.**

This bill would have amended the definition of "sell," "selling," "sale," or "sold" in the California Consumer Privacy Act to exclude certain advertising practices, including those in which a business shares, discloses, or otherwise communicates to another business or third party certain consumer information to the extent necessary to serve or audit a specific advertisement to the consumer. Consumers would have no longer had the ability to opt out of such sales of their information. The bill was subsequently gutted and amended. It would have authorized the disclosure of the telephone numbers and email addresses of elderly or disabled individuals receiving certain government services to specified emergency services personnel in the event of a public safety emergency requiring possible evacuation, including public safety power shut-offs. The bill was again gutted and amended out of this Committee's jurisdiction after passing the Senate Floor.

**Status:** Held in Assembly Higher Education Committee

**SB-898 (Wieckowski) - Enforcement of judgments: exemptions.**

This bill revises the statutes setting forth the amounts of various types of property owned by a judgment debtor that are statutorily exempt from enforcement of a money judgment so that the amounts match the currently-in-effect amounts implemented by the

Judicial Council in 2019. This bill also adds an exemption from enforcement of a judgment for money held in a college savings account owned by the debtor that was established pursuant to the Golden State ScholarShare Trust Act (Ed. Code, § 69980 et seq., referred to as a "ScholarShare account"); for amounts contributed to the debtor's ScholarShare account within the two years preceding a debtor's petition for bankruptcy, the exemption is limited to a per-year, per-beneficiary maximum of "the amount of the annual gift tax exclusion under Section 2503(b) of the Internal Revenue Code of 1986, as amended, in effect at the time of the contribution," which is currently \$15,000.

**Status:** Chapter 81, Statutes of 2020

### **SB-980 (Umberg) - Privacy: DNA or illness testing companies.**

This bill would have established the Genetic Information Privacy Act, which would have safeguarded the privacy, confidentiality, security, and integrity of a consumer's genetic data by requiring direct-to-consumer genetic testing companies to provide clear disclosures and consumer control and requiring these companies to obtain express consent for the collection, use, and disclosure of the consumer's genetic data, including separate and express consent for specified actions. This bill also would have required security measures to be taken and prohibited discrimination against consumers for exercising these rights.

The bill was vetoed by the Governor, who stated in part: "I share the perspective that the sensitive nature of human genetic data warrants strong privacy rights and protections. However, the broad language in this bill risks unintended consequences, as the 'opt-in' provisions of the bill could interfere with laboratories' mandatory requirement to report COVID-19 test outcomes to local public health departments, who report that information to the California Department of Public Health. This reporting requirement is critical to California's public health response to the COVID-19 pandemic, and we cannot afford to unintentionally impede that effort.

Because I agree with the primary goal of this bill, I am directing the California Health and Human Services Agency and the Department of Public Health to work with the Legislature on a solution that achieves the privacy aims of the bill while preventing inadvertent impacts on COVID-19 testing efforts."

**Status:** Vetoed by the Governor

### **SB-1167 (Wieckowski) - Consumer Legal Remedies Act.**

This bill would have made representing that goods are original or new if they have deteriorated unlawful. Currently, representing that goods are original or new if they have deteriorated unreasonably is unlawful.

**Status:** Held in the Senate Judiciary Committee

### **AB-25 (Chau) - California Consumer Privacy Act of 2018.**

This bill authorizes a business to require authentication of consumers, as specified, in connection with requests made pursuant to the California Consumer Privacy Act (CCPA) and allows a business to require requests to be made through an existing account. This bill exempts certain personal information collected by business employers from the scope of the CCPA until January 1, 2021, except as provided.

**Status:** Chapter 763, Statutes of 2019

**AB-179 (Reyes) - New Motor Vehicle Board.**

This bill modifies the statutory scheme governing the relationship between motor vehicle dealers and manufacturers, including the role, jurisdiction, and procedures of the New Motor Vehicle Board.

**Status:** Chapter 796, Statutes of 2019

**AB-325 (Ramos) - Self-service storage facilities.**

This bill would have eliminated an existing sunset clause on provisions allowing self-storage facility owners to contact the occupants of self-storage units via email, for communications involving statutory lien notices and lien sales, where the occupant has provided an email address and consent to be so contacted; and added one additional method by which a self-storage facility owner can prove that an occupant actually received such communications, which would have been repealed on January 1, 2024. The contents of this bill were added to AB 3364 (Assembly Committee on Judiciary, Ch. 36, Stats. 2020), with shorter sunset provisions put on all of the email provisions.

**Status:** Held in Senate Judiciary Committee The contents of this bill were added to AB 3364 (Assembly Committee on Judiciary, Ch. 36, Stats. 2020), with shorter sunset provisions put on all of the email provisions.

**Status:** Held in Senate Judiciary Committee

**AB-326 (Muratsuchi) - Electric mobility manufacturers.**

This bill would have exempted electric mobility manufacturers, as defined, from existing laws and subjected them to a new regulatory scheme. It would have allowed for the collection and use of personally identifiable information and the use of electronic tracking technology.

**Status:** Died on the Senate Floor

**AB-333 (Eggman) - Whistleblower protection: county patients' rights advocates.**

This bill extends whistleblower protections to individuals and entities that have contracts with the state or local government to oversee compliance with patients' rights in county mental health treatment facilities.

**Status:** Chapter 423, Statutes of 2019

**AB-376 (Mark Stone) - Student loan servicing.**

This bill imposes new requirements on student loan servicers doing business in the State to increase consumer protections, and requires the Department of Business Oversight to enforce these requirements. The bill establishes the position of the Student Borrower Advocate to receive and review complaints from student loan borrowers, as provided. The bill also provides for a consumer enforcement mechanism by allowing a consumer who suffers damage as a result of the failure of a student loan servicer to comply with these provisions or any applicable federal laws relating to student loan servicing to bring an action on the consumer's behalf and on behalf of any similarly situated class of consumers against that student loan servicer, as specified.

**Status:** Chapter 154, Statutes of 2020

**AB-384 (Chau) - Information privacy: digital health feedback systems.**

This bill would have made a business a provider of health care, and therefore subject to California's Confidentiality of Medical Information Act, when it offers personal health record software or hardware that is designed to maintain and make available personal health record information for purposes of allowing the individual to manage their information, or for the diagnosis, treatment, or management of a medical condition of the individual.

**Status:** Held in Senate Appropriations Committee

**AB-506 (Kalra) - Long-term health facilities.**

This bill would have revised the criteria under which the California Department of Public Health (CDPH) issues civil penalties against long term care facilities (LTC facilities) that were found to have caused the death of a resident, so that instead of having to prove the death of a resident was the "direct proximate cause" of a violation by the facility, CDPH would have to prove that the violation was a "substantial factor" in the death of a resident and that the death was a foreseeable result of the violation. Additionally, this bill would have increased the amount of civil penalties that could be assessed against LTC facilities for specified violations. In his veto message, Governor Newsom indicated that he was concerned that the language of the bill "would create more confusion than clarity and would not help CDPH to enforce the law."

**Status:** Vetoed by the Governor

**AB-523 (Irwin) - Telecommunications: customer right of privacy.**

This bill would have generally prohibited a wireless provider from disclosing a subscriber's cell site location information without first obtaining their express written consent.

**Status:** Died on the Senate Floor

**AB-539 (Limón) - California Financing Law: consumer loans: charges.**

This bill provides additional consumer protections, including interest rate and term limitations, in connection with certain loans made under the California Financing Law. Most notably, the bill establishes an interest rate cap on consumer loans with principal amounts from \$2,500 to \$10,000. Licensees are prohibited from receiving charges exceeding an annual simple interest rate of 36 percent per annum plus the Federal Funds Rate.

**Status:** Chapter 708, Statutes of 2019

**AB-596 (Grayson) - Motor vehicle defects: service bulletins and consumer electronic authorization.**

This bill explicitly authorizes a new motor vehicle dealer to receive electronic authorization from consumers for any repair of a manufacturer recall consistent with regulations adopted by the Bureau of Automotive Repair. This bill also updates information that is statutorily required to be contained in a notice that new car dealers must provide to consumers, as provided.

**Status:** Chapter 490, Statutes of 2019

**AB-699 (Grayson) - Credit services organizations.**

This bill would have modified the Credit Services Act of 1984 to expand the list of prohibited acts by credit service organizations and impose certain requirements relating to their solicitation of business and communication with consumers.

**Status:** Held in Senate Judiciary Committee

**AB-824 (Wood) - Business: preserving access to affordable drugs.**

This bill presumes a patent infringement claim settlement between a brand drug maker and a generic or biosimilar biologic drug maker to be anticompetitive and subject to a civil penalty, as specified, if the generic or biosimilar drug maker receives anything of value from the brand drug maker in exchange for limiting or foregoing entry into the market, unless that presumption can be rebutted with specified evidence.

**Status:** Chapter 531, Statutes of 2019

**AB-846 (Burke) - Customer loyalty programs.**

As it passed through this Committee, this bill would have provided that the California Consumer Privacy Act does not prohibit a business from offering a different price, rate, level, or quality of goods or services to a consumer, including offering them for no fee, if the offering is in connection with a loyalty or rewards program. The sale of information collected in connection with these programs would have been restricted except for a narrow exception for eligibility determinations. The bill was subsequently gutted and amended to address peace officer standards and was signed into law.

**Status:** Chapter 322, Statutes of 2020

**AB-873 (Irwin) - California Consumer Privacy Act of 2018.**

This bill would have amended the definitions of “personal information” and “deidentified” for purposes of the California Consumer Privacy Act (CCPA). The change to the latter definition would have removed information that can relate to, describe, and that is capable of being associated with a particular consumer from the definition of personal information, so long as it meets certain other guidelines, and therefore removes the CCPA’s protections of this information and consumers’ access to and control over it.

**Status:** Failed passage in the Senate Judiciary Committee.

**AB-874 (Irwin) - California Consumer Privacy Act of 2018.**

This bill amends the definitions of “personal information” and “publicly available” for purposes of the California Consumer Privacy Act. The bill amends the exclusions from the definition of personal information by redefining what is considered publicly available, namely eliminating the provision that provides that information is not publicly available if that data is used for a purpose that is not compatible with the purpose for which the data is maintained and made available in the government records, or for which it is publicly maintained. The bill also narrows the definition of what is personal information to include only information that is reasonably capable of being associated with a consumer or household and making it clear that personal information does not include consumer information that is deidentified or aggregate consumer information.

**Status:** Chapter 748, Statutes of 2019

**AB-1035 (Ramos) - COVID-19 emergency: small businesses: immunity from civil liability.**

This bill would have provided immunity for certain businesses from liability for injury or illness to a person due to COVID-19 based on a claim that the person contracted the virus while at the business, or due to actions of that small business, if the business has implemented and abided by all applicable state and local health laws, regulations, and protocols, even if the underlying conduct was unreasonable.

**Status:** Held in the Senate Judiciary Committee

**AB-1065 (Berman) - Insurance transactions: notice: electronic transmission.**

This bill repeals the sunset on provisions authorizing insurers to deliver certain types of documents electronically and conduct insurance transactions electronically. The bill also grants the California Insurance Commissioner enforcement authority to ensure compliance with safeguards contained in these provisions.

**Status:** Chapter 235, Statutes of 2019

**AB-1106 (Smith) - Los Angeles County: notice of recordation.**

This bill extends authorization to Los Angeles County to operate its Homeowner Notification Program for an additional 10 years, should it elect to do so. The Program is designed to combat fraud by alerting people and providing them with advice when documents are recorded against the property they own or reside in.

**Status:** Chapter 165, Statutes of 2019

**AB-1130 (Levine) - Personal information: data breaches.**

This bill updates the definition of “personal information” in various consumer protection statutes to include certain government identification numbers and biometric data. Current law requires businesses that own, license, or maintain personal information to implement and maintain reasonable security procedures and practices to protect that information. In addition, California’s data breach notification statutes require government agencies, persons, and businesses to provide residents with specified notices in the wake of breaches of residents’ personal information. This bill expands the definition of personal information in each of those statutes to include certain additional information that is particularly sensitive but not currently explicitly included in these statutes, including biometric data and certain identification numbers.

**Status:** Chapter 750, Statutes of 2019

**AB-1132 (Gabriel) - Telecommunications: caller identification fraud.**

This bill subjects a caller who intentionally uses caller identification information with false government information for harmful purposes to a civil penalty of up to \$10,000.

**Status:** Chapter 452, Statutes of 2019

**AB-1138 (Gallagher) - Social media: the Parent’s Accountability and Child Protection Act.**

This bill would have required operators of social media websites or applications to use a method that includes reasonable measures to ensure a parent or guardian is providing consent before a child, who the business actually knows is under 13 years of age, can

create an account. The bill was vetoed by the Governor, who stated, in part: "Existing federal law requires operators of internet websites or online services to obtain parental or guardian consent before collecting personal information from a child known to be under 13 years old. States have the ability to enforce this law. Given its overlap with federal law, this bill would not meaningfully expand protections for children, and it may result in unnecessary confusion."

**Status:** Vetoed by the Governor

**AB-1142 (Friedman) - Regional transportation plans: transportation network companies.**

This bill would have sought to address the impacts of transportation network companies (TNCs) on transportation planning and environmental goals. The bill would have required the Public Utilities Commission to consider the needs of various entities in its determination of what TNC data should be shared in commission Rulemaking 12-12-011, Rulemaking on Regulations Relating to Passenger Carriers, Ridesharing, and New Online-Enabled Transportation Services.

**Status:** Held in the Senate Appropriations Committee

**AB-1146 (Berman) - California Consumer Privacy Act of 2018: exemptions: vehicle information.**

This bill narrowly limits the California Consumer Privacy Act's opt-out and deletion rights with respect to "vehicle information" in order to facilitate prompt and effective recalls and warranty work. In response to concerns about the interplay of these rights to delete or restrict sales of certain data and existing processes for effectuating warranty and recall notices, this bill exempts certain vehicle and ownership information from the scope of the opt-out rights and to prevent consumers from seeking the deletion of information that is necessary to fulfill the terms of a written warranty or recall.

**Status:** Chapter 751, Statutes of 2019

**AB-1181 (Limón) - Charitable organizations.**

This bill would have, on and after January 1, 2021, required a charitable organization that receives a noncash pharmaceutical drug, nonprescription drug, medication, medical device, or medical supply contribution that is restricted by the donor so it cannot be used in the United States to value that noncash contribution using the fair value of the end recipient market or a reasonable estimate thereof if the end recipient market value cannot be ascertained following a reasonable inquiry, with exceptions. This bill would have prohibited the reporting of noncash contributions in a charitable organization's audited financial statements, reports filed with the California Attorney General, or solicitation materials in a way that is misleading or likely to cause confusion. In his veto message, Governor Newsom indicated that the bill could "pose burdensome implementation challenges for the charities impacted by its provisions" and that his "Administration is open to exploring other less burdensome ways to address this issue."

**Status:** Vetoed by the Governor

**AB-1186 (Medina) - Pawnbrokers: fees and charges.**

This bill increases the maximum amount of some of the fees that pawnbrokers may charge, as specified.

**Status:** Chapter 189, Statutes of 2019

**AB-1202 (Chau) - Privacy: data brokers.**

This bill requires data brokers to register with, and pay a registration fee to, the Attorney General on an annual basis. It requires the Attorney General to make this information available to the public in a registry on its Internet Web site. A data broker is defined as a business that knowingly collects and sells to third parties the personal information of a consumer with whom the business does not have a direct relationship.

**Status:** Chapter 753, Statutes of 2019

**AB-1203 (O'Donnell) - Rental passenger vehicle transactions.**

This bill would have updated several references to now obsolete sections of the law governing rental car companies and their transactions with customers. It was subsequently amended to restrict contracting between local educational agencies and transportation network companies.

**Status:** Held in the Senate Education Committee

**AB-1213 (Chen) - Legal document assistants and unlawful detainer assistants.**

This bill extends the operation of the provisions of law regulating legal document assistants and unlawful detainer assistants from January 1, 2021, to January 1, 2024, and makes various other technical and nonsubstantive changes.

**Status:** Chapter 128, Statutes of 2019

**AB-1286 (Muratsuchi) - Shared mobility devices: agreements.**

This bill places requirements on companies that provide shared mobility devices and the local authorities that allow such devices to be operated within their jurisdictions. It requires shared mobility service providers, as defined, to enter into an agreement with or obtain a permit from the local jurisdiction in which the providers' devices are used. Such agreement or permit must require certain minimum levels of liability insurance. The bill also requires cities and counties authorizing providers to operate within their jurisdictions to establish rules governing the operation, parking, and maintenance of these devices by ordinance, agreement, or permit terms.

**Status:** Chapter 91, Statutes of 2020

**AB-1313 (Luz Rivas) - Higher education: prohibited debt collection practices.**

This bill prohibits a public or private university from refusing to provide a transcript for a current or former student on the grounds that the student owes a debt, conditioning the provision of a transcript on the payment of a debt, charging a higher fee for obtaining a transcript or providing less favorable treatment because a student owes a debt, or using transcript issuance as a tool for debt collection.

**Status:** Chapter 518, Statutes of 2019

**AB-1342 (Low) - Nonprofit corporations: private postsecondary educational institutions: sale of assets: Attorney General approval.**

This bill would have required a nonprofit corporation that operates or controls a private postsecondary educational institution to obtain the Attorney General's consent before entering into certain agreements or transactions, including an agreement or transaction to sell or convey its assets to a for-profit corporation or mutual benefit corporation.

**Status:** Held in Senate Appropriations Committee

**AB-1355 (Chau) - Personal information.**

This bill makes a number of amendments to the California Consumer Privacy Act (CCPA). It clarifies that a business' online privacy policy or website must disclose a consumer has the right to request the specific pieces of personal information the business has collected about that consumer and that a business must disclose the categories of personal information sold to each category of a third party. The bill requires a business to get affirmative authorization from a consumer who is at least 13 years of age and less than 16 years of age before selling the consumer's information. The bill clarifies that personal information does not include consumer information that is deidentified or aggregate consumer information. It further makes clear that the CCPA does not require a business to collect or retain personal information that it would not otherwise collect or retain in the ordinary course of business. The bill expands the exemption relating to the Fair Credit Reporting Act.

The bill exempts from various provisions of the CCPA personal information reflecting communications or transactions between a business and a consumer, where the latter is acting in their capacity as an employee, owner, director, officer, or contractor of a specific entity, as provided. This provision only applies until January 1, 2021.

The bill amends the private right of action provided in the CCPA to apply only to personal information that is nonencrypted and nonredacted. It also authorizes the Attorney General to adopt additional regulations to establish rules and procedures on dealing with consumer requests for information relating to a household.

The bill makes a series of other technical, corrective, and clarifying amendments.

**Status:** Chapter 757, Statutes of 2019

**AB-1360 (Ting) - Third-party food delivery.**

This bill would have established requirements on food delivery platforms that deliver food to consumers from a grocery establishment, a retail store with a grocery department, or a grocery warehouse, including requiring that a food delivery driver has specified training and that the food delivery platform maintains liability insurance.

**Status:** Died on the Senate Floor

**AB-1395 (Cunningham) - Information privacy: other connected device with a voice recognition feature.**

This bill would have provided certain limitations on the use of voice recognition features in connection with smart speaker devices and any transcripts or recordings collected or retained in connection with that use.

**Status:** Held in Senate Judiciary Committee

**AB-1404 (Santiago) - Nonprofit sponsors: reporting obligations.**

This bill would have required a nonprofit sponsor to make an annual disclosure publicly available by posting on the nonprofit sponsor's public internet website in the same location where it posts copies of its annual report within 30 days of filing an Internal Revenue Service Form 990 that discloses specified information regarding deferred compensation, as defined, and would have required the nonprofit sponsor to certify the information it discloses is true and correct. The bill would have required certain information to be disclosed in pay scales, as provided.

**Status:** Died on the Senate Floor

**AB-1416 (Cooley) - Business: collection and disclosures of consumer personal information.**

This bill would have created new exemptions to the California Consumer Privacy Act (CCPA) that provide that the obligations imposed on businesses by the CCPA shall not restrict a business's ability to engage in certain practices.

**Status:** Held in Senate Judiciary Committee

**AB-1417 (Blanca Rubio) - Cannabis advertisement and marketing.**

This bill would have established civil penalties for violating specified cannabis marketing or advertising requirements, as specified.

**Status:** Held in Senate Appropriations Committee

**AB-1428 (Calderon) - Business practices: prepaid credit cards: refund methods.**

This bill requires a business that offers a refund to a customer via a prepaid debit card for a purchase initiated by the customer in California to provide the customer with at least one other method of receiving the refund other than a prepaid debit card. This bill excludes restaurants from this requirement and defines various terms.

**Status:** Chapter 130, Statutes of 2019

**AB-1477 (Gloria) - Unfair Practices Act.**

This bill would have adjusted the distribution of civil penalties recovered by governmental entities in Unfair Competition Law actions. The Governor vetoed the bill, arguing that it would "revise longstanding practices and reduce the resources allocated to counties, putting in jeopardy important consumer protection services they provide."

**Status:** Vetoed by the Governor

**AB-1564 (Berman) - Consumer privacy: consumer request for disclosure methods.**

This bill provides that a business that operates exclusively online and has a direct relationship with a consumer from whom it collects personal information shall only be required to provide an email address for submitting requests for information required to be disclosed pursuant to the California Consumer Privacy Act.

**Status:** Chapter 759, Statutes of 2019

**AB-1607 (Boerner Horvath) - Gender discrimination: notification.**

This bill requires a city or county, upon issuing a business license, to provide the business with written notice about the legal prohibition on gender-based pricing discrimination for services and the related posting requirements. The city or county is authorized to increase the fee it charges for a business license to offset the cost of providing the written notice.

**Status:** Chapter 293, Statutes of 2019

**AB-1626 (Robert Rivas) - Cigarettes: administration: Attorney General.**

This bill would have revised the California Cigarette Fire Safety and Firefighter Protection Act to have the Act administered by the Attorney General instead of the State Fire Marshal in order to remove the inconsistency in the State Fire Marshal's administration with the Act and the Attorney General's authority to enforce the Master Settlement Agreement California entered with participating tobacco manufacturers in 1988. The bill would have required the Attorney General to approve proposed markings of cigarette manufacturers that certify cigarettes are manufactured in accordance with the Act's fire safety provisions and would have provided that the markings are deemed approved if the Attorney General fails to act within 30 days instead of 10 days, with the goal of preventing automatic approval of markings for administrative inaction and ensuring that the Act's fire safety standards are being adequately enforced in the State.

**Status:** Held in Senate Judiciary Committee

**AB-1627 (Robert Rivas) - Cigarette Tobacco Directory.**

This bill would have revised the Cigarette and Tobacco Products Tax Law, which requires every tobacco products manufacturer whose cigarettes are sold in this state to make an annual certification to the Attorney General that the manufacturer is a participating manufacturer that has made all payments due under the Master Settlement Agreement or has placed funds into the qualified escrow fund, by, among other things, requiring a tobacco manufacturer to renew its listing on the directory every year, requiring a \$1,000 fee for annual certification, and requiring a nonparticipating manufacturer to certify that it fabricates all of the brand families of the cigarettes that it seeks to certify. The bill would have prohibited the Attorney General from including or retaining in the directory any brand style that has not met certain requirements, including if the brand has not been tested and marked in compliance with the California Cigarette Fire Safety and Firefighter Protection Act. The bill would have required newly qualified and elevated-risk nonparticipating manufacturers to file a surety bond with the Attorney General in an amount equal to the greater of \$50,000 or the amount of escrow the manufacturer in either its current or predecessor form was required to deposit as a result of the largest of its most recent five calendar year's sales in California. The bill would have required the California Department of Tax and Fee Administration to disclose to the Attorney General any information it receives under the Cigarette and Tobacco Products Tax Law for specified purposes and would have authorized the Department and the Attorney General to share information provided by distributors with specified entities for certain purposes. The bill would have authorized the Attorney General to bring a civil action for civil penalties and injunctive relief against any nonparticipating manufacturer that does not submit a timely, complete, and accurate

certification related to its qualified escrow funds regarding its sales of cigarettes in this State, as provided.

**Status:** Held in Senate Judiciary Committee

**AB-1665 (Chau) - The Parent's Accountability and Child Protection Act.**

As it passed through this Committee, this bill would have placed certain requirements on the process by which persons and businesses are to obtain consent to sell a minor's personal information. It would have required certain operators of social media internet websites or applications to obtain consent to sell a minor's personal information in a process that is separate from the website or application's general terms and conditions before the minor's personal information can be sold. It would have further prohibited the website or application from obtaining parental consent through the minor. In order to avoid discriminatory or coercive practices, the bill would have provided that the failure of a parent to grant consent for the sale of the minor's information could not result in the minor being blocked from accessing the website or application. The bill was subsequently gutted and amended to regulate athletic trainers.

**Status:** Held in Senate Business, Professions, and Economic Development Committee

**AB-1759 (Salas) - Institutions of higher education: liability for COVID-19-related injuries.**

This bill would have provided institutions of higher education, and its officers, employees, or governing bodies, immunity from monetary liability, where certain conditions are met, for injury relating to COVID-19 infection, illness, or death, notwithstanding any law that might impose that liability.

**Status:** Held in the Senate Judiciary Committee

**AB-1790 (Wicks) - Marketplaces: marketplace sellers.**

This bill requires the terms and conditions of marketplaces, physical or electronic places where sellers offer services or goods for delivery in California, to meet specified requirements. This bill requires marketplaces to communicate with sellers its decision-making process with respect to various terms and processes. For example, it requires a marketplace, if it decides to suspend or terminate a marketplace seller based upon an alleged violation of law or a term, condition, or policy of the marketplace, to provide the seller, without undue delay, with a written statement of reasons for that decision. It also requires every marketplace to ensure that their terms and conditions regarding commercial relationships with marketplace sellers meet all of a series of specified requirements, including that they are in plain language, easily available online, include guidelines for certain processes, and details about ranking or preferential placement.

**Status:** Chapter 635, Statutes of 2019

**AB-1821 (Committee on Judiciary) - Contracts.**

This bill authorizes the award of attorneys' fees, costs, and expenses to the fullest extent permissible for prevailing plaintiffs in cases brought pursuant to Title 16, Part 433 of the Code of Federal Regulations. The prevailing rule in California for many years was that consumers exercising the rights afforded by the "Holder Rule" were eligible to receive attorneys' fees in excess of the amounts paid on the underlying contract. However, a recent California appellate court ruling overturned this longstanding

precedent. This bill returns the law to its previous form, allowing the award of attorneys' fees in these consumer protection cases.

**Status:** Chapter 116, Statutes of 2019

**AB-2008 (Cunningham) - Contracts: parental consent.**

This bill would have provided that where parental consent is legally required; such consent cannot be obtained through the minor.

**Status:** Held in the Senate Judiciary Committee

**AB-2122 (Blanca Rubio) - Unlawful cannabis activity: enforcement.**

This bill would have imposed a civil penalty on a person aiding and abetting unlicensed commercial cannabis activity under the Medicinal and Adult-Use Cannabis Regulation and Safety Act of up to \$30,000 for each violation. The bill would have required civil penalties collected by the Attorney General in an action brought against a person pursuant to Medicinal and Adult-Use Cannabis Regulation and Safety Act on behalf of the people, a licensing authority, or a participating agency to be first used to reimburse the Attorney General and the licensing authority or participating agency for the costs of investigating and prosecuting the action brought for civil penalties, with the remainder collected to be deposited into the General Fund.

**Status:** Held in Senate Judiciary Committee

**AB-2149 (Gonzalez) - Food delivery platforms.**

This bill prohibits a food delivery platform from arranging for the delivery of an order from a food facility without first obtaining an agreement with the food facility expressly authorizing the food delivery platform to take orders and deliver meals prepared by the food facility.

**Status:** Chapter 125, Statutes of 2020

**AB-2208 (Irwin) - Charitable organizations: charitable fundraising platforms and platform charities.**

This bill would have created a regulatory framework under the Supervision of Trustees and Fundraisers for Charitable Purposes Act for charitable fundraising platforms and platform charities, as defined, conducting online charitable fundraising in order to increase oversight and provide consumer protections. Under existing law, traditional solicitation methods by charitable organizations are regulated but online charitable fundraising by some entities that would meet the definition of charitable fundraising platforms and platform charities are not. The bill would have required charitable fundraising platforms and platform charities to register with the Attorney General and submit reports about their activities, and would have enacted several consumer protection requirements, such as specified disclosures. The bill would have allowed a charitable fundraising platform or platform charity to solicit donations on behalf of a charitable organization without their prior written consent if certain conditions were met. The bill would have required the Attorney General to establish rules and regulations necessary for the administration of these provisions.

**Status:** Held in the Senate Appropriations Committee

**AB-2280 (Chau) - Information privacy: personal health record information: software or hardware.**

This bill would have subjected businesses to provisions of the California Medical Information Act where the business offers personal health record software or hardware to a consumer, including a mobile application or other related device that is designed to maintain personal health record information in order to make information available to an individual or to a provider of health care, for purposes of allowing the individual to manage their information, or for the diagnosis, treatment, or management of a medical condition of the individual. "Personal health record" would have been defined as a commercial internet website, online service, or product that is used by an individual and that collects the individual's personal health record information.

**Status:** Held in the Senate Judiciary Committee

**AB-2319 (Berman) - Tow truck operators: liens: exceptions.**

This bill harmonizes the means by which a former vehicle owner can avoid liability for unpaid towing and storage fees incurred by a subsequent owner with the means provided for avoiding all other civil and criminal liability as provided for in the Vehicle Code.

**Status:** Chapter 50, Statutes of 2020

**AB-2442 (Chau) - Social media platforms: false information.**

This bill would have required that a social media platform disclose whether it has a policy to address the spread of misinformation online, and face a \$1,000-per-day civil penalty for failing to do so.

**Status:** Held in Senate Judiciary Committee

**AB-2443 (Weber) - Deceptive practices: debt settlement.**

This bill would have added two unlawful acts under the Consumer Legal Remedies Act: the act of engaging in the business of receiving or soliciting money or evidences thereof, or processing payment for the purpose of distributing the money or evidences thereof, among creditors in payment or partial payment of the obligations of the debtor in a manner that deceives consumers, including by, among other methods, failing to disclose clearly and conspicuously the terms and risks of the program; and engaging in the business of a prorater in a manner that violates the Check Sellers, Bill Payers and Proraters Law. The bill would also have made it an unlawful act to provide payment processing services, for which a fee is charged to a consumer, to a prorater that is acting in violation of these provisions.

**Status:** Held in Senate Judiciary Committee

**AB-2463 (Wicks) - Enforcement of money judgments: execution: homestead.**

This bill prohibits a judgment creditor from forcing a judgment debtor to sell their principal place of residence to satisfy a consumer debt, unless the debt was secured by the residence, or under other limited circumstances specified in the bill.

**Status:** Chapter 218, Statutes of 2020

**AB-2471 (Maienschein) - Senior citizens: rescission of contracts.**

Given the dynamics that are often involved in the formation of certain contracts and the stakes that may be involved, California law affords consumers a number of protections in connection with them. Relevant examples are home improvement contracts, service and repair contracts, home solicitation contracts or offers, seminar sales solicitation contracts or offers, and contractual assessment program agreements. Many of the protections afforded in connection with these contracts are triggered where the contract is not initiated by the consumer or takes place in premises that might lead to high-pressure situations. The statutory schemes regulating these contractual arrangements all include a three-day right to cancel the underlying agreement. This bill amends the above statutes to extend the period to cancel from three days to five days for senior citizens. The new right to cancel afforded in these statutes only applies prospectively to contracts entered into on or after January 1, 2021.

**Status:** Chapter 158, Statutes of 2020

**AB-2811 (Berman) - Advertising: automatic renewal and continuous service offers: notice and online termination.**

This bill would have required a business that makes an automatic renewal or continuous service offer to a consumer to provide the consumer with three to seven days' notice before the expiration of a free gift or trial, or temporary or promotional price, included with the offer, and would have required these businesses to streamline the cancellation process. It would have required certain notices and methods for cancellation.

**Status:** Held in Senate Judiciary Committee

**AB-2936 (Wicks) - Supervision of Trustees and Fundraisers for Charitable Purposes Act: donor-advised funds.**

This bill would have required the Attorney General to establish a classification for sponsoring organizations that maintain one of more donor-advised funds under the Supervision of Trustees and Fundraisers for Charitable Purposes Act due to the unique nature of donor-advised funds.

**Status:** Held in Senate Judiciary Committee

**AB-3020 (Gloria) - Unfair Practices Act.**

This bill amends the Unfair Competition Law (UCL), Business and Professions Code Section 17200 et seq. Currently, if the action is brought by a city attorney or city prosecutor, one-half of the penalty collected is paid to the city in which the judgment was entered, and one-half to the county in which the judgment was entered. This bill amends that allotment if the action is brought by the City Attorney of San Diego. The penalty collected must instead be paid to the treasurer of the City of San Diego in full.

**Status:** Chapter 75, Statutes of 2020

**AB-3254 (Limón) - Contracts: translations.**

This bill extends the existing requirement that, for certain consumer contracts negotiated in Spanish, Chinese, Tagalog, Vietnamese, or Korean, a version of the contract translated into the negotiating language must be provided to the consumer, so that a translated version must also be provided to any nonparty signatories to the contract.

**Status:** Chapter 161, Statutes of 2020

**AB-3262 (Mark Stone) - Product liability: electronic retail marketplaces.**

This bill, with certain exemptions, would have deemed electronic retail marketplaces, as defined, to be retailers for purposes of strict products liability law.

**Status:** Died on the Senate Floor

## **CONTRACTORS**

**AB-456 (Chiu) - Public contracts: claim resolution.**

This bill extends the sunset date—from 2020 to 2027—of a claim resolution process that enables contractors to seek public agency review of claims that arise during public works projects.

**Status:** Chapter 489, Statutes of 2019

## **CONTRACTS**

**AB-325 (Ramos) - Self-service storage facilities.**

This bill would have eliminated an existing sunset clause on provisions allowing self-storage facility owners to contact the occupants of self-storage units via email, for communications involving statutory lien notices and lien sales, where the occupant has provided an email address and consent to be so contacted; and would have added one additional method by which a self-storage facility owner can prove that an occupant actually received such communications, which would have been repealed on January 1, 2024. The contents of this bill were added to AB 3364 (Assembly Committee on Judiciary, Ch. 36, Stats. 2020), with shorter sunset provisions put on all of the email provisions.

**Status:** Held in Senate Judiciary Committee

**AB-1518 (Chu) - Student athletes: contracts.**

This bill authorizes a student athlete to enter into a contract with an athlete agent without losing their status as a student athlete, if the contract complies with the policy of the student athlete's educational institution and the bylaws of the National Collegiate Athletic Association.

**Status:** Chapter 222, Statutes of 2019

**AB-2443 (Weber) - Deceptive practices: debt settlement.**

This bill would have added two unlawful acts under the Consumer Legal Remedies Act: the act of engaging in the business of receiving or soliciting money or evidences thereof, or processing payment for the purpose of distributing the money or evidences thereof, among creditors in payment or partial payment of the obligations of the debtor in a manner that deceives consumers, including by, among other methods, failing to disclose clearly and conspicuously the terms and risks of the program; and engaging in the business of a prorater in a manner that violates the Check Sellers, Bill Payers and Proraters Law. The bill would also have made it an unlawful act to provide payment

processing services, for which a fee is charged to a consumer, to a prorater that is acting in violation of these provisions.

**Status:** Held in Senate Judiciary Committee

**AB-2463 (Wicks) - Enforcement of money judgments: execution: homestead.**

This bill prohibits a judgment creditor from forcing a judgment debtor to sell their principal place of residence to satisfy a consumer debt, unless the debt was secured by the residence, or under other limited circumstances specified in the bill.

**Status:** Chapter 218, Statutes of 2020

**AB-2471 (Maienschein) - Senior citizens: rescission of contracts.**

Given the dynamics that are often involved in the formation of certain contracts and the stakes that may be involved, California law affords consumers a number of protections in connection with them. Relevant examples are home improvement contracts, service and repair contracts, home solicitation contracts or offers, seminar sales solicitation contracts or offers, and contractual assessment program agreements. Many of the protections afforded in connection with these contracts are triggered where the contract is not initiated by the consumer or takes place in premises that might lead to high-pressure situations. The statutory schemes regulating these contractual arrangements all include a three-day right to cancel the underlying agreement. This bill amends the above statutes to extend the period to cancel from three days to five days for senior citizens. The new right to cancel afforded in these statutes only applies prospectively to contracts entered into on or after January 1, 2021.

**Status:** Chapter 158, Statutes of 2020

**AB-2811 (Berman) - Advertising: automatic renewal and continuous service offers: notice and online termination.**

This bill would have required a business that makes an automatic renewal or continuous service offer to a consumer to provide the consumer with three to seven days' notice before the expiration of a free gift or trial, or temporary or promotional price, included with the offer, and requires these businesses to streamline the cancellation process. It would have required certain notices and methods for cancellation.

**Status:** Held in the Senate Judiciary Committee

**AB-3254 (Limón) - Contracts: translations.**

This bill extends the existing requirement that, for certain consumer contracts negotiated in Spanish, Chinese, Tagalog, Vietnamese, or Korean, a version of the contract translated into the negotiating language must be provided to the consumer, so that a translated version must also be provided to any nonparty signatories to the contract.

**Status:** Chapter 161, Statutes of 2020

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

### **SB-16 (Roth) - Courts: judgeships.**

This bill would have appropriated \$36.5 million from the General Fund to fund 25 new superior court judgeships according to judicial need, as specified. The Budget Act of 2019 appropriated money to the Judicial Branch to fund a specified number of judgeships.

**Status:** Held in Senate Appropriations

### **SB-991 (Lena Gonzalez) - Court reporters.**

This bill would have increased the transcript fees that may be charged by court reporters by roughly 33 percent. The bill also would have provided that a court reporter's authority to charge an additional 50 percent for special daily service for transcription is no longer limited to civil cases.

**Status:** Held in Senate Judiciary Committee

### **SB-1106 (Lena Gonzalez) - Operators of computer-aided realtime transcription systems proceedings: certification.**

This bill would have required the Court Reporters Board of California (board) to adopt standards and develop a method for certifying operators of computer-aided real-time transcription (CART) systems, extended the board's regulatory authority to CART operators, and authorized the board to impose a fee for certifying CART operators. The bill would have made additional changes to implement this scheme, assist individuals in using CART services, and require the Judicial Council to gather certain data.

**Status:** Held in Senate Judiciary Committee

### **SB-1146 (Umberg) - Civil procedure: electronic filing and remote depositions.**

This bill makes permanent two of the emergency measures adopted by the Judicial Council to ensure civil litigation can move forward during the COVID-19 pandemic: allowing parties to electronically serve documents on represented parties and to opt to have represented parties serve them electronically; and allowing depositions to be taken with the deposition officer at a different location than the deponent. This bill also provides that, during the COVID-19 state of emergency declared on March 4, 2020, and for 180 days thereafter, trial continuances and postponements made after March 19, 2020, also extend all relevant case deadlines (such as discovery deadlines).

**Status:** Chapter 112, Statutes of 2020

### **AB-242 (Kamlager-Dove) - Courts: attorneys: implicit bias: training.**

This bill authorizes the Judicial Council of California to develop training on implicit bias for judges and subordinate judicial officers, as specified. This bill also requires the State Bar of California to adopt regulations to require the continuing education curriculum for all licensees under the State Bar Act to include training on implicit bias and the promotion of bias-reducing strategies, as provided.

**Status:** Chapter 418, Statutes of 2019

**AB-253 (Mark Stone) - Remote court reporting.**

This bill authorizes the Santa Clara Superior Court to conduct a one-year pilot project to study the use of remote court reporting. The bill otherwise prohibits the use of remote court reporting.

**Status:** Chapter 419, Statutes of 2019

**AB-424 (Gabriel) - Depositions: audio or video recordings.**

This bill would have clarified that a stenographic transcript accompanying an audio or video recording of deposition testimony offered into evidence must be prepared by a certified shorthand reporter. It would also restate the ability of parties to modify the act's procedures for the recording of oral depositions by means of audio or video technology.

**Status:** Held in the Senate Judiciary Committee

**AB-668 (Gonzalez) - Courthouses: Privilege from civil arrest.**

This bill makes a series of findings and declarations about the importance of free and open courthouse access to the fair administration of justice. Accordingly, this bill codifies key components of the common law privilege against civil arrest, under which a person may not be subjected to civil arrest in relation to one legal matter while attending a judicial proceeding for another.

**Status:** Chapter 787, Statutes of 2019

**AB-1385 (Santiago) - Court reporter fees.**

This bill would have, as of July 1, 2020, increased by roughly 33 percent the fees that court reporters may charge for transcripts and copies thereof.

**Status:** Held in Senate Appropriations Committee

**AB-1737 (Obernolte) - Courts: unexpended funds.**

This bill would have authorized the Judicial Council of California to authorize a trial court to carry over unexpended funds from one fiscal year to the next, and would have deleted an existing limitation on trial courts carrying over funds in an amount no greater than one percent of the court's operating budget from the prior fiscal year. SB 95 was enacted and authorized the Judicial Council of California to authorize a trial court to carry over unexpended funds in an amount not to exceed three percent of the court's operating budget from the prior year (Chapter 36, Statutes of 2019)

**Status:** Held in Senate Appropriations Committee

**AB-1818 (Committee on Judiciary) - State government.**

This bill revises statutory reporting requirements and deletes an expired reporting requirement. This bill streamlines reports that the Judicial Council is required to provide to the Legislature.

**Status:** Chapter 637, Statutes of 2019

**AB-1984 (Maienschein) - Courts.**

This bill is the latest in a series of amendments to statutes made obsolete by trial court restructuring. California overhauled its court system through a series of reforms over 20 years ago resulting in the existing superior court system. After the reforms were implemented, references to outdated terms and policies remained throughout the codes. The Legislature, recognizing this issue, assigned the California Law Revision

Commission (CLRC) with the task of providing recommendations to update the codes in light of the reforms made and, over the years, has enacted almost all of the CLRC's recommendations. This bill removes obsolete terms and makes changes to reflect the modern court system by deleting outdated references to municipal courts, removing references to marshals and constables, and removing references to county boards of supervisors and replacing them with appropriate terms.

**Status:** Chapter 210, Statutes of 2020

**AB-2165 (Robert Rivas) - Electronic filing and service of documents.**

This bill amends the statute governing electronic filing of court documents to clarify and update requirements relating to signing electronically filed documents, notices of rejection of electronically filed documents, electronic filing fees, and court-ordered electronic filing.

**Status:** Chapter 215, Statutes of 2020

**AB-2271 (Gabriel) - Appointed legal counsel in civil matters: unlawful detainer cases.**

This bill would have required programs funded pursuant to the Sargent Shriver Civil Counsel Act to provide services without regard to the citizenship or immigration status of the person represented. Where an organization within such a program is prohibited from representing certain immigrants due to federal funding restrictions, the bill would have required the organization to refer those individuals for services elsewhere. The bill would also have required courts to provide specified information regarding residential eviction cases to the Judicial Council and would have required the Judicial Council to make that information publically available.

**Status:** Held in Senate Judiciary Committee

**AB-3363 (Committee on Judiciary) - Commission on Judicial Performance.**

This bill would have required the Commission on Judicial Performance (CJP) to take all reasonable steps to determine the existence or extent of alleged judicial misconduct in order to protect the public, enforce rigorous standards of judicial conduct, and maintain public confidence in the integrity and independence of the judicial system. The bill would have provided a process for which changes to the structure and function of the CJP could be comprehensively reviewed in a transparent manner by establishing the 13-member Committee to Review the Operations and Structure of the Commission on Judicial Performance (Committee) to study and evaluate the CJP and provide a public report on the Committee's findings and recommendations, as provided. The bill would have declared that it is to take effect immediately as an urgency statute.

**Status:** Held in Senate Judiciary Committee

**AB-3366 (Committee on Judiciary) - Judicial emergencies.**

This bill empowers the Chairperson of the Judicial Council to authorize certain actions by the courts in response to specified emergency conditions affecting them sua sponte, rather than in response to requests by individual courts.

**Status:** Chapter 76, Statutes of 2020

## **EMPLOYMENT AND LABOR**

### **SB-1 (Atkins) - California Environmental, Public Health, and Workers Defense Act of 2019.**

This bill would have established administrative mechanisms to preserve specified environmental, public health, and labor standards and remedies in California as they existed on January 19, 2017, as a safeguard in the event that action taken at the federal level would otherwise diminish them. Governor Newsom vetoed the bill. He noted that each time federal action has threatened California's natural resources, environmental protections, and workers since 2017, California "has aggressively countered - taking immediate legal action and deploying every tool at the state's disposal." The Governor expressed confidence that this "will continue to be the case."

**Status:** Vetoed by the Governor

### **SB-142 (Wiener) - Employees: lactation accommodation.**

This bill enacts a series of legal changes intended to make it easier for working parents to express and store breast milk at their place of employment. Specifically, this bill: (1) requires employers to provide their employees a space for lactation with specified characteristics; (2) creates penalties for failure to provide the required time or conditions for lactation breaks; (3) explicitly references the prohibition on discriminating against or retaliating against an employee for exercising rights related to lactation; and (4) requires employers to develop a lactation policy with specified components.

**Status:** Chapter 720, Statutes of 2019

### **SB-171 (Jackson) - Employers: annual report: pay data.**

This bill would have required large employers to report pay and job title information broken down by gender, race, and ethnicity to the Department of Fair Employment and Housing on an annual basis.

**Status:** Held in Senate Appropriations Committee

### **SB-179 (Nielsen) - Excluded employees: arbitration.**

This bill would have given 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. In his message vetoing the bill, Governor Newsom wrote: "Expanding the right to arbitrate to state managers and supervisors will result in increased costs not contemplated in the 2020 Budget at a time when the State is facing massive cost pressures due to the COVID-19 pandemic."

**Status:** Vetoed by the Governor

### **SB-188 (Mitchell) - Discrimination: hairstyles.**

This bill specifies that race, a category protected against workplace discrimination under California's Fair Employment and Housing Act, includes traits historically associated with race, such as hair texture and protective hairstyles like braids, locks, and twists.

**Status:** Chapter 58, Statutes of 2019

**SB-218 (Bradford) - Employment: discrimination enforcement: local government.**

This bill would have authorized local governments within the County of Los Angeles to enact and enforce workplace anti-discrimination laws, including establishing remedies and penalties for violations, and subject to specified procedural requirements. Governor Newsom vetoed the bill on the basis that "[a]s crafted, this measure could create confusion, inconsistent enforcement of the law and increase costs without a corresponding increase in worker protections." At the same time, the Governor invited the Legislature to "come back with a measure that makes it clear that local enforcement measures are exclusively focused on local ordinances."

**Status:** Vetoed by the Governor

**SB-229 (Hertzberg) - Discrimination: complaints: administrative review.**

This bill elaborates on the appeal and enforcement mechanisms that are available when the Labor Commissioner issues a citation to an employer for violating the Labor Code's anti-retaliation provisions. Most significantly, the bill spells out what happens in the event that the employer does not comply with the citation voluntarily: the Labor Commissioner may convert the citation into a court judgment and a judicial order for injunctive or other non-monetary relief.

**Status:** Chapter 721, Statutes of 2019

**SB-688 (Monning) - Failure to pay wages: penalties.**

This bill empowers the California Labor Commissioner to cite employers and other persons for failure to pay workers the promised rate of pay. Existing law limited that citation power to situations involving failure to pay the minimum wage.

**Status:** Chapter 723, Statutes of 2019

**SB-973 (Jackson) - Employers: annual report: pay data.**

This bill requires large employers to report pay and job title information broken down by gender, race, and ethnicity to the Department of Fair Employment and Housing on an annual basis.

**Status:** Chapter 363, Statutes of 2020

**SB-1102 (Monning) - Employers: Labor Commissioner: required disclosures.**

This bill would have required employers to include, in their written workplace rights notice to all employees, specified information about any federal or state emergency or disaster declarations that may affect their health and safety. Additionally, the bill would have required employers of agricultural employees coming to work in California under the federal H-2A Program for Temporary Agricultural Workers to give each employee an H-2A employee specific written notice on labor rights and obligations under federal and state law, including notice of emergency or disaster declarations. While applauding the intent behind the bill, Governor Newsom vetoed it and directed the Department of Industrial Relations to develop a similar notice independent of the bill because, the Governor wrote, the bill "prevents the agency from amending the [notice] template when new laws are passed or new court decisions affect the rights and obligations of H2-A employers and workers."

**Status:** Vetoed by the Governor.

**SB-1241 (Lena Gonzalez) - Discrimination in employment: employment tests and selection procedures.**

This bill would have created a presumption that an employer's decision relating to hiring or promotion based on a test or other selection procedure is not discriminatory, if the test or procedure meets specified criteria. Those criteria would have included, among other things, that the test or procedure is job-related and meets a business necessity, and that the test or procedure utilizes pretested assessment technology that, upon use, resulted in an increase in the hiring or promotion of a protected class compared to prior workforce composition.

**Status:** Held in Senate Judiciary Committee

**AB-51 (Gonzalez) - Employment discrimination: enforcement.**

This bill prohibits California employers from forcing employees to waive, as a condition of employment, continued employment, or the receipt of any employment-related benefit, their right to have future legal disputes over incidents of harassment, discrimination, civil rights-related retaliation, or Labor Code violations heard in the dispute resolution forum of their choice. The bill also protects California workers from retaliation if they refuse to agree to such a waiver.

**Status:** Chapter 711, Statutes of 2019

**AB-160 (Voepel) - Employment policy: voluntary veterans' preference.**

This bill sought to establish the Voluntary Veterans' Preference Employment Policy Act to allow private employers to give veteran preference in employment decisions. AB 353 (Voepel, 2017) and AB 1383 (Jones, 2016), bills nearly identical to AB 160, died in 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 LGBTQ persons. This bill failed passage in the Senate Judiciary Committee and was granted reconsideration in 2019. The bill was not heard in 2020.

**Status:** Failed passage in Senate Judiciary Committee

**AB-170 (Gonzalez) - Employment: sexual harassment: liability.**

This bill would have created joint liability for a client employer with a labor contractor for workplace harassment, as follows: if the labor contractor is liable for the workplace harassment, then the client employer is automatically liable for that workplace harassment as well. The bill was subsequently gutted and amended to address an unrelated subject matter.

**Status:** Chapter 415, Statutes of 2019

**AB-171 (Gonzalez) - Employment: sexual harassment.**

This bill would have strengthened two aspects of labor law intended to protect victims of criminal or trauma-inducing conduct. First, the bill would have extended to victims of sexual harassment the existing anti-retaliation protections for victims of domestic violence, sexual assault, or stalking. Second, the bill would have created a rebuttable presumption of unlawful retaliation if an employer takes adverse action against an employee within 90 days of learning of the employee's status as a victim of domestic

violence, sexual assault, sexual harassment, or stalking. Governor Newsom vetoed the bill on the basis that it "could weaken, rather than strengthen, existing worker protections," and that it could result in "potentially overlapping claims filed with both the Department of Fair Employment and Housing as well as the Labor Commissioner."  
**Status:** Vetoed by the Governor.

**AB-355 (Daly) - Public Employee Relations Board: Orange County Transportation Authority.**

This bill transfers jurisdiction over unfair labor practice charges at the Orange County Transportation Authority from the judicial system to the Public Employee Relations Board (PERB). Consistent with law applicable to other entities under PERB jurisdiction, the bill also authorizes parties to a labor dispute to appeal PERB decisions and orders to the courts through a petition for a writ of extraordinary relief filed within 30 days of the PERB ruling.

**Status:** Chapter 713, Statutes of 2019

**AB-378 (Limón) - Childcare: family childcare providers: bargaining representative.**

This bill gives family childcare providers, who provide care in their own homes or the home of a child they care for, the right to form, join, and participate in the activities of, a labor organization that represents them.

**Status:** Chapter 385, Statutes of 2019

**AB-403 (Kalra) - Division of Labor Standards Enforcement: complaint.**

This bill would have extended the time that a victim of workplace retaliation has to file a claim with the California Labor Commissioner from six months to two years, and would have authorized an attorney's fee award to a worker who prevails on a whistleblower claim. Governor Newsom vetoed the bill, urging the Legislature to "consider an approach that is consistent with other anti-retaliation statute of limitations in the Labor Code which are set to one year."

**Status:** Vetoed by the Governor

**AB-418 (Kalra) - Evidentiary privileges: union agent-represented worker privilege.**

This bill would have established an evidentiary privilege from disclosure for communications between a union agent and a represented employee or represented former employee.

**Status:** Died on the Senate Floor

**AB-589 (Gonzalez) - Employment: unfair immigration-related practices.**

This bill would have made it unlawful and criminally punishable for an employer to confiscate the passport or other immigration-related documents of an employee. It would also have required employers to post a notice to this effect in the workplace. Finally, the bill would have required employers to provide employees with a bill of rights, in multiple languages, setting forth labor laws and protections against human trafficking. Governor Newsom vetoed the bill. While he asserted that "the provision in this bill that

levies a hefty civil penalty on employers who engage in document abuse in order to commit trafficking is a step in the right direction," he took issue with the bill of rights provision, arguing that "[i]t is overly burdensome for law-abiding employers and may not actually help workers who are the targets of trafficking."

**Status:** Vetoed by the Governor

**AB-673 (Carrillo) - Failure to pay wages: penalties.**

This bill empowers employees to recover penalties for failure to pay wages on time. Existing law had limited such recovery to the Labor Commissioner.

**Status:** Chapter 716, Statutes of 2019

**AB-749 (Mark Stone) - Settlement agreements: restraints in trade.**

This bill voids no-rehire provisions in settlement agreements resolving employment disputes in which the worker filed an official complaint, unless the employer has made a good faith determination that the worker engaged in sexual harassment or sexual assault. The bill applies prospectively to any settlement agreement entered into on or after January 1, 2020.

**Status:** Chapter 808, Statutes of 2019

**AB-1281 (Chau) - Privacy: facial recognition technology: disclosure.**

This bill passed through this Committee twice. Originally, it would have required businesses to disclose when they are using facial recognition technology in a clear and conspicuous, physical sign at the entrance of every location that uses the technology and require the sign to include information about where an individual can find more information about the purposes for which the business uses facial recognition technology. However, the bill was subsequently gutted and amended. The final version of the bill extends the sunset dates on exemptions in the California Consumer Privacy Act for certain personal information collected by employers and collected in connection with business transactions and communications.

**Status:** Chapter 268, Statutes of 2020

**AB-1478 (Carrillo) - Employment discrimination.**

This bill would have established a private right of action through which California workers may enforce their existing right to take time off and, in some instances, request reasonable accommodations, to deal with life events beyond their control such as having to serve on a jury, participating in a judicial proceeding, or enduring domestic violence, stalking, or sexual assault. Governor Newsom vetoed the bill, noting, "survivors of domestic violence, sexual assault or stalking already have the ability under current law to file a retaliation claim through the Labor Commissioner's Office, file a Private Attorneys General Act (PAGA) claim, and to seek reinstatement and reimbursement for lost wages and benefits."

**Status:** Vetoed by the Governor.

**AB-1677 (Weber) - Call centers: protections.**

This bill provides that any large customer service call center employer which intends to relocate from California to a foreign country must first notify the Labor Commissioner and forgo access to state grants, guaranteed-loans, and tax credits for five years. The

bill also requires California state agencies to contract only with call centers operating entirely within the state by December 31, 2021. Governor Newsom vetoed the bill on the ground that the "significant penalties and restrictions proposed by this bill might dissuade businesses that have no intention of moving their operations from making any further investments in California - which could hurt, not help, California workers."

**Status:** Vetoed by the Governor

**AB-1947 (Kalra) - Employment violation complaints: requirements: time.**

This bill extends the time that workers have to file a claim with the California Labor Commissioner if their employer retaliates against them for exercising their workplace rights under the Labor Code. This bill also authorizes an attorneys' fee award to a worker who prevails on a whistleblower claim.

**Status:** Chapter 344, Statutes of 2020

**AB-2143 (Mark Stone) - Settlement agreements: employment disputes.**

This bill allows an employer to include a no-rehire clause in a settlement agreement with a worker who filed an official complaint in good faith if, before the worker filed the complaint, the employer made and documented a good faith determination that the worker engaged in sexual harassment, sexual assault, or any criminal conduct.

**Status:** Chapter 73, Statutes of 2020

**AB-2999 (Low) - Employees: bereavement leave.**

This bill, the Bereavement Leave Act of 2020, would have required employers with 25 or more employees to grant an employee up to 10 business days of unpaid bereavement leave upon the death of a spouse, child, parent, sibling, grandparent, grandchild, or domestic partner. Smaller employers would have had to grant 3 days of bereavement leave.

**Status:** Held in Senate Judiciary Committee

**ACR-125 (Jones-Sawyer) - Bias and discrimination in hiring reduction through new technology.**

This resolution would have made findings about the failure of existing recruitment and hiring procedures to eliminate bias and would have urged policymakers in both federal and state government to explore ways to promote the development and use of new technologies to reduce such discrimination.

**Status:** Held in Senate Judiciary Committee

## **ENVIRONMENTAL AND TOXIC SUBSTANCES**

**SB-1 (Atkins) - California Environmental, Public Health, and Workers Defense Act of 2019.**

This bill would have established administrative mechanisms to preserve specified environmental, public health, and labor standards and remedies in California as they existed on January 19, 2017, as a safeguard in the event that action taken at the federal level would otherwise diminish them. Governor Newsom vetoed the bill. He noted that each time federal action has threatened California's natural resources, environmental

protections, and workers since 2017, California "has aggressively countered - taking immediate legal action and deploying every tool at the state's disposal." The Governor expressed confidence that this "will continue to be the case."

**Status:** Vetoed by the Governor

**SB-25 (Caballero) - California Environmental Quality Act: projects funded by qualified opportunity zone funds or other public funds.**

This bill would have required courts to resolve California Environmental Quality Act lawsuits against projects financed in whole or in part by a "qualified opportunity fund" or other specified means and meeting other specified conditions, within 270 days, to the extent feasible.

**Status:** Held in Assembly Natural Resources Committee

**SB-332 (Hertzberg) - Wastewater treatment: recycled water.**

This bill would have required wastewater treatment facilities and affiliated water suppliers that discharge through ocean outfall to reduce the overall volume of the facility's annual flow as compared to the average annual dry weather wastewater discharge baseline volume by at least 50 percent by January 1, 2030, and by at least 95 percent by January 1, 2040, as specified, and would have imposed a penalty of \$2,000 per acre-foot of water above the required reduction for failure to comply. The bill also would have required a holder of a national pollutant discharge elimination system permit authorizing the discharge of wastewater through an ocean outfall, in conjunction with affiliated water suppliers, to submit to the State Water Resources Control Board a plan and a report to meet these requirements containing specified information, and would have imposed a penalty of up to \$10,000 for failure to submit the plan and report.

**Status:** Held in Senate Appropriations Committee

**SB-384 (Morrell) - Housing.**

This bill would have (1) expedited administrative and judicial review under the California Environmental Quality Act of approvals granted for housing development projects with 50 or more residential units, (2) prohibited a court exercising such judicial review from staying or enjoining the project except in limited circumstances, and (3) increased an existing income-tax exclusion for first-time homeowners who realize a gain from the sale of their home.

**Status:** Failed passage in Senate Environmental Quality Committee

**SB-392 (Allen) - Hazardous materials: green chemistry: consumer products.**

This bill would have revised California's Green Chemistry program by authorizing the Department of Toxic Substances Control (DTSC) rely on all or part of one or more applicable publicly available studies or evaluations of alternatives to a chemical of concern under consideration in a consumer product, instead of the existing required analysis of alternatives, and would have authorized DTSC to proceed directly to a regulatory response, as provided. The bill would have authorized DTSC to issue a formal request for information to product manufacturers, as specified, and would have provided that a person who violates a formal request for information is liable for a civil penalty not to exceed \$50,000 for each separate violation.

**Status:** Died on the Assembly Floor

**SB-424 (Jackson) - Tobacco products: single-use and multiuse components.**

This bill would have prohibited a person or entity from selling, giving, or in any way furnishing to another person of any age in the state any single-use filters, plastic devices, electronic cigarettes, and vaporizer devices, and would have required the manufacturer of these components to use materials eligible for recycling under state or local recycling programs to make any multiuse, reusable component and to offer methods for recycling those components, as specified. The bill would have made a violation of its provisions subject to an administrative penalty.

**Status:** Held in Assembly Governmental Organization Committee

**SB-621 (Glazer) - California Environmental Quality Act: court actions or proceedings: affordable housing projects.**

This bill would have required courts to resolve California Environmental Quality Act lawsuits against projects that qualify as "affordable housing" under the bill and that meet other specified conditions, within 270 days, to the extent feasible.

**Status:** Held in Assembly Natural Resources Committee

**SB-659 (Borgeas) - California Environmental Quality Act: attorney's fees: infill housing.**

This bill would have allowed a court, upon making certain findings, to award reasonable attorney's fees in a California Environmental Quality Act action related to infill housing development projects.

**Status:** Held in Senate Appropriations Committee

**AB-161 (Ting) - Solid waste: paper waste: electronic proofs of purchase.**

This bill would have required a business, on and after January 1, 2022, to offer a consumer the option of receiving, and would have prohibited a business from printing, a proof of purchase if a consumer opts to not receive one, with certain exceptions. The bill would also have prohibited a paper proof of purchase from containing bisphenol A or bisphenol S or nonessential items to the transaction, as specified.

**Status:** Held in Senate Appropriations Committee

**AB-729 (Chu) - Carpet recycling: carpet stewardship.**

This bill revises the Product Stewardship for Carpets Program to, among other things, require the stewardship plan to include a funding mechanism with differential assessments, require a "contingency plan" in the absence of an approved plan by the California Department of Resources Recycling and Recovery, and increase administrative penalties from \$1,000 per day to \$5,000 per day.

**Status:** Chapter 680, Statutes of 2019

**AB-1123 (Reyes) - Safe Drinking and Toxic Enforcement Act of 1986: appeal: notice to the Attorney General.**

This bill requires certain notice be provided to the Attorney General before certain proceedings alleging violations of the Safe Drinking and Toxic Enforcement Act of 1986,

or implicating its application or construction, are filed in the Supreme Court, court of appeal, or the appellate division of the superior court.

**Status:** Chapter 187, Statutes of 2019

**AB-1162 (Kalra) - Lodging establishments: personal care products: small plastic bottles.**

This bill prohibits a lodging establishment from providing a small plastic bottle containing shampoo, hair conditioner, or bath soap to guests, as specified, and subjects a lodging establishment to a civil penalty for each violation, as provided.

**Status:** Chapter 687, Statutes of 2019

**AB-1415 (Friedman) - Department of Water Resources: reporting requirements: civil penalties.**

This bill would have required the Department of Water Resources (DWR) to impose a civil penalty not to exceed \$1,000 for the failure to timely file certain reports, and would have authorized the DWR to impose an additional penalty of \$250 per day for failure to file those reports within 60 days after notice of failure to timely file, as provided. The bill would have authorized the DWR to reduce or waive these penalties, as specified.

**Status:** Held in Senate Appropriations Committee

**AB-1500 (Carrillo) - Hazardous substances.**

This bill would have authorized a Unified Program Agency to temporarily suspend a facilities permit if conditions at the facility pose an imminent or substantial threat to public health and safety. The bill would have authorized a local health officer to take necessary protective action to protect public health and safety from specified releases of hazardous substances that pose an imminent or substantial endangerment to the public, in accordance with prescribed due process. The bill would have provided that an owner or operator of a unified program facility is liable for a civil penalty or administrative penalty of not less than \$500 or more than \$5,000 per day for failure to obtain or keep a permit as required under existing law.

**Status:** Held in Senate Appropriations Committee

**AB-1515 (Friedman) - Planning and zoning: community plans: review under the California Environmental Quality Act.**

This bill prohibits a court that issues an order to remedy an updated community plan's noncompliance with the California Environmental Quality Act from including in that order a remedy, based on that noncompliance, against certain development project approvals or applications that were completed before the issuance of the order.

**Status:** Chapter 269, Statutes of 2019

**AB-1628 (Robert Rivas) - Environmental justice.**

This bill expands the definition of the term "environmental justice" in certain provisions governing the land use planning process.

**Status:** Chapter 360, Statutes of 2019

## **FAMILY LAW**

### **SB-30 (Wiener) - Domestic partnership: persons under 62 years of age.**

This bill eliminates the provision that generally limits domestic partnerships to same sex couples.

**Status:** Chapter 135, Statutes of 2019

### **SB-337 (Skinner) - Child support.**

Existing law requires low-income families who receive assistance from the CalWORKs program to assign to the state their rights to child support. That support, with the exception of \$50 which “passes through” to the recipient, is held by the state to reimburse the state and federal governments for the CalWORKs assistance costs. This bill would have increased the amount that passes through to the recipient to \$100 for a family with one child and \$200 for a family with two or more children. The bill would also would have provided for the expungement of certain child support debt that is unlikely to be collected. Governor Newsom wrote the following in his veto message: “Reducing child poverty across our state is a key priority for me. [...] While I am supportive of increasing the amount of child support passed through to families on CalWORKs, such an increase would have a General Fund impact of tens of millions of dollars annually, thus it should be considered as part of the budget process.”

**Status:** Vetoed by the Governor

### **SB-435 (Moorlach) - Family law: evidence.**

This bill, for certain family law proceedings, would have (1) presumptively allowed hearsay in certain business records and expert testimony to establish the character and value of property, and (2) automatically allowed hearsay statements contained in a timely filed child custody report, subject to a right of cross-examination.

**Status:** Failed passage in Senate Judiciary Committee

### **SB-495 (Durazo) - Child custody.**

This bill prohibits a court from considering sex, gender identity, gender expression, or the sexual orientation of a parent, legal guardian, or relative in making a best interest determination for purposes of awarding child custody or visitation rights.

**Status:** Chapter 551, Statutes of 2019

### **SB-927 (Jackson) - Marriage licenses: brochures.**

This bill would have required the Judicial Council to prepare and annually update a brochure concerning marriage and domestic partnership rights and obligations. The bill also would have required the State Department of Public Health to provide the brochure on its website and in print form.

**Status:** Held in Senate Judiciary Committee

### **SB-1109 (Jackson) - Adoption.**

This bill would have required that a birth parent of a child who is placed for adoption be represented by an independent attorney unless written consent is obtained from the birth parent or the court finds that a birth parent cannot be located after diligent effort. This bill would have increased the attorney’s fees that prospective adoptive parents may

be required to pay for the birth parent's attorney from a maximum of \$500 to a maximum of \$1,500, as specified.

**Status:** Held in Senate Judiciary Committee

**SB-1141 (Rubio) - Domestic violence: coercive control.**

This bill codifies and elaborates on case law detailing when a restraining order under the Domestic Violence Prevention Act may be issued because a person was “disturbing the peace of the other party” under Family Code section 6320, including when the person engaged in coercive control.

**Status:** Chapter 248, Statutes of 2020

**SB-1253 (Moorlach) - Protective orders: mental health recovery program.**

This bill would have, commencing July 1, 2021, authorized a court, after notice and hearing, to issue an order requiring a party who is restrained under a domestic violence restraining order to participate in a mental health recovery program approved by the Department of Public Health.

**Status:** Held in Senate Judiciary Committee

**SB-1311 (Jackson) - Victim confidentiality.**

This bill would have made various technical and cleanup changes relating to the Secretary of State's administration of the Safe at Home Program, which enables victims of domestic violence, sexual assault, stalking, human trafficking, or elder or dependent adult abuse to keep the address of their residence from being disclosed in public records requests.

**Status:** Held in Senate Judiciary Committee

**AB-327 (Maienschein) - Estates and trusts: at-death transfers.**

This bill provides that a spousal at-death transfer, as defined, that is conveyed by will, revocable trust, beneficiary form, or other instrument is not subject to a presumption of undue influence under a Family Code provision applicable to interspousal contracts.

**Status:** Chapter 43, Statutes of 2019

**AB-465 (Eggman) - Juveniles: dual status children.**

As originally passed by this Committee, this bill would have codified certain definitions that the Judicial Council of California was statutorily required to develop in order to assist in tracking “dual-status youth” who are involved in both the juvenile dependency and delinquency systems. The bill's contents were subsequently deleted and replaced. In its current form, the bill generally codifies two Rules of Court that respectively govern criminal court and family court processes for determining if a restrained party failed to relinquish a firearm, as required by the protective order to which they are subject. To align the processes, the bill expedites and expands certain aspects of the rule governing family courts.

**Status:** Chapter 137, Statutes of 2020

**AB-677 (Choi) - Intercountry adoption finalized in a foreign country.**

This bill revises the process by which certain intercountry adoptions are recognized in California by requiring the parent—or if the parent fails to act, the adoption agency—to

file a petition with the court for readoption to establish a record by which an adoptee can prove the facts of their foreign adoption.

**Status:** Chapter 805, Statutes of 2019

**AB-785 (Bloom) - Gamete banks: donor information.**

This bill makes clarifying and technical changes to gamete bank laws relating to the collection and disclosure of donor identifying and medical information.

**Status:** Chapter 539, Statutes of 2019

**AB-925 (Gloria) - Protective orders: confidential information regarding minors.**

This bill expands the circumstances in which it is permissible to disclose a minor's confidential information contained in certain protective orders.

**Status:** Chapter 294, Statutes of 2019

**AB-1092 (Jones-Sawyer) - Child support: enforcement.**

This bill would have prohibited the Department of Child Support Services or a local child support agency from collecting interest that accrues on or after January 1, 2022, on the principal amount of past-due child support owed to the county. In his veto message, the Governor wrote, "While I cannot support this bill as it would lead to an estimated revenue loss of millions of dollars outside the budget process, it is critical that child support agencies use their tools under current law to modify child support orders that help align the support with the person's ability to pay as doing so helps support low-income families. I am directing the Department of Child Support Services to review the compromise of arrears program and consider any needed changes to address uncollectable debts and increase collections."

**Status:** Vetoed by the Governor

**AB-1165 (Bauer-Kahan) - Child custody: supervised visitation.**

This bill revises requirements for professional providers of supervised visitation services in child custody matters by requiring background checks and standardized training for professional providers.

**Status:** Chapter 823, Statutes of 2019

**AB-1179 (Blanca Rubio) - Child custody: allegations of abuse: report.**

This bill requires that a child custody evaluation, investigation, or assessment ordered by a court upon determining that there is a serious allegation of child sexual abuse, must, beginning January 1, 2021, be completed on a form developed by Judicial Council.

**Status:** Chapter 127, Statutes of 2019

**AB-1301 (Cooley) - Child welfare: adoption.**

This bill makes certain changes relating to the control, amount, and use of funds earmarked to reimburse private adoption agencies for the costs of assisting certain children and nonminors in obtaining adoptive placement. Specifically, the bill gives counties, instead of the state, direct control over the funds, lowers the cap on reimbursements, and enables counties to spend the surplus for activities related to placement.

**Status:** Chapter 827, Statutes of 2019

**AB-1373 (Patterson) - Adoption.**

This bill clarifies the scope of specified adoption processes in two ways. First, existing law provided that when a child is adopted, a birth parent's rights and responsibilities are terminated by operation of law, unless the birth parent and prospective parent sign a waiver before the adoption is finalized. This bill clarifies that the authority to sign such a waiver applies to all adoptions other than intercountry adoptions. The bill also provides that in adult adoptions, the adult who is being adopted may waive the automatic termination of the rights and responsibilities of a birth parent by signing the waiver before the finalization of the adoption. Second, the bill clarifies the scope of a streamlined stepparent adoption process applicable when one of the spouses or partners gives birth to the child during the marriage or domestic partnership, by providing that this streamlined process also applies when the child is born through a gestational surrogacy process brought about by one or both of the spouses or partners.

**Status:** Chapter 192, Statutes of 2019

**AB-1380 (Oberholte) - Premarital agreements: enforcement.**

This bill (1) clarifies that an existing requirement that an unrepresented party be given seven days to sign a premarital agreement is triggered when the final agreement is presented, and (2) applies the seven-day period to all premarital agreements executed after January 1, 2020, regardless of whether the parties are represented by counsel.

**Status:** Chapter 193, Statutes of 2019

**AB-1796 (Levine) - Domestic violence: restraining orders.**

This bill would have required courts to provide a drop box, during and after business hours, for the filing of petitions for domestic violence restraining orders.

**Status:** Held in Senate Appropriations Committee

**AB-1817 (Committee on Judiciary) - Family law omnibus.**

This bill is the Assembly Judiciary Committee's annual omnibus family law bill, which makes several technical updates and clarifications to various parts of the Family Code.

**Status:** Chapter 115, Statutes of 2019

**AB-2046 (Voepel) - Family law: child support.**

This bill would have limited the amount of child support arrears that can be collected from a low-income child support obligor who is also a disabled veteran receiving disability compensation to five percent of their monthly disability compensation. In his veto message, the Governor wrote: "While the intent of this bill is laudable, I am concerned that there is confusion about if and when [Veterans Administration] disability benefits can be garnished and that adding a new state law will only increase that confusion. Federal law currently prohibits VA disability payments from several types of garnishment, including for child support enforcement, and we comply with federal law. Given this confusion, I am directing the Department of Child Support Services to make information about the existing federal law available on its website."

**Status:** Vetoed by the Governor

**AB-2325 (Carrillo) - Child support: suspension.**

This bill reestablishes, until January 1, 2023, a program that provides for the suspension of a parent's obligation to pay child support if the parent is incarcerated or involuntarily institutionalized, unless they have the means to pay or are incarcerated for domestic violence.

**Status:** Chapter 217, Statutes of 2020

**AB-2517 (Gloria) - Domestic violence: personal property and liens.**

This bill, beginning January 1, 2022, authorizes courts to make a finding in a domestic violence restraining order, issued after notice and a hearing, that specific debts were incurred as a result of domestic violence.

**Status:** Chapter 245, Statutes of 2020

**AB-2745 (Megan Dahle) - Child support: access to records.**

This bill, as of January 1, 2022, would have eliminated the provisions governing the confidentiality of proceedings and records under the Uniform Parentage Act, except in parentage cases involving assisted reproduction.

**Status:** Held in Senate Judiciary Committee

**AB-3364 (Committee on Judiciary) - Judiciary omnibus.**

This bill is the biennial Assembly Judiciary omnibus bill that makes various noncontroversial changes to existing law with the purpose of increasing efficiencies in the legislative process and eliminating the need to unnecessarily hear a number of technical, clarifying, or modest stand-alone bills that might otherwise have to be introduced and require individual consideration by the Legislature. The bill makes various changes to existing law including, among others, clarifying existing law, deleting obsolete references, extending sunsets, and removing sunsets and thereby indefinitely extending certain provisions of law.

**Status:** Chapter 36, Statutes of 2020

**AB-3365 (Committee on Judiciary) - Family law.**

This bill was the Assembly Judiciary Committee's annual omnibus family law bill, which would have (1) created consistent timeframes for regular and confidential marriages, (2) removed the sunset on the 2013 increase to the low-income adjustment to the child support guideline, (3) clarified that child support court files are open to the public, and (4) provided financial flexibility for court-appointed special advocates programs. These changes ultimately were made in AB 3364 (Assembly Committee on Judiciary, Ch. 36, Stats. 2020).

**Status:** Held in Senate Judiciary Committee

**GOVERNMENT AGENCIES: PUBLIC RECORDS ACT AND BROWN ACT**

**SB-202 (Wilk) - Animal blood donors.**

This bill would have defined a commercial blood bank for animals to include "community-sourced" animals that are brought by their guardians to the commercial

blood bank to have their blood collected and would have required the production of blood and blood products to be overseen by a licensed veterinarian. The bill would have placed new requirements on a commercial blood bank for animals when accepting donations from community sourced animals, as specified, and would have prohibited a commercial blood bank for animals from providing payment to a person who brings a community-sourced animal to the commercial blood bank for donation, as provided. The bill also would have removed the exemption for commercial blood banks from the California Public Records Act. This bill was vetoed by Governor Newsom. In his veto message, the Governor stated that while he is in support of changing California's law governing animal blood donation, he does not believe this bill goes far enough because it does not effectively lead to the phasing-out of commercial blood banks for animals that use captive closed colonies.

**Status:** Vetoed by the Governor

### **SB-518 (Wieckowski) - Public records: disclosure: court costs and attorney's fees.**

This bill would have clarified that litigation to enforce the California Public Records Act is exempted from the application of Civil Procedure Code Section 998. Offers to compromise made under California Code of Civil Procedure Section 998 are a litigation tool to encourage settlement. If the 998 settlement offer is rejected, the party that made the offer is entitled to recover litigation costs if the party that rejected the offer fails to obtain a better result at trial. In his veto message, the Governor wrote: "While transparency is essential to maintaining trust in the work of public agencies, this bill does little to advance that ideal. Preventing public agencies from making good-faith efforts to settle litigation by providing additional records that may have been inadvertently overlooked or mistakenly withheld actually delays timely disclosure. This legislation would provide a perverse incentive for more litigation instead of more transparency."

**Status:** Vetoed by the Governor

### **SB-534 (Bradford) - Insurers: minority, women, LGBT, veteran, and disabled veteran business enterprises.**

This bill, commencing on July 1, 2020, and biennially on July 1 of each even-numbered year thereafter, requires an admitted insurer with California written premiums of \$100 million or more to submit a report to the Insurance Commissioner on its minority, women, LGBT, veteran, and disabled veteran business enterprise procurement efforts and governing board diversity efforts as specified, and requires the California Department of Insurance (CDI) to make that information publicly available on its website, as provided. The bill requires information regarding board diversity to be collected and transmitted in a manner that maintains the anonymity of responding board members and provides that this information is confidential and not to be released by CDI or an insurer, except that information regarding board diversity is to be published publically in the aggregate by the CDI. This bill also codifies the Insurance Diversity Task Force.

**Status:** Chapter 249, Statutes of 2019

**SB-581 (Caballero) - Cannabis: licensing: public records.**

This bill would have required cannabis licensing agencies to post certain information regarding applicants and licensees, including labor law violations, enforcement actions and convictions of crimes substantially related to the qualifications, functions or duties of the business or profession for which the license was issued, as provided.

**Status:** Died on Assembly Floor

**SB-683 (Grove) - Developmental services: regional centers.**

This bill would have required the Department of Developmental Services (DDS), by July 1, 2020, and in consultation with stakeholders, to determine the most appropriate machine-readable format to be used by DDS and regional centers when disclosing numeric data to the public. The bill would also have required, by January 1, 2021, that DDS and regional centers provide all numeric data disclosed to the public in the format chosen by DDS and stakeholders. The bill would also have required DDS, by July 1, 2020, to develop, provide to regional centers, and post on its website, transparency guidelines for disclosing information, and by January 1, 2021, would have required each regional center to include a public disclosures menu on its website consistent with the transparency guidelines.

**Status:** Held in Assembly Appropriations Committee

**SB-708 (Hueso) - Electricity: Independent System Operator.**

This bill would have placed additional responsibilities and requirements on the California Independent System Operator.

**Status:** Held in the Assembly Utilities and Energy Committee

**SB-749 (Durazo) - California Public Records Act: trade secrets: reverse public records actions.**

This bill would have provided that certain records provided by private industry employers to public agencies pursuant to a contract with a state or local agency are public records, not trade secrets.

**Status:** Died on the Assembly Floor

**AB-54 (Ting) - Peace officers: video and audio recording: disclosure.**

When this bill passed out of this Committee it was an urgency measure designed to correct a drafting error in AB 748 (Ting, Ch. 960, Stats. 2018), the author's law enforcement transparency bill. The author sought to correct the drafting error prior to July 1, 2019, the day the provisions of AB 748 went into effect. The entire contents of this bill were gutted and amended with provisions outside the jurisdiction of the Senate Judiciary Committee.

**Status:** Chapter 793, Statutes of 2019

**AB-289 (Fong) - California Public Records Act Ombudsperson.**

This bill would have established the position of the California Public Records Act Ombudsperson, within the California State Auditor's Office, to review the denial of a state agency to an original request by a member of the public to access records under the provisions of the California Public Records Act, as provided.

**Status:** Failed passage in Senate Judiciary Committee

**AB-911 (Rodriguez) - Office of Emergency Services: emergency information system.**

This bill requires the Office of Emergency Services to complete a study, as specified, to determine the feasibility of developing a statewide system that would enable all Californians to voluntarily provide vital health and safety information to be made available to all first responders in an emergency if a 911 call is placed; and, provides that information submitted through the statewide system shall be confidential and is not a public record.

**Status:** Chapter 686, Statutes of 2019

**AB-1184 (Gloria) - Public records: writing transmitted by electronic mail: retention.**

This bill would have required a public agency, for the purposes of the California Public Records Act, to retain and preserve for at least two years every public record that is transmitted by electronic mail, unless a longer retention period is required by statute or regulation or established by the Secretary of State pursuant to the State Records Management Act. In his veto message, Governor Newsom indicated that the "bill does not strike the appropriate balance between the benefits of greater transparency through the public's access to public records, and the burdens of a dramatic increase in records-retention requirements, including associated personnel and data-management costs to taxpayer."

**Status:** Vetoed by the Governor

**AB-1813 (Committee on Insurance) - Insurance.**

This bill makes various changes to the laws governing the business of insurance in the state, as provided, and exempts information, documents, and copies obtained by, reported to, or provided to the California Insurance Commissioner during participation in a supervisory college from the disclosure requirements of the California Public Records Act and from subpoena or discovery in a private civil action, as specified.

**Status:** Chapter 201, Statutes of 2019

**AB-1819 (Committee on Judiciary) - Inspection of public records: use of requester's reproduction equipment.**

This bill provides that a requester who inspects a disclosable record on the premises of an agency has the right to use the requester's equipment on those premises, without charge, to photograph or otherwise copy or reproduce the record in a manner that does not require the equipment to make physical contact with the record, except as specified. The bill authorizes an agency to impose any reasonable limits on the use of the requester's equipment that are necessary to protect the safety of the records or to prevent the copying of records from being an unreasonable burden to the orderly function of the agency and its employees. The bill also authorizes an agency to impose any limit that is necessary to maintain the integrity of, or ensure the long-term preservation of, historic or high-value records.

**Status:** Chapter 695, Statutes of 2019

## HEALTH CARE ISSUES

### **SB-201 (Wiener) - Medical procedures: treatment or intervention: sex characteristics of a minor.**

This bill would have prohibited medically unnecessary treatments or interventions on the physical sex characteristics of an intersex person who is under six years of age.

**Status:** Failed passage in Senate Business, Professions and Economic Development Committee

### **SB-591 (Galgiani) - Incarcerated persons: health records.**

This bill requires that psychiatrists or psychologists from the State Department of State Hospitals, the Department of Corrections and Rehabilitation, or the Board of Parole Hearings be given access to prisoners being temporarily held at a county correctional facility, a county medical facility, or a state-assigned mental health provider.

**Status:** Chapter 649, Statutes of 2019

### **SB-1252 (Moorlach) - Advance health care directives: mental health treatment.**

This bill would have clarified that when a person designates an agent to make health care decisions on their behalf, such decisions may involve mental health treatment. The bill would have revised the statutory advance health care directive form to clarify that a person may include instructions relating to mental health treatment.

**Status:** Held in Senate Judiciary Committee

### **SR-66 (Leyva)**

This resolution marks the 47th anniversary of the U.S. Supreme Court's decision in the case Roe v. Wade (1973) 410 U.S. 113, which established a person's constitutional right to choose whether or not to carry a pregnancy to term.

**Status:** Adopted by the Senate

### **AB-46 (Carrillo) - Individuals with mental illness: change of term.**

This bill replaces outdated terminology used to describe mental health conditions and individuals with mental health conditions.

**Status:** Chapter 9, Statutes of 2019

### **AB-333 (Eggman) - Whistleblower protection: county patients' rights advocates.**

This bill extends whistleblower protections to individuals and entities that have contracts with the state or local government to oversee compliance with patients' rights in county mental health treatment facilities.

**Status:** Chapter 423, Statutes of 2019

### **AB-384 (Chau) - Information privacy: digital health feedback systems.**

This bill would have made a business a provider of health care, and therefore subject to California's Confidentiality of Medical Information Act, when it offers personal health record software or hardware that is designed to maintain and make available personal health record information for purposes of allowing the individual to manage their

information, or for the diagnosis, treatment, or management of a medical condition of the individual.

**Status:** Held in the Senate Appropriations Committee

**AB-660 (Levine) - Personal information: contact tracing.**

This bill would have provided that data collected, received, or prepared for purposes of contact tracing shall not be used, maintained, or disclosed for any purpose other than facilitating contact tracing efforts. The bill would have required such data to be deleted, as specified, and would have prohibited the involvement of law enforcement, as defined, in contact tracing.

**Status:** Held in the Senate Appropriations Committee

**AB-743 (Eduardo Garcia) - Pupil health: self-administration of prescribed asthma medication.**

This bill requires a school district to accept the statements of physicians and surgeons who are contracted with certain Mexican health plans in connection with the use of prescription inhaled asthma medication in schools. The bill immunizes school nurses, other school personnel, and school districts from specified liability in connection with a pupil self-administering inhaled asthma medication in accordance with such statements.

**Status:** Chapter 101, Statutes of 2019

**AB-824 (Wood) - Business: preserving access to affordable drugs.**

This bill presumes a patent infringement claim settlement between a brand drug maker and a generic or biosimilar biologic drug maker to be anticompetitive and subject to a civil penalty, as specified, if the generic or biosimilar drug maker receives anything of value from the brand drug maker in exchange for limiting or foregoing entry into the market, unless that presumption can be rebutted with specified evidence.

**Status:** Chapter 531, Statutes of 2019

## **HOUSING LAW, LANDLORD/TENANT, AND MOBILEHOMES**

**SB-18 (Skinner) - Keep Californians Housed Act.**

This bill indefinitely extends state protections for tenants whose landlord goes into foreclosure. Those protections give such tenants the right to remain for the duration of any pre-existing fixed-term lease, except in specified circumstances, and require post-foreclosure owners to provide 90 days' advance notice before terminating any pre-existing month-to-month tenancy.

**Status:** Chapter 134, Statutes of 2019

**SB-222 (Hill) - Discrimination: veteran or military status.**

This bill underscores that housing discrimination on account of military or veteran status is unlawful in California by explicitly stating so within the Fair Employment and Housing Act (FEHA). In addition, by defining a Veterans Affairs Supportive Housing (VASH) voucher as a source of income for purposes of FEHA, this bill prohibits landlords from discriminating against a tenant on the basis that the tenant pays part or all of the rent using a VASH voucher.

**Status:** Chapter 601, Statutes of 2019

**SB-234 (Skinner) - Family daycare homes.**

This bill establishes a series of clarifications and modifications of zoning and landlord-tenant laws designed to protect and promote the operation of residentially based family childcare facilities. In particular, key elements of the bill: (1) require local governments to treat large-family child care homes (up to 12-14 children) as residential use for purposes of all local ordinances; (2) prevent landlords from rejecting tenant applicants solely based on the tenant's intention to provide child care at the property; (3) clarify that licensed family day care homes are permitted to operate in apartments and other types of multifamily units; and (4) ensure that family child care providers receive notice of their rights and access to remedies under the law.

**Status:** Chapter 244, Statutes of 2019

**SB-274 (Dodd) - Mobilehome parks: tenancies**

This bill: (1) creates an opportunity for mobilehome residents to return when a mobilehome park is destroyed by natural disaster and subsequently gets rebuilt; (2) provides a required structure for a park's determination of whether it must accept a prospective mobilehome buyer; and (3) provides mobilehome residents the opportunity to designate at least three "companions" in each calendar year with whom to share the mobilehome.

**Status:** Chapter 504, Statutes of 2019

**SB-329 (Mitchell) - Discrimination: housing: source of income.**

This bill expands the definition of "source of income," a category that California's Fair Employment and Housing Act protects against discrimination. It thereby prohibits landlords from discriminating against tenants who rely upon housing assistance paid directly to landlords, such as a Section 8 voucher, to help them pay the rent.

**Status:** Chapter 600, Statutes of 2019

**SB-479 (Atkins) - Tenancy: automatic renewal or extension of lease.**

This bill would have increased the font size required for notification in a residential housing lease that the tenancy will automatically renew upon expiration of the fixed lease term unless the tenant notifies the landlord of the tenant's intent to vacate. This bill was subsequently gutted and amended to address other matters.

**Status:** Died on the Senate Floor

**SB-529 (Durazo) - Tenant associations: eviction for cause: withholding payment of rent.**

This bill would have provided for the formation of tenant associations – groups of tenants from three or more units belonging to the same landlord – and attached certain protections to belonging to such an association, including a requirement that a landlord state the reason for any termination of tenancy.

**Status:** Failed passage on the Senate Floor

**SB-619 (Hueso) - Promise Zones: credit reporting pilot program: educational services.**

This bill would have required landlords of large rental housing developments within a Promise Zone to report rental payment information by a tenant to a consumer reporting agency, and would have required the Department of Business Oversight to contract with a third party to analyze the resulting data on tenant credit scores. The bill was subsequently gutted and amended to address other matters.

**Status** Held in Assembly Rules Committee

**SB-638 (Allen) - Leases: electric vehicle charging stations: insurance coverage.**

This bill modifies and in almost every circumstance significantly reduces the amount of insurance coverage that a landlord may demand from a tenant requesting to install an electric vehicle charging station on residential rental property.

**Status:** Chapter 855, Statutes of 2019

**SB-644 (Glazer) - Tenancy: security deposit: active military personnel.**

This bill lowers the amount that a landlord can charge military service members, as defined, for a security deposit on residential rental housing.

**Status:** Chapter 602, Statutes of 2019

**SB-652 (Allen) - Entry doors: display of religious items: prohibitions.**

This bill requires landlords and homeowners associations to allow their tenants and members to affix small religious items to the door or doorframe of the tenants' and members' homes.

**Status:** Chapter 154, Statutes of 2019

**SB-915 (Leyva) - Mobilehome parks: emergency relief: coronavirus (COVID-19).**

This bill would have temporarily prohibited mobilehome parks from evicting residents who timely notify park management that they have been impacted, as defined, by the COVID-19 pandemic. The bill would further have temporarily mandated that mobilehome parks give such COVID-19-impacted residents additional time to comply with demands to repay outstanding rent, utilities or other charges, or cure violations of park rules and regulations.

**Status:** Died on the Senate Floor

**SB-939 (Wiener) - Emergencies: COVID-19: commercial tenancies: evictions.**

This bill would have established, for all commercial tenants, a temporary moratorium on evictions for the duration of the COVID-19 related state of emergency, and a yearlong period in which to make up rental payments missed during that state of emergency. In addition, for specified businesses that have been especially impacted by the public health protocols resulting from the COVID-19 pandemic, including restaurants and bars, the bill would have created procedures for renegotiating or terminating existing leases that were based on pre-COVID-19 expectations.

**Status:** Held in Senate Appropriations Committee

**SB-1079 (Skinner) - Residential property: foreclosure.**

This bill enacts a series of measures intended to mitigate against blight, vacancy, and the transfer of residential property ownership from owner-occupants to landlord investors in the event that California experiences a wave of foreclosures. Specifically, the bill provides tenants, prospective owner-occupants, nonprofit affordable housing providers, community land trusts, limited-equity housing cooperatives, and public entities a 45-day window to purchase residential property going through foreclosure if they can match (in the case of tenants) or exceed (in the case of other purchasers) the last and highest bid made on single-family homes at the foreclosure auction. Second, the bill prohibits sales of bundled properties at foreclosure auctions. Finally, the bill increases local governments' authority to assess fines on owners of blighted properties acquired at foreclosure sales, while also requiring local governments to provide these owners with more detail as to the alleged blight and giving owners more time to remedy issues before any fine is assessed against them.

**Status:** Chapter 202, Statutes of 2020

**SB-1157 (Bradford) - Tenancy: credit reporting: lower income households.**

This bill requires, beginning July 1, 2021, and until July 1, 2025, any landlord of an assisted housing development, except as specified, to offer the tenant or tenants obligated on the lease of each unit in that assisted housing development the option of having the tenant's rental payments reported to a consumer reporting agency, as provided, and authorizes a landlord to require the tenant to pay a fee not to exceed the lesser of the actual cost to the landlord to provide the reporting service or \$10 per month.

**Status:** Chapter 204, Statutes of 2020

**SB-1190 (Durazo) - Tenancy: termination.**

This bill extends existing provisions of law authorizing a tenant to terminate a tenancy when the tenant or a household member is a victim of domestic violence, sexual assault, stalking, human trafficking, or elder and dependent adult abuse to also include a crime that caused bodily injury or death, the exhibition, drawing, brandishing, or use of a firearm or other deadly weapon or instrument, or that included the use of force or threat of force against the victim, and expands these provisions to apply if an immediate family member of the tenant is a victim of an eligible crime, as provided.

**Status:** Chapter 205, Statutes of 2020

**AB-206 (Chiu) - Public nuisance: abatement: lead-based paint.**

This bill immunizes property owners who voluntarily participate in lead paint abatement programs from associated liability. The bill prohibits such participation from being evidence of violations of specified housing statutes, but makes clear it does not alter existing obligations to maintain property or limit tenants' remedies for addressing the presence of lead paint.

**Status:** Chapter 171, Statutes of 2019

**AB-330 (Gabriel) - Appointed legal counsel in civil cases.**

This bill increases fees on specified court filings by \$15 in order to fund an expansion of legal representation for low-income litigants in three kinds of potentially life-altering civil

matters: probate conservatorships, housing-related matters including eviction, and family law.

**Status:** Chapter 217, Statutes of 2019

**AB-446 (Choi) - Discrimination: housing: victims of domestic violence.**

This bill would have added “victim of abuse” – defined as a survivor of domestic violence, elder or dependent adult abuse, human trafficking, sexual assault, or stalking – to the categories protected against housing discrimination by the Fair Employment and Housing Act.

**Status:** Held in Senate Judiciary Committee

**AB-828 (Ting) - Temporary moratorium on foreclosures and unlawful detainer actions: coronavirus (COVID-19).**

This bill would have placed a temporary moratorium on residential foreclosures and temporarily restricted residential evictions to those involving issues of damage to the property, nuisance, or health and safety until 91 days after the COVID-19 pandemic-related state of emergency is lifted. The bill would have also provided a one-year window for residential tenants to make up any rent payments missed during the state of emergency and 91 days thereafter.

**Status:** Held in Senate Judiciary Committee

**AB-1110 (Friedman) - Rent increases: noticing.**

This bill extends the notice period required for a landlord to impose a large rent increase on a tenant in a periodic tenancy of month-to-month or shorter. Specifically, a landlord would have to give 90 days’ notice to a tenant before imposing rent increases of more than 10 percent.

**Status:** Chapter 595, Statutes of 2019

**AB-1188 (Gabriel) - Dwelling units: persons at risk of homelessness.**

This bill allows a tenant, with the written approval of the landlord, to take in a person who is at risk of homelessness, as defined, pursuant to written agreements that would, among other things, enable the tenant to remove the person at risk of homelessness on short notice with the assistance of the police.

**Status:** Chapter 339, Statutes of 2019

**AB-1232 (Gloria) - Affordable housing: weatherization.**

This bill requires three things in relation to operation of the Low-Income Weatherization Program (LIWP): (1) a study of impacts of the Program on rental rates; (2) greater collaboration between government health and environmental agencies; and (3) clarification of funding distribution timelines.

**Status:** Chapter 754, Statutes of 2019

**AB-1399 (Bloom) - Residential real property: rent control: withdrawal of accommodations.**

This bill makes minor, clarifying modifications to the Ellis Act, the California law that allows landlords in eviction-controlled jurisdictions to evict tenants in order to withdraw property from the rental housing market. Specifically, the bill clarifies: (1) how to

calculate when a property can be returned to the market after Ellis Act evictions; (2) that payment of a penalty for an Ellis Act violation does not extinguish a landlord's obligation to comply with the law; and (3) that if a landlord voluntarily allows tenants facing an Ellis Act eviction more time to move out, that does not alter the calculation of when the landlord is eligible to return the property to the rental market.

**Status:** Chapter 596, Statutes of 2019

**AB-1482 (Chiu) - Tenancy: rent caps.**

This bill limits rent-gouging in California by placing an upper limit on annual rent increases: 5 percent plus inflation. To prevent landlords from engaging in rent-gouging by evicting tenants, the bill also requires that a landlord have and state a just cause, as specified, in order to evict tenants who have occupied the premises for a year. Both the rent cap and the just cause provisions are subject to exemptions including, among others: housing built in the past 15 years, single family residences unless owned by a real estate trust or a corporation. The bill sunsets after ten years and does not preempt any local rent control ordinances.

**Status:** Chapter 597, Statutes of 2019

**AB-1497 (Holden) - Hosting platforms.**

This bill makes people who offer their property for short-term rental through online platforms subject to the California Fair Employment and Housing Act, thus prohibiting such "hosts" from discriminating on the basis of race, color, religion, sex, gender, gender identity, gender expression, sexual orientation, marital status, national origin, ancestry, familial status, source of income, disability, or genetic information.

**Status:** Chapter 599, Statutes of 2019

**AB-1561 (Cristina Garcia) - Planning and zoning: housing element.**

This bill would have required local planning agencies to analyze the civil rights impacts of any government constraints on the maintenance, improvement, or development of housing when updating the Housing Elements of their General Plan. The bill was subsequently gutted and amended to address unrelated subjects.

**Status:** Chapter 195, Statutes of 2020

**AB-1703 (Bloom) - Residential real property: sale of rental properties: right of first offer.**

This bill would have required any person or entity selling residential property occupied by a tenant to provide those tenants and any qualified organization, as defined, with an opportunity to offer to purchase the property. The bill would have required a qualified organization purchasing the property to retain the existing tenants and adhere to specified affordability standards.

**Status:** Held in Senate Judiciary Committee

**AB-1731 (Boerner Horvath) - Short-term rentals: coastal zone: County of San Diego.**

This bill would have prohibited online hosting platforms, such as Airbnb, VRBO, and HomeAway, from making residential properties in urban parts of coastal San Diego County available as short-term rentals for more than 30 days out of the year, unless the

primary resident lived onsite full-time, as defined. The bill would also have required hosting platforms to collect transitory occupancy taxes and remit those taxes to the corresponding jurisdiction. The bill would have sunset after three years and included a provision for evaluation of its effects. The bill was subsequently gutted and amended to address unrelated subject matter.

**Status:** Chapter 209, Statutes of 2020

**AB-1795 (Kamlager-Dove) - Civil actions: unlawful detainer: court records.**

This bill would have required a landlord to notify the court when proceeding with an eviction under the Ellis Act and would have directed the court to limit public access to the resulting court case file.

**Status:** Held in Senate Judiciary Committee

**AB-2271 (Gabriel) - Appointed legal counsel in civil matters: unlawful detainer cases.**

This bill would have required programs funded pursuant to the Sargent Shriver Civil Counsel Act to provide services without regard to the citizenship or immigration status of the person represented. Where an organization within such a program is prohibited from representing certain immigrants due to federal funding restrictions, the bill would have required the organization to refer those individuals for services elsewhere. The bill would also have required courts to provide specified information regarding residential eviction cases to the Judicial Council and would have required the Judicial Council to make that information publically available.

**Status:** Held in Senate Judiciary Committee

**AB-2690 (Low) - Mobilehome parks: local ordinances.**

This bill would have repealed the existing statute that exempts mobilehome spaces initially held out for rent after January 1, 1990, from local mobilehome rent control ordinances.

**Status:** Held in Senate Judiciary Committee

**AB-2782 (Mark Stone) - Mobilehome parks: change of use: rent control.**

This bill makes three changes to the laws regulating mobilehomes. First, it modifies the conditions that must be met when converting a mobilehome park to another use. Specifically, under this bill: (1) if a displaced mobilehome owner cannot be relocated to another mobilehome, then the person or entity proposing the park closure must compensate the mobilehome owner in full for the current, in-place value of the mobilehome, as determined by appraisal; (2) a local jurisdiction reviewing a proposed change in use must make a finding, before approval of the change in use, that the proposed change in use will or will not result in a reduction in affordable housing within that jurisdiction; (3) the advance notice about a public hearing regarding the park closure that mobilehome parks must give their residents as a precondition for terminating the resident's tenancy is increased from 15 to 60 days. Separately, this bill also removes a provision in state law that exempts mobilehome leases from any otherwise applicable local rent control ordinance if, among other specified conditions, the lease term is greater than one year.

**Status:** Chapter 35, Statutes of 2020

**AB-2895 (Quirk-Silva) - Mobilehome parks: rent caps.**

This bill would have taken the essence of the statewide anti-rent gouging provisions enacted last year in AB 1482 (Chiu, Ch. 597, Stats. 2019), which limited annual rent increases for many residential tenancies to five percent plus inflation up to a maximum of 10 percent, and applied those same basic rules to mobilehomes. The bill also would have applied AB 1482's statewide just cause for eviction laws to tenants who are renting a mobilehome from the mobilehome park.

**Status:** Held in Senate Judiciary Committee

**AB-3088 (Chiu) - Tenancy: rental payment default: mortgage forbearance: state of emergency: COVID-19.**

This bill proposes a set of temporary measures designed to prevent widespread loss of housing through evictions and foreclosures resulting from the economic impacts of the COVID-19 pandemic. Specifically, this bill: (1) establishes a legal framework limiting, until January 31, 2021, evictions in circumstances in which a residential tenant has fallen behind on rent or other payment obligations under their lease due to financial hardship caused by the pandemic; and (2) establishes procedural protections for small landlords who become delinquent on their mortgage payments and a right to a written explanation for borrowers with mortgages on properties with one-to-four residential units when they are denied forbearance. Separately, this bill makes technical and clarifying modifications to the statewide just cause for eviction and anti-rent gouging laws enacted last year pursuant to AB 1482 (Chiu, Chapter 597, Statutes of 2019).

**Status:** Chapter 37, Statutes of 2020

## **IMMIGRANT RIGHTS**

**SB-225 (Durazo) - Citizens of the state.**

This bill allows all California residents to serve on appointed government boards and commissions, regardless of citizenship or immigration status. Additionally, the bill eliminates unconstitutional components of the existing statutory definition for California state citizenship.

**Status:** Chapter 790, Statutes of 2019

**SB-318 (Hertzberg) - Consumer protections: contracts and agreements to finance or secure a bail bond or immigration bond.**

This bill would have clarified that the California Consumer Legal Remedies Act, Contract Translation Act, Rosenthal Fair Debt Collections Practices Act, and Consumer Credit Contract notice provisions apply to bail bond and immigration bonds.

**Status:** Failed passage in Assembly Insurance Committee

**SB-622 (Durazo) - Civil detention facilities.**

This bill would have created a protocol a detention facility must follow when a death of an individual, who is in civil detention, occurs in the facility. This bill would have required that the state Department of Justice be notified of the death, be allowed access into the facility to open an investigation into the cause and circumstances of the death, and make a public report of the investigation. In his veto message, the Governor expressed

his concern that the bill's "goal of providing for state investigations of deaths of individuals under federal custody will not be achieved." The Governor noted how the Trump Administration "has weaponized our immigration and detention systems for political gain, demonizing migrants and asylum seekers and instilling fear in immigrant communities." He acknowledged the "deplorable living conditions, disease outbreaks and human rights abuses in these detention centers." The Governor stated that this "is why California is leading by prohibiting private, for-profit prisons and detention facilities." He further explained that he believes "that closing these facilities needs to be our focus as it is the best way to address these injustices."

**Status:** Vetoed by the Governor

**AB-32 (Bonta) - Detention facilities: private, for-profit administration services.**

This bill, in line with California's interest in ensuring the safety and welfare of its residents, abolishes the private for-profit prison industry from our state in order to protect incarcerated individuals within our state border from serious harm.

**Status:** Chapter 739, Statutes of 2019

**AB-660 (Levine) - Personal information: contact tracing.**

This bill would have provided that data collected, received, or prepared for purposes of contact tracing shall not be used, maintained, or disclosed for any purpose other than facilitating contact tracing efforts. The bill would have required such data to be deleted, as specified, and would have prohibited the involvement of law enforcement, as defined, in contact tracing.

**Status:** Held in Senate Appropriations Committee

**AB-1747 (Gonzalez) - Law enforcement: immigration.**

This bill prohibits use of information in the California Law Enforcement Telecommunication System (CLETS), other than criminal history information, for immigration enforcement purposes. Beginning July 1, 2021, the bill also requires any inquiry for information other than criminal history information submitted through CLETS to include a reason for the initiation of the inquiry and authorizes the Attorney General to monitor compliance.

**Status:** Chapter 789, Statutes of 2019

**AB-1753 (Carrillo) - Immigration consultants.**

This bill would have, on and after January 1, 2021, made it unlawful for a person, for compensation, other than a person authorized to practice law in this state, a person authorized to represent others under federal law in an immigration matter, or a supervised paralegal, as specified, to provide advice or services related to any immigration matter or to hold themselves out as an immigration consultant or as a person authorized to provide advice in immigration matters. This bill would also have brought California law in line with longstanding federal law designed to protect consumers in their immigration matters.

**Status:** Held in Senate Appropriations Committee

**AB-3133 (Aguiar-Curry) - Refugees: resettlement.**

This bill prohibits local governments from withholding consent to refugee resettlement within their jurisdictions where such withholding will have the purpose or effect of discriminating on the basis of a protected characteristic, such as race, ethnicity, gender, religion, or country of origin.

**Status:** Chapter 189, Statutes of 2020

**AB-3228 (Bonta) - Private detention facilities.**

This bill requires, in line with California's interest in ensuring the safety and welfare of its residents and in order to protect incarcerated individuals from serious harm within our state border, a private detention facility operator to comply with, and adhere to, the detention standards of care and confinement agreed upon in the facility's contract for operations. This bill also provides a private right of action for an individual injured by noncompliance with the above standards, as specified, and allows the court to award a prevailing plaintiff reasonable attorney's fees and costs.

**Status:** Chapter 190, Statutes of 2020

**AJR-9 (Cristina Garcia) - Immigration enforcement tactics.**

This resolution makes findings about ruses and other predatory tactics used by United States Immigration and Customs Enforcement (ICE) and how they create an atmosphere of distrust between state residents, their employers, and various official agencies and institutions. It calls upon the federal government to cease the unjust detention of undocumented immigrants, end blanket raids against individuals thought to be without documents, and adopt a standard uniform for ICE officers that clearly identifies them as ICE when operating in California.

**Status:** Resolution Chapter 104, Statutes of 2019

**AJR-11 (Carrillo) - Immigration: Development, Relief, and Education for Alien Minors Act: Deferred Action for Childhood Arrivals: Deferred Enforced Departure: Temporary Protected Status.**

This resolution makes a series of declarations regarding the Deferred Action for Childhood Arrivals, Deferred Enforced Departure, and Temporary Protected Status programs, each of which allows certain immigrants to live and work in the United States, but on an interim basis only. The resolution then goes on to urge the federal government to enact legislation that would provide permanent legal status for individuals in these programs.

**Status:** Resolution Chapter 136, Statutes of 2019.

**AJR-19 (Gloria) - Refugees.**

This resolution makes a series of findings and declarations regarding refugees, the U.S. refugee resettlement program, and the positive contribution to California made by refugees who have resettled here. The resolution urges the federal government to meet its current refugee resettlement commitment and to expand the size of that commitment next year.

**Status:** Resolution Chapter 183, Statutes of 2019.

## **MINORS, JUVENILE COURTS, AND DEPENDENCY PROCEEDINGS**

### **SB-377 (McGuire) - Juveniles: psychotropic medications: medical records.**

This bill requires the State Department of Social Services to convene a working group consisting of the Judicial Council, the Medical Board of California (MBC), the County Welfare Directors Association of California, the Chief Probation Officers of California, and groups representing foster children, dependency counsel, and children's advocates to consider various options for seeking authorization from a dependent child, a ward, or their attorney, for release of the dependent child's or ward's medical information regarding psychotropic medication by January 1, 2020. This bill requires the Judicial Council, by September 1, 2020, to develop a request for authorization form for a ward or dependent child or their attorney to provide authorization for the MBC to review the ward or dependent child's medical information to determine whether there is excessive prescribing of psychotropic medication inconsistent with the standard of care, as provided. The bill requires that any medical information obtained by the MBC or its representative be sealed if the medical information is admitted as an exhibit in a specified administrative hearing.

**Status:** Chapter 547, Statutes of 2019

### **SB-1021 (Durazo) - Dependent children: visitation.**

This bill would have provided specific guidance to dependency courts in crafting visitation orders for parents seeking reunification with children who have been brought into the foster care system.

**Status:** Held in Senate Judiciary Committee

### **AB-175 (Gipson) - Foster care: rights.**

This bill reorganizes, clarifies, and expands the Foster Youth Bill of Rights (FYBR). The bill also requires the State Foster Care Ombudsperson to provide trainings and assistance to stakeholders and to recommend FYBR updates to the Legislature.

**Status:** Chapter 416, Statutes of 2019

### **AB-531 (Friedman) - Foster youth: housing.**

This bill would have increased the housing options available for youth in the extended foster care system. In broad strokes, the bill would have: (1) enabled more families to provide transitional care and provide more placement stability for nonminor dependents (NMDs); (2) streamlined the supervised independent living process; (3) allowed certain approved caregivers of youth in extended foster care to convert to a host family without additional certification; (4) required counties to examine their ability to meet the emergency housing needs of NMDs, and (5) allowed counties, upon appropriation in the annual Budget Act, to request funds for the purpose of providing housing navigation services to youth, as provided.

**Status:** Held in Senate Appropriations Committee

### **AB-686 (Waldron) - Indian children.**

This bill (1) requires the Judicial Council of California to adopt a rule of court to allow for remote appearance by an Indian child's tribe in the child's dependency court

proceedings, and (2) clarifies certain requirements relating to the out-of-home placement of such children.

**Status:** Chapter 434, Statutes of 2019

**AB-718 (Eggman) - Dependent children: documents.**

Existing law requires that a dependent youth who is between the ages of 18 and 21 be provided with certain information, documents, and services to facilitate the youth's transition to living independently. This bill initiates that process when the youth turns 16.

**Status:** Chapter 438, Statutes of 2019

**AB-728 (Santiago) - Homeless multidisciplinary personnel teams.**

This bill, until 2025, creates a pilot program in seven counties that expands existing provisions governing homeless adult and family multidisciplinary personnel teams, the members of which are authorized to share the personal information of individuals they intend to serve. Those provisions currently apply to homeless adults. This bill additionally applies the provisions to individuals at risk of homelessness.

**Status:** Chapter 337, Statutes of 2019

**AB-748 (Gipson) - Nonminor dependents.**

This bill provides that youth who were subject to an order for foster care before they reached 18 years of age, but were not yet adjudged dependents of the juvenile court before reaching their 18th birthday, are eligible for extended foster care benefits.

**Status:** Chapter 682, Statutes of 2019

**AB-859 (Maienschein) - Juveniles: dependency: judicial caseloads.**

This bill would have required the Department of Social Services (DSS), in consultation with the Judicial Council, to convene a stakeholder group that includes county counsel, a nonprofit comprised of former foster youth, representatives of dependency counsel, and other stakeholders designated by the DSS, in order to make recommendations related to juvenile dependency proceedings. In vetoing the bill, the Governor wrote, "While I support the goal of this bill, it duplicates the purpose and efforts of the existing Child Welfare Council."

**Status:** Vetoed by the Governor

**AB-861 (Chen) - Juveniles.**

This bill, for children who are homeless or have previously been involved with the juvenile dependency system, would have expedited an existing process for requesting a social worker to petition the juvenile court to assert jurisdiction over the child, and, if the social worker declines to do so, appealing that decision to the court.

**Status:** Held in Senate Appropriations Committee

**AB-1068 (Cooley) - Juveniles: dependency: child and family teams.**

This bill adds procedural formalities to provisions governing child and family teams (CFTs) to provide oversight, ensure meaningful participation, and protect confidential information. Specifically, the bill: (1) alters the definition of CFT to apply to a convening of all or some members; (2) requires that certain social worker and court-appointed advocate reports to the court include specified information; (3) provides that the attachment of a copy of the CFT meeting summary report or action plan may be

included in certain court reports, as specified; (4) requires that notification be provided to certain team members; and (5) requires that CFT meetings include a foster youth's court-appointed educational rights holder under certain circumstances.

**Status:** Chapter 780, Statutes of 2019

**AB-1301 (Cooley) - Child welfare: adoption.**

This bill makes certain changes relating to the control, amount, and use of funds earmarked to reimburse private adoption agencies for the costs of assisting certain children and nonminors in obtaining adoptive placement. Specifically, the bill gives counties, instead of the state, direct control over the funds, lowers the cap on reimbursements, and enables counties to spend the surplus for activities related to placement.

**Status:** Chapter 827, Statutes of 2019

**AB-2805 (Eggman) - Juveniles: reunification.**

This bill expands the scope of evidence that a court may consider when determining whether to order reunification services for a child who has been made a dependent of the juvenile court because the child, before reaching five years of age, was the victim of severe physical abuse by a parent or by any person known by the parent.

**Status:** Chapter 356, Statutes of 2020

**MISCELLANEOUS**

**SB-223 (Hill) - Pupil health: administration of medicinal cannabis: schoolsites.**

This bill, known as Jojo's Act, authorizes the governing board of a school district, a county board of education, or the governing body of a charter school maintaining kindergarten or any of grades 1 to 12, inclusive, to adopt a policy that allows a parent or guardian of a pupil to possess and administer non-smokeable and non-vapeable medicinal cannabis to the authorized pupil at a schoolsite.

**Status:** Chapter 699, Statutes of 2019

**SB-1371 (Committee on Judiciary) – Maintenance of the Codes.**

This bill makes numerous technical changes in the California codes that were recommended by the Office of Legislative Counsel. The changes are not substantive.

**Status:** Chapter 370, Statutes of 2020

**SJR-2 (Umberg) - The President's National Emergency Declaration.**

This resolution urges the houses of the United States Congress to stand in unity and override the President's veto of House Joint Resolution 46 and, if not possible, to consider overriding the declaration of national emergency within six months or at the earliest possible time pursuant to the National Emergencies Act. This resolution also urges the President to reconsider his motives and decision and allow military, defense, and counterdrug funds to be used for the purposes for which they are needed and for which they were made available.

**Status:** Chapter 66, Statutes of 2019

**AB-17 (Salas) - Elections: vote by mail ballots.**

This bill prohibits an employer from requiring or requesting an employee to bring their vote by mail (VBM) ballot to work or to vote their VBM ballot at work. A violation of these provisions subjects a person to a civil fine of up to \$10,000 per election.

**Status:** Chapter 223, Statutes of 2019

**AB-991 (Gallagher) – Maintenance of the Codes.**

This bill makes numerous technical changes in the California codes that were recommended by the Office of Legislative Counsel. The changes are not substantive.

**Status:** Chapter 497, Statutes of 2019

**AB-1270 (Mark Stone) - False Claims Act.**

The California False Claims Act (CFCA) is a whistleblower statute designed to protect public funds. The CFCA establishes liability to the state for persons who commit certain enumerated acts relating to false claims submitted to the state. It provides for treble damages and civil penalties, contains a qui tam provision, and whistleblower protections. This bill would have clarified existing law with regard to the CFCA and would have expanded the provisions of the CFCA to claims, records, or statements made under the Revenue and Taxation Code if specified conditions were met.

**Status:** Held in Senate Appropriations Committee

**AB-1320 (Nazarian) - Public employee retirement systems: prohibited investments: Turkey.**

This bill provides that the California Public Employees' Retirement System (PERS) and State Teachers' Retirement System (STRS) shall not make additional or new investments or renew existing investments of public employee retirement funds in any investment vehicle in the government of Turkey, that meets specified criteria, upon passage of a federal law imposing sanctions on the government of Turkey for failure to officially acknowledge its responsibility for the Armenian Genocide.

**Status:** Chapter 459, Statutes of 2019

**AB-1576 (Calderon) - Secretary of Government Operations: working group: technology.**

This bill would have provided for the creation of an advisory working group to report on specified issues relating to the use of artificial intelligence by California-based businesses.

**Status:** Held in Senate Appropriations Committee

**AB-2319 (Berman) - Tow truck operators: liens: exceptions.**

This bill harmonizes the means by which a former vehicle owner can avoid liability for unpaid towing and storage fees incurred by a subsequent owner with the means provided for avoiding all other civil and criminal liability as provided for in the Vehicle Code.

**Status:** Chapter 50, Statutes of 2020

**AB-2442 (Chau) - Social media platforms: false information.**

This bill would have required that a social media platform disclose whether it has a policy to address the spread of misinformation online, and face a \$1,000-per-day civil penalty for failing to do so.

**Status:** Held in Senate Judiciary Committee

**AJR-16 (Luz Rivas) - Armenian Genocide.**

This resolution commemorates the Armenian Genocide and calls upon the United States President and Congress to formally and consistently recognize the genocide.

**Status:** Chapter 150, Statutes of 2019

**MORTGAGES****SB-18 (Skinner) - Keep Californians Housed Act.**

This bill indefinitely extends state protections for tenants whose landlord goes into foreclosure. Those protections give such tenants the right to remain for the duration of any pre-existing fixed-term lease, except in specified circumstances, and require post-foreclosure owners to provide 90 days' advance notice before terminating any pre-existing month-to-month tenancy.

**Status:** Chapter 134, Statutes of 2019

**SB-306 (Morrell) - Mortgages and deeds of trust: substitutions.**

This bill gives authority to mortgage trustees to resign from that role or to refuse appointment to that role, sets forth procedures for a mortgage trustee to follow when resigning or refusing appointment, and explains the effect of the resignation or refusal. This bill also requires the trust beneficiary to appoint a trustee if one is not designated in the deed, and to appoint a successor trustee upon the resignation, incapacity, disability, absence, or death of the prior trustee.

**Status:** Chapter 474, Statutes of 2019

**SB-1079 (Skinner) - Residential property: foreclosure.**

This bill enacts a series of measures intended to mitigate against blight, vacancy, and the transfer of residential property ownership from owner-occupants to landlord investors in the event that California experiences a wave of foreclosures. Specifically, the bill provides tenants, prospective owner-occupants, nonprofit affordable housing providers, community land trusts, limited-equity housing cooperatives, and public entities a 45-day window to purchase residential property going through foreclosure if they can match (in the case of tenants) or exceed (in the case of other purchasers) the last and highest bid made on single-family homes at the foreclosure auction. Second, the bill prohibits sales of bundled properties at foreclosure auctions. Finally, the bill increases local governments' authority to assess fines on owners of blighted properties acquired at foreclosure sales, while also requiring local governments to provide these owners with more detail as to the alleged blight and giving owners more time to remedy issues before any fine is assessed against them.

**Status:** Chapter 202, Statutes of 2020

**SB-1148 (Jones) - Mortgages and deeds of trust: foreclosure.**

This bill alters the default geographic range in which a mortgage trustee may publish a notice of foreclosure sale in a nonjudicial foreclosure, which will, in some circumstances, expand the scope of permissible newspapers in which to publish, with the goal of increasing competition among newspapers and a reduction in publication costs. This bill also prohibits certain courts' practice of charging first-filing or motion filing fees for declarations of nonmonetary status, filed when a mortgage trustee is a party to an action solely by virtue of their status as trustee, by stating that a mortgage trustee's declaration of nonmonetary status is not a motion or responsive filing.

**Status:** Chapter 203, Statutes of 2020

**AB-1106 (Smith) - Los Angeles County: notice of recordation.**

This bill extends authorization to Los Angeles County to operate its Homeowner Notification Program for an additional 10 years, should it elect to do so. The Program is designed to combat fraud by alerting people and providing them with advice when documents are recorded against the property they own or reside in.

**Status:** Chapter 165, Statutes of 2019

## **NOTARIES**

**SB-1322 (Rubio) - Remote Online Notarization Act.**

This bill would have enacted the Remote Online Notarization Act, which, during the state of emergency related to the COVID-19 pandemic, would have authorized a notary public to apply for registration with the Secretary of State to be a remote online notary public. The bill also would have required the Secretary of State to adopt rules necessary to implement the act.

**Status:** Held in Senate Judiciary Committee

## **PRIVACY**

**SB-371 (Caballero) - Schoolbuses: stop requirements.**

This bill would have authorized school districts to install automated schoolbus video enforcement systems for schoolbus passing violations.

**Status:** Died on the Senate Floor

**SB-561 (Jackson) - California Consumer Privacy Act of 2018: consumer remedies.**

This bill would have amended the public and consumer enforcement mechanisms in the California Consumer Privacy Act (CCPA). The bill would have also authorized the Attorney General to provide general guidance on compliance with the CCPA.

**Status:** Held in Senate Appropriations Committee

**SB-564 (Leyva) - Depiction of individual using digital or electronic technology: sexually explicit material: cause of action.**

This bill would have provided a cause of action for the nonconsensual disclosure of sexually explicit material depicting individuals in realistic digitized performances. The bill would have provided specified remedies and allowed for the plaintiff in such cases to proceed using a pseudonym.

**Status:** Held in Senate Appropriations Committee

**SB-591 (Galgiani) - Incarcerated persons: health records.**

This bill requires that psychiatrists or psychologists from the State Department of State Hospitals, the Department of Corrections and Rehabilitation, or the Board of Parole Hearings be given access to prisoners being temporarily held at a county correctional facility, a county medical facility, or a state-assigned mental health provider.

**Status:** Chapter 649, Statutes of 2019

**SB-753 (Stern) - Public social services: emergency notification.**

This bill would have amended the definition of “sell,” “selling,” “sale,” or “sold” in the California Consumer Privacy Act to exclude certain advertising practices, including those in which a business shares, discloses, or otherwise communicates to another business or third party certain consumer information to the extent necessary to serve or audit a specific advertisement to the consumer. Consumers would have no longer had the ability to opt out of such sales of their information. The bill was subsequently gutted and amended. It would have authorized the disclosure of the telephone numbers and email addresses of elderly or disabled individuals receiving certain government services to specified emergency services personnel in the event of a public safety emergency requiring possible evacuation, including public safety power shut-offs. The bill was again gutted and amended out of this Committee's jurisdiction after passing the Senate Floor.

**Status:** Held in Assembly Higher Education Committee

**SB-798 (Chang) - Unsolicited lewd images.**

This bill would have established a private cause of action against a person who knowingly transmits or shares a lewd image by electronic means if the transmission or sending of that image was not at the request of, or expressly consented to by, the plaintiff and the plaintiff can demonstrate that the image they received was lewd, there was clear intent by the defendant that the plaintiff receive the image, and that there was no, or only a limited, relationship between the plaintiff and the defendant. The bill would have authorized a plaintiff to be awarded statutory damages and reasonable attorney's fees.

**Status:** Held in Senate Judiciary Committee

**SB-980 (Umberg) - Privacy: DNA or illness testing companies.**

This bill would have established the Genetic Information Privacy Act, which would have safeguarded the privacy, confidentiality, security, and integrity of a consumer's genetic data by requiring direct-to-consumer genetic testing companies to provide clear disclosures and consumer control and requiring these companies to obtain express consent for the collection, use, and disclosure of the consumer's genetic data, including separate and express consent for specified actions. This bill also would have required

security measures to be taken and prohibited discrimination against consumers for exercising these rights.

The bill was vetoed by the Governor, who stated in part: "I share the perspective that the sensitive nature of human genetic data warrants strong privacy rights and protections. However, the broad language in this bill risks unintended consequences, as the 'opt-in' provisions of the bill could interfere with laboratories' mandatory requirement to report COVID-19 test outcomes to local public health departments, who report that information to the California Department of Public Health. This reporting requirement is critical to California's public health response to the COVID-19 pandemic, and we cannot afford to unintentionally impede that effort.

Because I agree with the primary goal of this bill, I am directing the California Health and Human Services Agency and the Department of Public Health to work with the Legislature on a solution that achieves the privacy aims of the bill while preventing inadvertent impacts on COVID-19 testing efforts."

**Status:** Vetoed by the Governor

**SB-994 (Bates) - Juror selection: information sharing.**

This bill would have required jury commissioners to share information provided in prospective juror questionnaires with the county elections official of the relevant county for the purpose of the county elections official conducting voter roll maintenance activities, such as removing persons from the voter rolls who are deceased, admitted noncitizens, or otherwise ineligible to register to vote.

**Status:** Held in Senate Judiciary Committee

**SB-1182 (Leyva) - Unsolicited images.**

This bill would have made it a crime for a person to knowingly send an unsolicited image by electronic means depicting any person engaging in sexual acts or displaying their genitals. It would have also created a private cause of action against a person who knowingly sends an unsolicited image by electronic means depicting any person engaging in sexual acts or displaying their genitals. The bill would have entitled the plaintiff to recover economic and noneconomic damages or statutory damages of a sum not less than \$1,500 but not more than \$30,000, as well as punitive damages, reasonable attorney's fees and costs, and other available relief, including injunctive relief.

**Status:** Held in Senate Judiciary Committee

**AB-25 (Chau) - California Consumer Privacy Act of 2018.**

This bill authorizes a business to require authentication of consumers, as specified, in connection with requests made pursuant to the California Consumer Privacy Act (CCPA) and allows a business to require requests to be made through an existing account. This bill exempts certain personal information collected by business employers from the scope of the CCPA until January 1, 2021, except as provided.

**Status:** Chapter 763, Statutes of 2019

**AB-326 (Muratsuchi) - Electric mobility manufacturers.**

This bill would have exempted electric mobility manufacturers, as defined, from existing laws and subjected them to a new regulatory scheme. It would have allowed for the

collection and use of personally identifiable information and the use of electronic tracking technology.

**Status:** Failed passage on the Senate Floor

**AB-384 (Chau) - Information privacy: digital health feedback systems.**

This bill would have made a business a provider of health care, and therefore subject to California's Confidentiality of Medical Information Act, when it offers personal health record software or hardware that is designed to maintain and make available personal health record information for purposes of allowing the individual to manage their information, or for the diagnosis, treatment, or management of a medical condition of the individual.

**Status:** Held in Senate Appropriations Committee

**AB-523 (Irwin) - Telecommunications: customer right of privacy.**

This bill would have generally prohibited a wireless provider from disclosing a subscriber's cell site location information without first obtaining their express written consent.

**Status:** Died on the Senate Floor

**AB-602 (Berman) - Depiction of individual using digital or electronic technology: sexually explicit material: cause of action.**

This bill provides a cause of action for the nonconsensual disclosure of sexually explicit material depicting individuals in realistic digitized performances, or "deepfakes."

**Status:** Chapter 491, Statutes of 2019

**AB-660 (Levine) - Personal information: contact tracing.**

This bill would have provided that data collected, received, or prepared for purposes of contact tracing shall not be used, maintained, or disclosed for any purpose other than facilitating contact tracing efforts. The bill would have required such data to be deleted, as specified, and would have prohibited the involvement of law enforcement, as defined, in contact tracing.

**Status:** Held in Senate Appropriations Committee

**AB-699 (Grayson) - Credit services organizations.**

This bill would have modified the Credit Services Act of 1984 to expand the list of prohibited acts by credit service organizations and impose certain requirements relating to their solicitation of business and communication with consumers.

**Status:** Held in Senate Judiciary Committee

**AB-728 (Santiago) - Homeless multidisciplinary personnel teams.**

This bill, until 2025, creates a pilot program in seven counties that expands existing provisions governing homeless adult and family multidisciplinary personnel teams, the members of which are authorized to share the personal information of individuals they intend to serve. Those provisions currently apply to homeless adults. This bill additionally applies the provisions to individuals at risk of homelessness.

**Status:** Chapter 337, Statutes of 2019

**AB-846 (Burke) - Customer loyalty programs.**

As it passed through this Committee, this bill would have provided that the California Consumer Privacy Act does not prohibit a business from offering a different price, rate, level, or quality of goods or services to a consumer, including offering them for no fee, if the offering is in connection with a loyalty or rewards program. The sale of information collected in connection with these programs would have been restricted except for a narrow exception for eligibility determinations. The bill was subsequently gutted and amended to address peace officer standards and was signed into law.

**Status:** Chapter 322, Statutes of 2020

**AB-873 (Irwin) - California Consumer Privacy Act of 2018.**

This bill would have amended the definitions of “personal information” and “deidentified” for purposes of the California Consumer Privacy Act (CCPA). The change to the latter definition would have removed information that can relate to, describe, and that is capable of being associated with a particular consumer from the definition of personal information, so long as it meets certain other guidelines, and therefore would have removed the CCPA’s protections of this information and consumers’ access to and control over it.

**Status:** Failed passage in the Senate Judiciary Committee

**AB-874 (Irwin) - California Consumer Privacy Act of 2018.**

This bill amends the definitions of “personal information” and “publicly available” for purposes of the California Consumer Privacy Act. The bill amends the exclusions from the definition of personal information by redefining what is considered publicly available, namely eliminating the provision that provides that information is not publicly available if that data is used for a purpose that is not compatible with the purpose for which the data is maintained and made available in the government records, or for which it is publicly maintained. The bill also narrows the definition of what is personal information to include only information that is reasonably capable of being associated with a consumer or household and making it clear that personal information does not include consumer information that is deidentified or aggregate consumer information.

**Status:** Chapter 748, Statutes of 2019

**AB-1130 (Levine) - Personal information: data breaches.**

This bill updates the definition of “personal information” in various consumer protection statutes to include certain government identification numbers and biometric data. Current law requires businesses that own, license, or maintain personal information to implement and maintain reasonable security procedures and practices to protect that information. In addition, California’s data breach notification statutes require government agencies, persons, and businesses to provide residents with specified notices in the wake of breaches of residents’ personal information. This bill expands the definition of personal information in each of those statutes to include certain additional information that is particularly sensitive but not currently explicitly included in these statutes, including biometric data and certain identification numbers.

**Status:** Chapter 750, Statutes of 2019

**AB-1142 (Friedman) - Regional transportation plans: transportation network companies.**

This bill would have sought to address the impacts of transportation network companies (TNCs) on transportation planning and environmental goals. The bill would have required the Public Utilities Commission to consider the needs of various entities in its determination of what TNC data should be shared in commission Rulemaking 12-12-011, Rulemaking on Regulations Relating to Passenger Carriers, Ridesharing, and New Online-Enabled Transportation Services.

**Status:** Held in Senate Appropriations Committee

**AB-1146 (Berman) - California Consumer Privacy Act of 2018: exemptions: vehicle information.**

This bill narrowly limits the California Consumer Privacy Act's opt-out and deletion rights with respect to "vehicle information" in order to facilitate prompt and effective recalls and warranty work. In response to concerns about the interplay of these rights to delete or restrict sales of certain data and existing processes for effectuating warranty and recall notices, this bill exempts certain vehicle and ownership information from the scope of the opt-out rights and to prevent consumers from seeking the deletion of information that is necessary to fulfill the terms of a written warranty or recall.

**Status:** Chapter 751, Statutes of 2019

**AB-1202 (Chau) - Privacy: data brokers.**

This bill requires data brokers to register with, and pay a registration fee to, the Attorney General on an annual basis. It requires the Attorney General to make this information available to the public in a registry on its Internet Web site. A data broker is defined as a business that knowingly collects and sells to third parties the personal information of a consumer with whom the business does not have a direct relationship.

**Status:** Chapter 753, Statutes of 2019

**AB-1281 (Chau) - Privacy: facial recognition technology: disclosure.**

This bill passed through this Committee twice. Originally, it would have required businesses to disclose when they are using facial recognition technology in a clear and conspicuous, physical sign at the entrance of every location that uses the technology and require the sign to include information about where an individual can find more information about the purposes for which the business uses facial recognition technology. However, the bill was subsequently gutted and amended. The final version of the bill extends the sunset dates on exemptions in the California Consumer Privacy Act for certain personal information collected by employers and collected in connection with business transactions and communications.

**Status:** Chapter 268, Statutes of 2020

**AB-1355 (Chau) - Personal information.**

This bill makes a number of amendments to the California Consumer Privacy Act (CCPA). It clarifies that a business' online privacy policy or website must disclose a consumer has the right to request the specific pieces of personal information the business has collected about that consumer and that a business must disclose the categories of personal information sold to each category of third party. The bill requires

a business to get affirmative authorization from a consumer who is at least 13 years of age and less than 16 years of age before selling the consumer's information. The bill clarifies that personal information does not include consumer information that is deidentified or aggregate consumer information. It further makes clear that the CCPA does not require a business to collect or retain personal information that it would not otherwise collect or retain in the ordinary course of business. The bill expands the exemption relating to the Fair Credit Reporting Act.

The bill exempts from various provisions of the CCPA personal information reflecting communications or transactions between a business and a consumer, where the latter is acting in their capacity as an employee, owner, director, officer, or contractor of a specific entity, as provided. This provision only applies until January 1, 2021. The bill amends the private right of action provided in the CCPA to apply only to personal information that is nonencrypted and nonredacted. It also authorizes the Attorney General to adopt additional regulations to establish rules and procedures on dealing with consumer requests for information relating to a household. The bill makes a series of other technical, corrective, and clarifying amendments.

**Status:** Chapter 757, Statutes of 2019

**AB-1395 (Cunningham) - Information privacy: other connected device with a voice recognition feature.**

This bill would have provided certain limitations on the use of voice recognition features in connection with smart speaker devices and any transcripts or recordings collected or retained in connection with that use.

**Status:** Held in Senate Judiciary Committee

**AB-1416 (Cooley) - Business: collection and disclosures of consumer personal information.**

This bill would have created new exemptions to the California Consumer Privacy Act (CCPA) that provide that the obligations imposed on businesses by the CCPA shall not restrict a business's ability to engage in certain practices.

**Status:** Held in Senate Judiciary Committee

**AB-1564 (Berman) - Consumer privacy: consumer request for disclosure methods.**

This bill provides that a business that operates exclusively online and has a direct relationship with a consumer from whom it collects personal information shall only be required to provide an email address for submitting requests for information required to be disclosed pursuant to the California Consumer Privacy Act.

**Status:** Chapter 759, Statutes of 2019

**AB-1665 (Chau) - The Parent's Accountability and Child Protection Act.**

As it passed through this Committee, this bill would have placed certain requirements on the process by which persons and businesses are to obtain consent to sell a minor's personal information. It would have required certain operators of social media websites or applications to obtain consent to sell a minor's personal information in a process that is separate from the website or application's general terms and conditions before the

minor's personal information can be sold. It would have further prohibited the website or application from obtaining parental consent through the minor. In order to avoid discriminatory or coercive practices, the bill would have provided that the failure of a parent to grant consent for the sale of the minor's information could not result in the minor being blocked from accessing the internet website or application. The bill was subsequently gutted and amended to regulate athletic trainers.

**Status:** Held in Senate Business, Professions, and Economic Development Committee

**AB-1747 (Gonzalez) - Law enforcement: immigration.**

This bill prohibits use of information in the California Law Enforcement Telecommunication System (CLETS), other than criminal history information, for immigration enforcement purposes. Beginning July 1, 2021, the bill also requires any inquiry for information other than criminal history information submitted through CLETS to include a reason for the initiation of the inquiry and authorizes the Attorney General to monitor compliance.

**Status:** Chapter 789, Statutes of 2019

**AB-1782 (Chau) - Personal information: contact tracing.**

Originally, this bill would have required those operating automated license plate recognition (ALPR) systems and those accessing or using ALPR data to have policies that include procedures to ensure nonanonymized ALPR information is timely destroyed, except as specified, and that all ALPR information that is shared is anonymized. It was subsequently gutted and amended to regulate public entities and businesses engaging in technology-assisted contact tracing (TACT). The bill would have provided clear guidelines on who can engage in TACT, what information can be collected, and how long it can be kept. It would have implemented use and disclosure limitations. The bill would have required the affirmative, informed consent of a user before any data can be collected or used and prohibited any discrimination based on participation in TACT.

**Status:** Held in Senate Appropriations Committee

**AB-2280 (Chau) - Information privacy: personal health record information: software or hardware.**

This bill would have subjected businesses to provisions of the California Medical Information Act where the business offers personal health record software or hardware to a consumer, including a mobile application or other related device that is designed to maintain personal health record information in order to make information available to an individual or to a provider of health care, for purposes of allowing the individual to manage their information, or for the diagnosis, treatment, or management of a medical condition of the individual. "Personal health record" would have been defined as a commercial internet website, online service, or product that is used by an individual and that collects the individual's personal health record information.

**Status:** Held in Senate Judiciary Committee

**AB-2376 (Flora) - Vital records: certified copies: electronic requests.**

This bill would have deleted the January 1, 2021 sunset date on the authority of the State Registrar, local registrar, or county recorder to accept, from an authorized person

requesting a vital record, electronic verification of identity accompanied by an electronic statement sworn under penalty of perjury, thereby extending that authority indefinitely.

**Status:** Held in Senate Judiciary Committee

**AB-2442 (Chau) - Social media platforms: false information.**

This bill would have required that a social media platform disclose whether it has a policy to address the spread of misinformation online, and face a \$1,000-per-day civil penalty for failing to do so.

**Status:** Held in Senate Judiciary Committee

## **PROBATE, TRUSTS AND ESTATES, CONSERVATORSHIPS AND GUARDIANSHIPS**

**SB-40 (Wiener) - Conservatorship: serious mental illness and substance use disorders.**

This bill amends a pilot program that, for participating counties, establishes a conservatorship procedure applicable to individuals who are incapable of caring for their own health and well-being due to a serious mental illness and substance use disorder. In broad strokes, this bill: (1) compresses the timeframes for the conservatorship, including changing the one-year conservatorship to a six-month conservatorship; (2) makes a prerequisite of that conservatorship a 28-day temporary conservatorship; (3) makes the trigger-point for the temporary conservatorship the person's eighth 72-hour involuntary detention in a 12-month period; (4) provides that the establishment of a conservatorship is subject to a judicial determination regarding the person's eligibility for assisted outpatient treatment; and (5) establishes additional protections to ensure that the conservatorship scheme is more narrowly drawn.

**Status:** Chapter 467, Statutes of 2019

**SB-303 (Wieckowski) - Guardians and conservators.**

This bill imposes a higher standard for the sale of a conservatee's personal residence and limits the amount of compensation that may be paid to a guardian, conservator, or attorney from a ward's or conservatee's government benefits.

**Status:** Chapter 847, Statutes of 2019

**SB-308 (Jones) - Estates and trusts: instrument.**

This bill revises the definition of "instrument" under the Probate Code to clarify that a "trust" is a written document or a modification thereof.

**Status:** Chapter 56, Statutes of 2019

**SB-492 (Galgiani) - Elder or dependent adult abuse.**

Existing law provides that an alleged victim of elder or dependent adult abuse may refuse or withdraw consent at any time to an investigation by an adult protective services agency or long-term care ombudsman program, as specified. This bill would have automatically deemed consent to be granted if the alleged abuser is the alleged victim's "personal representative," a term defined to include a conservator, person with a durable power of attorney, or successor trustee. The bill would have required that

such an investigation be reported to the local law enforcement agency that has a primary investigative role.

**Status:** Held in Senate Public Safety Committee

**SB-590 (Stone) - Mental health evaluations: gravely disabled due to impairment by chronic alcoholism.**

Existing law, for purposes of imposing a conservatorship on an individual, establishes a process for obtaining a court order to subject the individual to an evaluation to determine if they are gravely disabled due to a mental illness or controlled substance use disorder. This bill would have extended that process to individuals alleged to be gravely disabled due to chronic alcoholism.

**Status:** Held in Assembly Appropriations Committee

**SB-640 (Moorlach) - Mental health services: gravely disabled persons.**

Under the Lanterman-Petris Short Act a person may be subjected to a conservatorship and involuntary commitment if they are "gravely disabled," which is defined as, among other things, a condition in which a person, as a result of a mental health disorder, is unable to provide for their basic personal needs for food, clothing, or shelter. This bill would have enabled counties to adopt an expanded version of the standard that instead applies to a person with a mental illness who is incapable of making informed decisions about, or providing for, the person's own basic personal needs for food, clothing, or shelter without significant supervision and assistance from another person and, as a result of being incapable of making these informed decisions, the person is at risk of substantial bodily harm, dangerous worsening of a concomitant serious physical illness, significant psychiatric deterioration, or mismanagement of the person's essential needs that could result in bodily harm.

**Status:** Failed passage in the Senate Health Committee

**SB-919 (Wieckowski) - Public administrators: compensation.**

This bill would have increased the minimum compensation of public administrators who administer unclaimed estates from \$1,000 to \$1,600. The bill also would have required the Judicial Council to increase that figure based on the California Consumer Price Index every three years.

**Status:** Held in Senate Judiciary Committee

**SB-1016 (Wieckowski) - Limited conservatorship.**

This bill would have: (1) required appointed counsel for a proposed limited conservatee to advocate for their expressed interests, as defined; (2) authorized the counsel to consult with any other person knowledgeable regarding the proposed limited conservatee to assist in interpreting the expressed interests of the proposed limited conservatee; (3) restricted the appointment of a conservator of the person for a person with a developmental disability to a limited conservatorship; and (4) required the court to inquire as to whether less restrictive alternatives to conservatorship have been considered or attempted, as prescribed.

**Status:** Held in Senate Judiciary Committee

**SB-1251 (Moorlach) - Conservatorships: serious mental illness and substance use disorders: counties.**

Existing law, until January 1, 2024, establishes a “housing conservatorship” procedure for people who are incapable of providing for their own health and wellbeing due to a serious mental illness and substance use disorder, as specified. The procedure is applicable in Los Angeles, San Diego, and San Francisco counties, respectively, if their boards of supervisors find that there are sufficient resources and services, as prescribed. This bill would have expanded the housing conservatorship pilot program to any county that adopts it.

**Status:** Held in Senate Judiciary Committee

**SB-1254 (Moorlach) - Guardians ad litem: mental illnesses.**

This bill would have established procedures for the indefinite appointment of a guardian ad litem for a person who, upon petition to a court, is determined to lack the capacity to make rational informed decisions regarding medical care, mental health care, safety, hygiene, shelter, food, or clothing with a rational thought process due to a mental illness, defect, or deficiency. The bill also would have provided that a guardian may make medical care, mental health care, safety, hygiene, shelter, food, or clothing decisions on behalf of the person lacking capacity. Additionally, the bill would have authorized certain persons to petition the court for the appointment of a guardian ad litem under these provisions. Under certain circumstances, the bill would have required the court to appoint the public defender or private counsel to represent a person who is the subject of a petition. Finally, the bill would have provided a process for the guardianship to proceed or follow a conservatorship under the Lanterman-Petris-Short Act.

**Status:** Held in Senate Judiciary Committee

**SB-1305 (Roth) - Revocable transfer on death deeds.**

This bill extends the sunset date for revocable transfer on death deeds from January 1, 2021 to January 1, 2022.

**Status:** Chapter 238, Statutes of 2020

**AB-327 (Maienschein) - Estates and trusts: at-death transfers.**

This bill provides that a spousal at-death transfer, as defined, that is conveyed by will, revocable trust, beneficiary form, or other instrument is not subject to a presumption of undue influence under a Family Code provision applicable to interspousal contracts.

**Status:** Chapter 43, Statutes of 2019

**AB-328 (Maienschein) - Estates and trusts: undue influence.**

This bill presumptively renders invalid donative transfers to caregivers who marry the dependent adult in their care, except in certain circumstances.

**Status:** Chapter 10, Statutes of 2019

**AB-473 (Maienschein) - Disposition of estate without administration.**

This bill (1) increases the threshold value of small estates and portions of estates that may be administered outside of probate, and (2) decreases from 10 percent to seven

percent the interest applicable if a recipient of property under these provisions must provide restitution to the rightful recipient of the property.

**Status:** Chapter 122, Statutes of 2019

**AB-1667 (Santiago) - Electronic wills.**

This bill would have required the California Law Revision Commission, by September 30, 2022, to provide the Legislature a study on electronic wills, as specified.

**Status:** Held in Senate Appropriations Committee

**AB-2015 (Eggman) - Certification for intensive treatment: review hearing.**

This bill would have provided that a person's medical condition may be considered in determining their mental condition for purposes of certifying them for a 14 or 30-day involuntary detention for treatment and evaluation under the Lanterman-Petris-Short Act.

**Status:** Held in Senate Judiciary Committee

**AB-2573 (Oberholte) - Trusts: notifications.**

This bill would have provided that a 120-day limitations period to challenge a trust applies only when the settlor dies and the trust becomes irrevocable.

**Status:** Held in Senate Judiciary Committee

**AB-2844 (Oberholte) - Guardians and conservators: duties: accountings.**

This bill enables guardians and conservators to satisfy their existing duties to provide accountings to courts by submitting verified electronic account statements.

**Status:** Chapter 221, Statutes of 2020

## **REAL PROPERTY**

**SB-578 (Jones) - Vacation Ownership and Time-Share Act of 2004: incentives.**

This bill authorizes, until January 1, 2023, persons subject to the Vacation Ownership and Time-Share Act of 2004 (VOTA) to offer to prospective purchasers temporary accommodations that are beyond a 20-mile radius away from the property on which a time-share interest is offered for sale, provided that: (1) the vendor gives prior written notice of the accommodation's location as specified; (2) the purchasers acknowledge their consent; and (3) the vendor has not engaged in any one of a series of enumerated deceptive practices under VOTA. The bill also allows the use of third-party arbitration organizations other than the American Arbitration Association relating to the arbitration of various contractual issues under VOTA in accordance with existing provisions of law governing arbitration.

**Status:** Chapter 153, Statutes of 2019

**SB-1079 (Skinner) - Residential property: foreclosure.**

This bill enacts a series of measures intended to mitigate against blight, vacancy, and the transfer of residential property ownership from owner-occupants to landlord investors in the event that California experiences a wave of foreclosures. Specifically, the bill provides tenants, prospective owner-occupants, nonprofit affordable housing

providers, community land trusts, limited-equity housing cooperatives, and public entities a 45-day window to purchase residential property going through foreclosure if they can match (in the case of tenants) or exceed (in the case of other purchasers) the last and highest bid made on single-family homes at the foreclosure auction. Second, the bill prohibits sales of bundled properties at foreclosure auctions. Finally, the bill increases local governments' authority to assess fines on owners of blighted properties acquired at foreclosure sales, while also requiring local governments to provide these owners with more detail as to the alleged blight and giving owners more time to remedy issues before any fine is assessed against them.

**Status:** Chapter 202, Statutes of 2020

**AB-892 (Holden) - Transfers of real property: disclosures.**

This bill clarifies and, in some instances, makes slight modifications to the laws governing the duties of the various actors involved in residential real estate transactions. Specifically, the bill: (1) clarifies the scope of disclosure and visual inspection requirements; (2) requires that multiple listing services retain certain property-related documents for three years; and (3) clarifies when the clock starts on the buyer's window to rescind an offer after receiving the transfer disclosure statement.

**Status:** Chapter 310, Statutes of 2019

**AB-1703 (Bloom) - Residential real property: sale of rental properties: right of first offer.**

This bill would have required any person or entity selling residential property occupied by a tenant to provide those tenants and any qualified organization, as defined, with an opportunity to offer to purchase the property. The bill would have required a qualified organization purchasing the property to retain the existing tenants and adhere to specified affordability standards.

**Status:** Held in Senate Judiciary Committee

**AB-2463 (Wicks) - Enforcement of money judgments: execution: homestead.**

This bill prohibits a judgment creditor from forcing a judgment debtor to sell their principal place of residence to satisfy a consumer debt, unless the debt was secured by the residence, or under other limited circumstances specified in the bill.

**Status:** Chapter 218, Statutes of 2020

## **TORT LIABILITY**

**SB-41 (Hertzberg) - Civil actions: damages.**

This bill provides that estimations, measures, or calculations of past, present, or future damages for lost earnings or impaired earning capacity resulting from personal injury or wrongful death shall not be reduced based on race, ethnicity, or gender.

**Status:** Chapter 136, Statutes of 2019

**SB-564 (Leyva) - Depiction of individual using digital or electronic technology: sexually explicit material: cause of action.**

This bill would have provided a cause of action for the nonconsensual disclosure of sexually explicit material depicting individuals in realistic digitized performances. The bill would have provided specified remedies and allowed for the plaintiff in such cases to proceed using a pseudonym.

**Status:** Held in Senate Appropriations Committee

**SB-798 (Chang) - Unsolicited lewd images.**

This bill would have established a private cause of action against a person who knowingly transmits or shares a lewd image by electronic means if the transmission or sending of that image was not at the request of, or expressly consented to by, the plaintiff and the plaintiff can demonstrate that the image they received was lewd, there was clear intent by the defendant that the plaintiff receive the image, and that there was no, or only a limited, relationship between the plaintiff and the defendant. The bill would have authorized a plaintiff to be awarded statutory damages and reasonable attorney's fees.

**Status:** Held in Senate Judiciary Committee

**SB-898 (Wieckowski) - Enforcement of judgments: exemptions.**

This bill revises the statutes setting forth the amounts of various types of property owned by a judgment debtor that are statutorily exempt from enforcement of a money judgment so that the amounts match the currently-in-effect amounts implemented by the Judicial Council in 2019. This bill also adds an exemption from enforcement of a judgment for money held in a college savings account owned by the debtor that was established pursuant to the Golden State ScholarShare Trust Act (Ed. Code, § 69980 et seq., referred to as a "ScholarShare account"); for amounts contributed to the debtor's ScholarShare account within the two years preceding a debtor's petition for bankruptcy, the exemption is limited to a per-year, per-beneficiary maximum of "the amount of the annual gift tax exclusion under Section 2503(b) of the Internal Revenue Code of 1986, as amended, in effect at the time of the contribution," which is currently \$15,000.

**Status:** Chapter 81, Statutes of 2020

**SB-1003 (Jones) - Skateboard parks: other wheeled recreational devices: safety and liability.**

This bill expands the law providing public entities qualified immunity, if certain attendant requirements are met, in connection with skateboarding in skateboard parks to also include the riding of other wheeled recreational devices, as defined. Similar to skateboarding, the riding of other wheeled recreational devices will be considered a "hazardous recreational activity."

**Status:** Chapter 236, Statutes of 2020

**SB-1182 (Leyva) - Unsolicited images.**

This bill would have made it a crime for a person to knowingly send an unsolicited image by electronic means depicting any person engaging in sexual acts or displaying their genitals. It would have also created a private cause of action against a person who knowingly sends an unsolicited image by electronic means depicting any person

engaging in sexual acts or displaying their genitals. The bill would have entitled the plaintiff to recover economic and noneconomic damages or statutory damages of a sum not less than \$1,500 but not more than \$30,000, as well as punitive damages, reasonable attorney's fees and costs, and other available relief, including injunctive relief.

**Status:** Held in Senate Judiciary Committee

**SB-1334 (Chang) - Civil damages: protective order.**

This bill would have expanded the circumstances under which a trial court could permit pretrial discovery into a defendant's assets, where the plaintiff can show there is a risk that the defendant will fraudulently convey assets in order to avoid paying any eventually entered judgment.

**Status:** Held in Senate Judiciary Committee

**AB-206 (Chiu) - Public nuisance: abatement: lead-based paint.**

This bill immunizes property owners who voluntarily participate in lead paint abatement programs from associated liability. The bill prohibits such participation from being evidence of violations of specified housing statutes, but makes clear it does not alter existing obligations to maintain property or limit tenants' remedies for addressing the presence of lead paint.

**Status:** Chapter 171, Statutes of 2019

**AB-218 (Gonzalez) - Damages: childhood sexual assault: statute of limitations.**

This bill extends the time for commencement of actions for childhood sexual assault to 40 years of age or five years from discovery of the injury; provides enhanced damages for a cover up, as defined, of the assault; and provides a three-year window in which expired claims are revived.

**Status:** Chapter 861, Statutes of 2019

**AB-602 (Berman) - Depiction of individual using digital or electronic technology: sexually explicit material: cause of action.**

This bill provides a cause of action for the nonconsensual disclosure of sexually explicit material depicting individuals in realistic digitized performances, or "deepfakes."

**Status:** Chapter 491, Statutes of 2019

**AB-620 (Cooley) - Coroner: sudden unexplained death in childhood.**

This bill requires a coroner to notify the parent or responsible adult of a child who has suffered a sudden unexplained death, as specified. The bill immunizes the coroner from civil liability for any act or omission in compliance with the bill's provisions.

**Status:** Chapter 614, Statutes of 2019

**AB-699 (Grayson) - Credit services organizations.**

This bill would have modified the Credit Services Act of 1984 to expand the list of prohibited acts by credit service organizations and impose certain requirements relating to their solicitation of business and communication with consumers.

**Status:** Held in Senate Judiciary Committee

**AB-743 (Eduardo Garcia) - Pupil health: self-administration of prescribed asthma medication.**

This bill requires a school district to accept the statements of physicians and surgeons who are contracted with certain Mexican health plans in connection with the use of prescription inhaled asthma medication in schools. The bill immunizes school nurses, other school personnel, and school districts from specified liability in connection with a pupil self-administering inhaled asthma medication in accordance with such statements.

**Status:** Chapter 101, Statutes of 2019

**AB-1035 (Ramos) - COVID-19 emergency: small businesses: immunity from civil liability.**

This bill would have provided immunity for certain businesses from liability for injury or illness to a person due to COVID-19 based on a claim that the person contracted the virus while at the business, or due to actions of that small business, if the business has implemented and abided by all applicable state and local health laws, regulations, and protocols, even if the underlying conduct was unreasonable.

**Status:** Held in Senate Judiciary Committee

**AB-1116 (Grayson) - Firefighters: peer support.**

This bill establishes the California Firefighter Peer Support and Crisis Referral Services Act. It provides restrictions on the disclosure of "confidential communications" between emergency services personnel and a peer support team member, or a crisis hotline or crisis referral service. This bill immunizes a peer support team member from specified liability arising from the provision of peer support services.

**Status:** Chapter 388, Statutes of 2019

**AB-1117 (Grayson) - Peace officers: peer support.**

This bill establishes the Law Enforcement Peer Support and Crisis Referral Services Program. It provides restrictions on the disclosure of "confidential communications" between emergency services personnel and a peer support team member, or a crisis hotline or crisis referral service. This bill immunizes a peer support team member from specified liability arising from the provision of peer support services.

**Status:** Chapter 621, Statutes of 2019

**AB-1286 (Muratsuchi) - Shared mobility devices: agreements.**

This bill places requirements on companies that provide shared mobility devices and the local authorities that allow such devices to be operated within their jurisdictions. It requires shared mobility service providers, as defined, to enter into an agreement with or obtain a permit from the local jurisdiction in which the providers' devices are used. Such agreement or permit must require certain minimum levels of liability insurance. The bill also requires cities and counties authorizing providers to operate within their jurisdictions to establish rules governing the operation, parking, and maintenance of these devices by ordinance, agreement, or permit terms.

**Status:** Chapter 91, Statutes of 2020

**AB-1384 (O'Donnell) - Local educational agencies: liability for COVID-19-related injuries.**

As it first came to this Committee, this bill would have defined a “consumer credit transaction,” for purposes of California’s Covered Loan Law, as a loan made to a natural person in which the money loaned is primarily for personal, family, or household purposes. It would have thus excluded loans made for business purposes from the Covered Loan Law. However, it was subsequently gutted and amended. The final version of the bill would have provided local educational agencies, and their officers and employees, immunity from monetary liability, where certain conditions are met, for injury relating to COVID-19 infection, transmission, or relevant policies and procedures, including, but not limited to, claims for injury or death, notwithstanding any law that might impose that liability.

**Status:** Held in Senate Judiciary Committee

**AB-1510 (Reyes) - Sexual assault and other sexual misconduct: statutes of limitations on civil actions.**

This bill revives certain otherwise-time-barred claims for damages arising from sexual assault and other inappropriate conduct of a sexual nature, as specified. This bill amends the definitions and scope of the statute of limitations applying to sexual assault claims. The statute of limitations for damages arising from a sexual assault that occurred when the victim was an adult is 10 years from the date of the last actionable conduct or three years from the discovery of the resulting injury. Partially in response to the allegations against Dr. George Tyndall and the University of Southern California, this bill revives a specific set of claims that would otherwise be time-barred because of the applicable statute of limitations arising out of sexual assault or other inappropriate sexual conduct for one year starting January 1, 2020.

**Status:** Chapter 462, Statutes of 2019

**AB-1544 (Gipson) - Community Paramedicine or Triage to Alternate Destination Act.**

This bill enacts the Community Paramedicine or Triage to Alternate Destination Act of 2020. The bill authorizes local emergency medical services agencies to develop programs to provide community paramedic or triage to alternate destination services in various specialties. It makes clear that existing liability limitations apply to the bill’s provisions.

**Status:** Chapter 138, Statutes of 2020

**AB-1759 (Salas) - Institutions of higher education: liability for COVID-19-related injuries.**

This bill would have provided institutions of higher education, and its officers, employees, or governing bodies, immunity from monetary liability, where certain conditions are met, for injury relating to COVID-19 infection, illness, or death, notwithstanding any law that might impose that liability.

**Status:** Held in Senate Judiciary Committee

**AB-2319 (Berman) - Tow truck operators: liens: exceptions.**

This bill harmonizes the means by which a former vehicle owner can avoid liability for unpaid towing and storage fees incurred by a subsequent owner with the means provided for avoiding all other civil and criminal liability as provided for in the Vehicle Code.

**Status:** Chapter 50, Statutes of 2020

**AB-2442 (Chau) - Social media platforms: false information.**

This bill would have required that a social media platform disclose whether it has a policy to address the spread of misinformation online, and face a \$1,000-per-day civil penalty for failing to do so.

**Status:** Held in Senate Judiciary Committee

**AB-2443 (Weber) - Deceptive practices: debt settlement.**

This bill would have added two unlawful acts under the Consumer Legal Remedies Act: the act of engaging in the business of receiving or soliciting money or evidences thereof, or processing payment for the purpose of distributing the money or evidences thereof, among creditors in payment or partial payment of the obligations of the debtor in a manner that deceives consumers, including by, among other methods, failing to disclose clearly and conspicuously the terms and risks of the program; and engaging in the business of a prorater in a manner that violates the Check Sellers, Bill Payers and Proraters Law. The bill would also have made it an unlawful act to provide payment processing services, for which a fee is charged to a consumer, to a prorater that is acting in violation of these provisions.

**Status:** Held in Senate Judiciary Committee

**AB-2445 (Reyes) - Civil actions: wrongful death.**

This bill authorizes legal guardians to assert wrongful death claims as if they were the decedent's parents, where the deceased parents of the decedent would be entitled to bring such an action. It further provides that the legal guardians are eligible to bring such a claim, whether or not otherwise qualified, if they were dependent on the decedent.

**Status:** Chapter 51, Statutes of 2020

**AB-3092 (Wicks) - Sexual assault and other sexual misconduct: statutes of limitations on civil actions.**

In response to numerous sexual misconduct allegations against Dr. James Heaps and the response from the University of California, Los Angeles (UCLA), where he worked, this bill revives certain claims arising out of sexual assault or other inappropriate sexual conduct committed by a physician associated with UCLA that would otherwise be time-barred because of the applicable statute of limitations for one year starting January 1, 2021. This revival does not apply to claims litigated to finality or compromised by written settlement.

**Status:** Chapter 246, Statutes of 2020

**AB-3228 (Bonta) - Private detention facilities.**

This bill requires, in line with California's interest in ensuring the safety and welfare of its residents and in order to protect incarcerated individuals from serious harm within our state border, a private detention facility operator to comply with, and adhere to, the detention standards of care and confinement agreed upon in the facility's contract for operations. This bill also provides a private right of action for an individual injured by noncompliance with the above standards, as specified, and allows the court to award a prevailing plaintiff reasonable attorney's fees and costs.

**Status:** Chapter 190, Statutes of 2020